

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

5298

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates Y/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

I support it!

「提意見人」姓名／名稱 Name of person/company making this comment Anny Kam

簽署 Signature [Signature] 日期 Date 8-12-16

致城市規劃委員會秘書：

5299

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

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有關的規劃申請編號 The application no. to which the comment relates Y/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

It creates more job opportunities

「提意見人」姓名／名稱 Name of person/company making this comment Chu Chiki

簽署 Signature [Signature] 日期 Date 9-12-16

致城市規劃委員會秘書：

5300

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

支持規劃

「提意見人」姓名／名稱 Name of person/company making this comment Circle Chang

簽署 Signature

[Signature]

日期 Date

8-12-16

致城市規劃委員會秘書：

5301

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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有關的規劃申請編號 The application no. to which the comment relates Y1 DB2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

The surrounding area of the proposed development
will be beautified and bring in new leisure facilities

「提意見人」姓名／名稱 Name of person/company making this comment 洪化成

簽署 Signature

洪化成

日期 Date

9/12

致城市規劃委員會秘書：

5302

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

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By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

7/11 DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

善用七地資源

「提意見人」姓名／名稱 Name of person/company making this comment Mr. Lee Man

簽署 Signature

李民

日期 Date

6th DEC. 16

5303

新城市規劃委員會秘書處：

傳真或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates Y/I - DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

新發展創造更多就業機會

「提意見人」姓名／名稱 Name of person/company making this comment 陸偉傑

簽署 Signature

陸偉傑

日期 Date

9-12-2016

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5304

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :



Date:

9 Dec 2016

Name of Discovery Bay Owner / Resident:

Bryan Ko Shun Leung

Address:



致城市規劃委員會秘書：

5305

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates Y/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

這計劃配合大嶼山發展，保持 DB 的競爭力。

「提意見人」姓名／名稱 Name of person/company making this comment 張志偉

簽署 Signature 張志偉

日期 Date 9th DEC, 16

致城市規劃委員會秘書：

5306

專人送遞或郵遞：香港北角匯華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：ipbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates Y-1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

I Love living in DB, so I support to build more
and I will have more choice.

「提意見人」姓名／名稱 Name of person/company making this comment Susan Marlon

簽署 Signature Susan M. 日期 Date 8-12-06

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5307

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Arcas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

5307

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature: Brian CheungDate: 9 Dec 2016Name of Discovery Bay Owner / Resident: BRIAN CHEUNG NAM CHUNGAddress: [REDACTED]

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5308

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

5308

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.

6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature :

2
Furea Chin

Date: _____

Name of Discovery Bay Owner / Resident:

Paul K. Chiu

Address:

The Secretariat

Town Planning Board

5309

15/F, North Point Government Offices

333 Java Road, North Point

(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

5399

area, and approval of it would be an undesirable precedent. From an environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature: G.R. Lewendon Date: December 9, 2016
Name of Discovery Bay Owner/Resident: GIBSON RICHARD LEWENDON
Address: [REDACTED]

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5310

Dear Sirs,

**Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay**

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

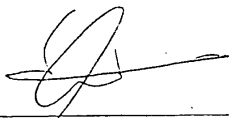
1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This the submission has not addressed.
3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in

population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.

5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature :



Date: 6 DEC 2016

Name of Discovery Bay Owner / Resident: JAMES WIERBE

Address:



This is Parkvale

5311

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

**Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay**

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

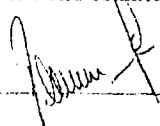
1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Arcas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This

5311

the submission has not addressed.

3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature : 

Date: 9 Dec 16

Name of Discovery Bay Owner / Resident: DEBORAH CY MAY FU

This is Parkvale

5312

The Secretariat

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point

(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

Section 12A Application No. Y/T-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section 1 of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This

the submission has not addressed.

3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature: RA Berles Date: 9 Dec 16
Name of Discovery Bay Owner / Resident: RA Berles

Address: _____

5312

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@tpland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Exi (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

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Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

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2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This the submission has not addressed.

3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
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Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature:  Date: 9/12/16

Name of Discovery Bay Owner / Resident: VICTOR CAN

Address: 

5314

致城市規劃委員會秘書：

粵人字號或郵遞：香港北角海山道333號北角政府合署15樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates VI-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

起及D牌，改善住屋環境

「提意見人」姓名／名稱 Name of person/company making this comment 張建中

簽署 Signature

張建中

日期 Date

8-12-2016

致城市規劃委員會秘書：

5315

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

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By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

Y/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

我支持本規劃

「提意見人」姓名／名稱 Name of person/company making this comment

簽署 Signature

林志和

日期 Date

林志和

6/12/16

致城市規劃委員會秘書：

5316

專人送遞或郵遞：香港北角渣華道333號北角政府合署15樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

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By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

4/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

It creates more job opportunities, which
will bring in many social and economic
benefits to the society.

「提意見人」姓名／名稱 Name of person/company making this comment

簽署 Signature

Lam Se Wing

日期 Date

7-12-2016

致城市規劃委員會秘書：

5317

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

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By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates Y/1-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

這計劃可舒緩香港緊張的房底供應

「提意見人」姓名／名稱 Name of person/company making this comment 易美玉

簽署 Signature

Yik Ming

日期 Date

9/2

致城市規劃委員會秘書：

傳人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

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By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

Y/1-DB-2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

支持發展 我們應善用每一寸土地資源。

「提意見人」姓名／名稱 Name of person/company making this comment

葉偉輝

簽署 Signature

葉偉輝

日期 Date

9/12/16

tpbpd

寄件者:
发件日期:
收件者:
主题:
附件:

Lingyi Zou Berthou
09/11/2016年星期五 11:28
tpbpd@pland.gov.hk
Section 12A Application No. Y/T-D/R/1
6f LZ.pdf; 10b LZ.pdf

Y/T-D/R/1

5319

Hi,

Kindly find our comments attached. Please let us know if anything is unclear.

Regards,

Lingyi Zou Berthou
Owner & resident of

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

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2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

tpbrd

寄件者: Lisa Van den Esschert
寄件日期: 09/11/2016年 星期四 10:39
收件者: tpbrd@pland.gov.hk
主题: FW: Application No. Y/I-DB/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application Further Information (1).pdf

5320

Dear Sirs,

Re: Application No. Y/I-DB/2 Area 6f Discovery Bay;

I have read the attached submission from the PARKVALE OWNERS COMMITTEE and I wish to register my objection with the TPB accordingly.

Yours Sincerely,

Lisa van den Esschert - Owner



tpbrd@pland.gov.hk, Hong Kong

①



Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information. Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the



Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal *"is considered not an efficient sewage planning strategy"*.
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. **Many Plans, Drawings and Reports are missing.** The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing





together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not



been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EAC implications of the proposed development*". (i.e. Area 6f)
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. **EPD and Waste Management** - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. **EPD and Sewage Infrastructure** - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. **EPD and Air Quality** - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.
10. **Lands Department's comments:**
- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
 - b. Specific 4 - HKR recognizes that its application does not conform to the approved MP6.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
 - c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
 - d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information

HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.





4. The following information is being furnished:

THE UNIVERSITY OF CHICAGO
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TEL: +1 773 936 7000
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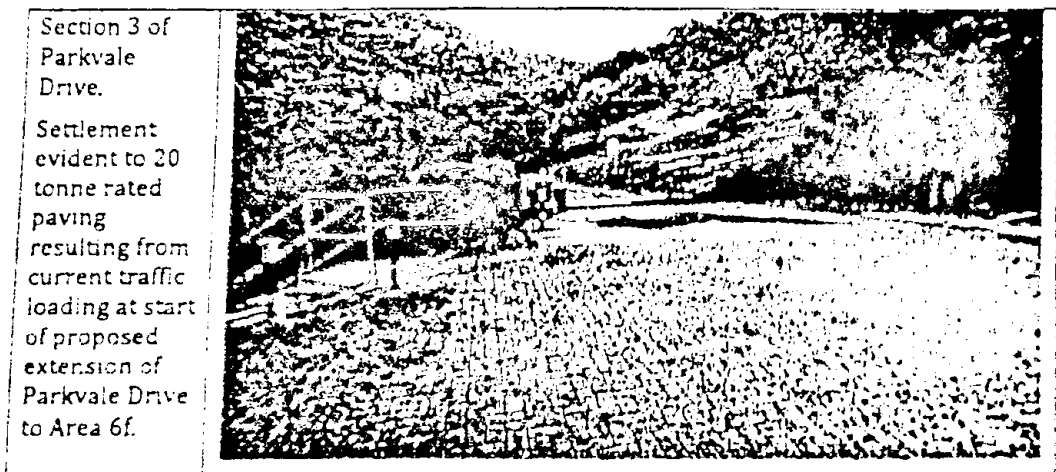


Sermon
Caring children
in school
Bible on
Sermon 2nd
Bible 1st

[illegible]

1. The Commission has received information that the following persons have been identified as being involved in the activities of the Communist Party, U.S.A., in the State of New York:

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

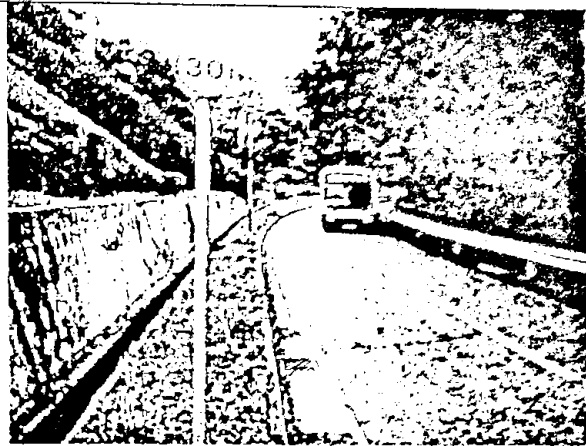


8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.
10. **Width Constraints** - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.



Section 1 of Parkvale Drive.

The view looking up the hill, illustrating the difficulty large vehicles have in passing one another.



11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this constricted area, if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

Section 3 of Parkvale Drive.

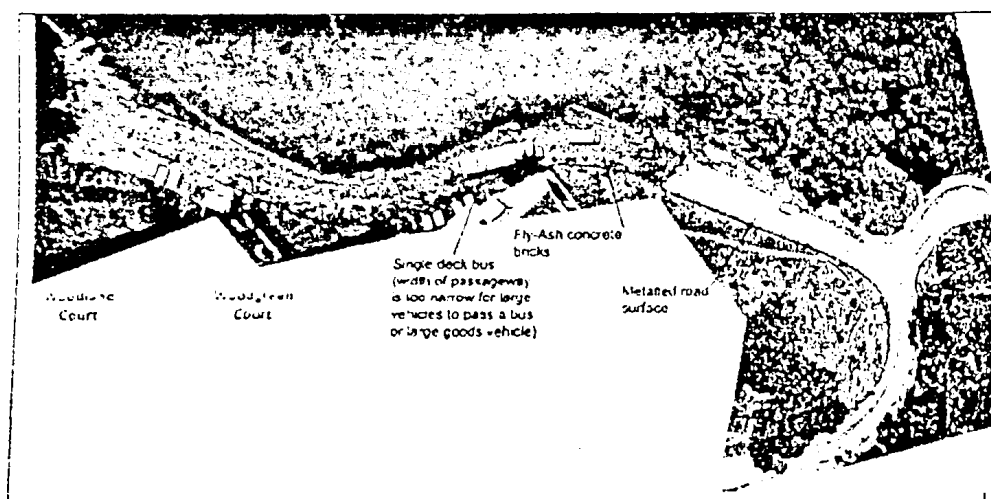
View of the rear of Woodbury Court, illustrating the narrowness of the pedestrian pavement, its lack of a carriageway to separate vehicles from pedestrians and the inability of vehicles to pass one another.



13. The considerable construction traffic will significantly exacerbate the congestion, especially when a construction vehicle and a bus or other large vehicle are both travelling in opposite directions along Parkvale Drive.



14. Emergency Access - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



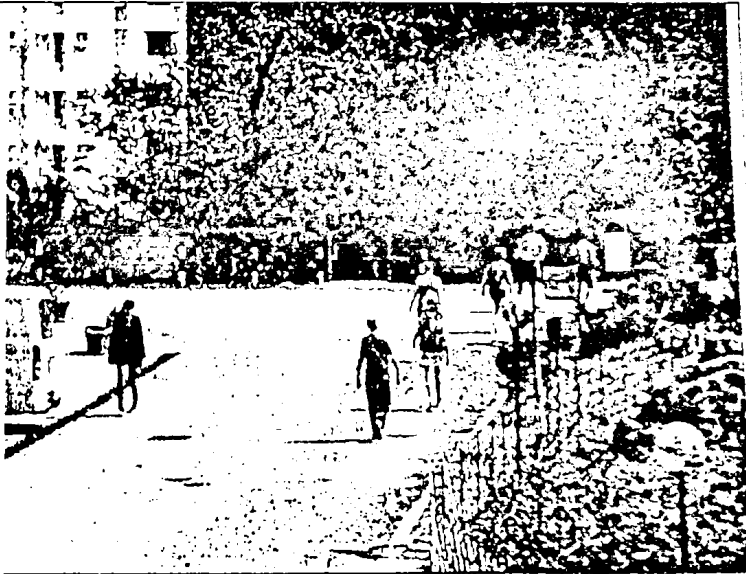
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. Safety - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of
Parkvale Drive.

View of the pedestrian pavement leading to the start of the proposed extension of Parkvale Drive to Area 6f, illustrating that it is primarily a pedestrian thoroughfare.



18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:

"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".
19. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in these documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.

Alternative
access to Area
6f from
Discovery
Valley Road.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is

environmentally unacceptable and will encourage toxic red tides as well as concentrations of E. coli.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. in paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*



only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f, and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the

gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

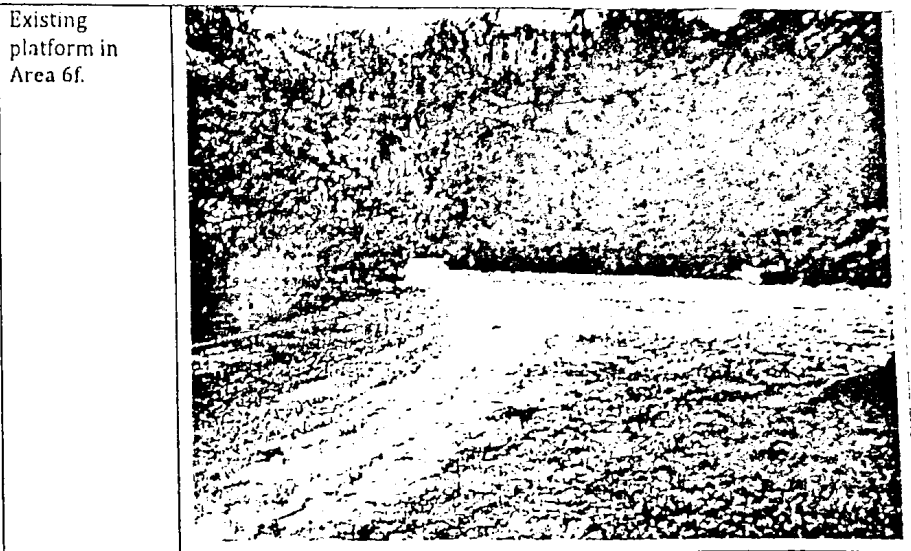
1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

J. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.





6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.

7. HKR should be required to state how it will eliminate these risks.

K. OWNERSHIP AND HKR'S RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F

1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.



L. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to **population**, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. **There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.**
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m² under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m².
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.



8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. **The allocation of undivided shares and management units** is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
11. The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The **DIAGRAMS** (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. **Annex A to the Further Information "Revised Concept Plan":**
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

- a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1.
The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.
 - b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.
5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant. This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development, i.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.
6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.
- a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.
 - b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.
 - c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.
 - d. Figure B.12 view from the hiking trail south of Discovery Valley – these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.





- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that **no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.**

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, **we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.**

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

關於申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範
Broad Development Parameters of the Indicative
Development Proposal in Respect of Application No. Y/I-DB/2
因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範
Revised broad development parameters in view of
the further information received on 27.10.2016

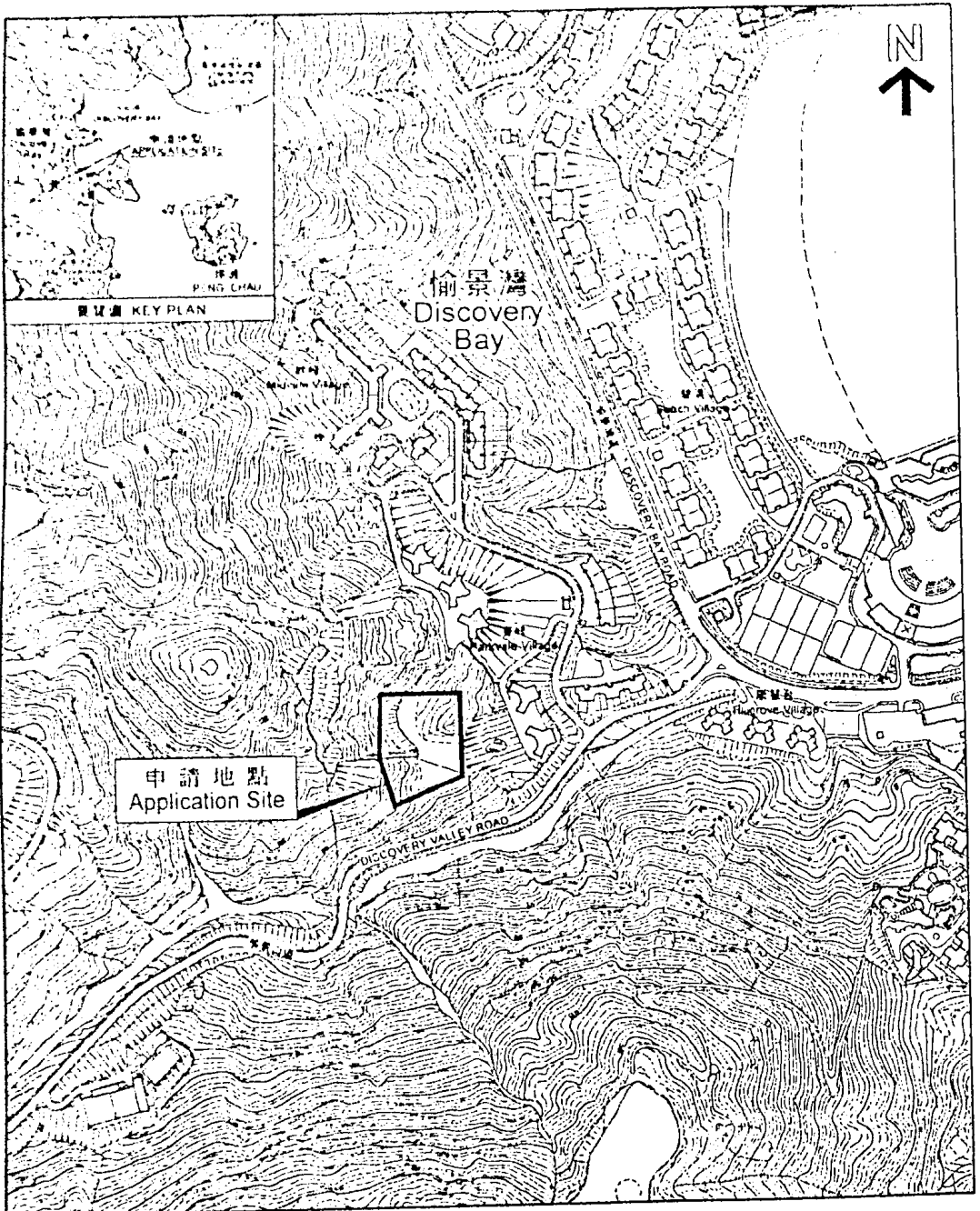
(a) 申請編號 Application no.	Y/I-DB/2			
(b) 位置/地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D D 352, Discovery Bay			
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²			
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4			
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"			
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"			
(g) 總樓面面積 及/或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio	
	住用 Domestic	約 About 21,600	約 About 2.83	
	非住用 Non-domestic	-	-	
(h) 幢數 No. of block	住用 Domestic	2		
	非住用 Non-domestic	-		
	綜合用途 Composite	-		
(i) 建築物高度(以最高 實用樓面空間計算) / 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)		
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)		
		綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
(j) 上蓋面積 Site coverage	約 About 30 %			
(k) 單位數目 No. of units	476 住宅單位 Flats			
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平方米 m ²		
(m) 停車位及上落 客貨車位數目 No. of parking spaces and loading unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)			

* 有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧義，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.



Y/I-DB/2



申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant

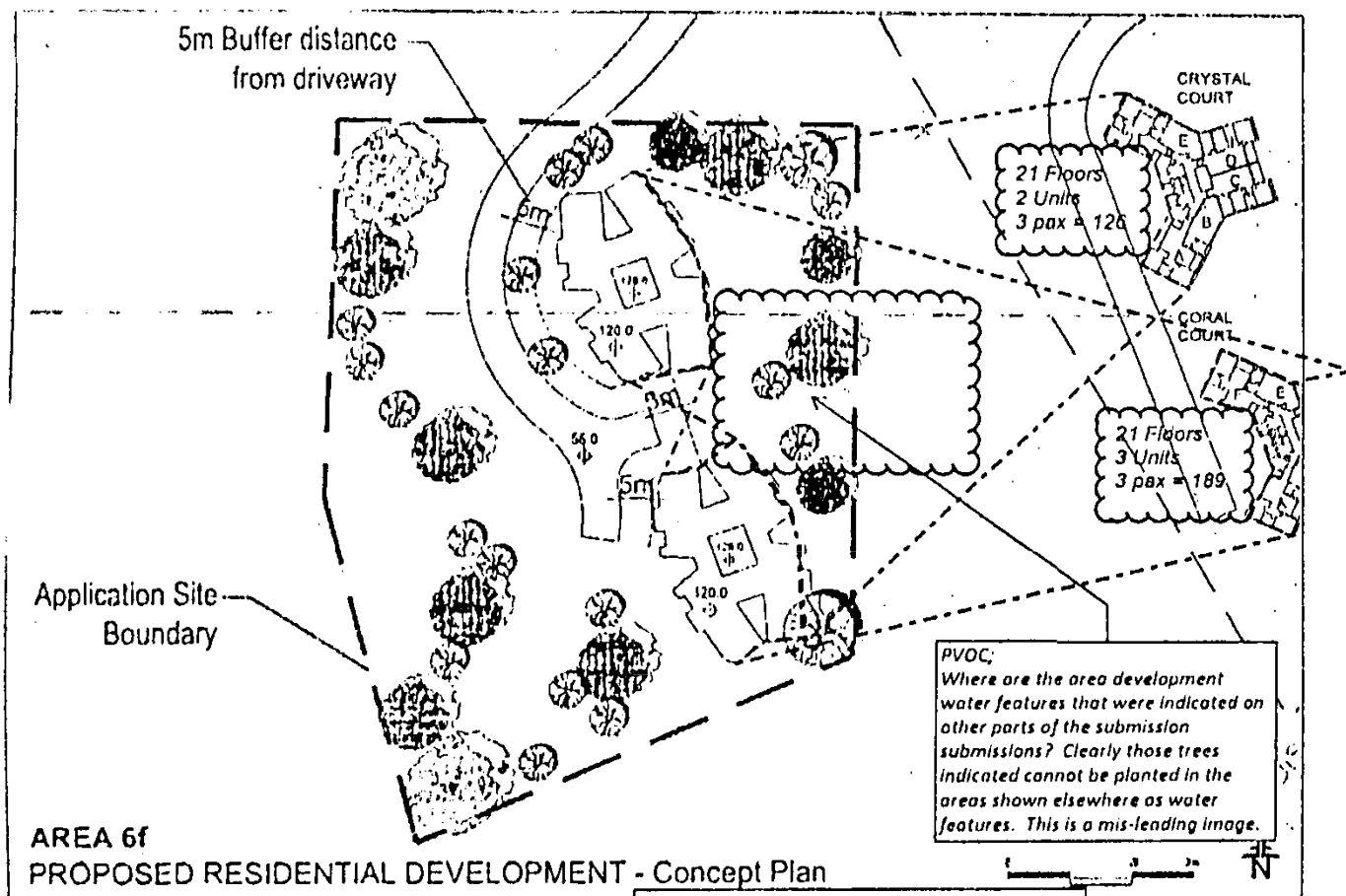
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, that's potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧義，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

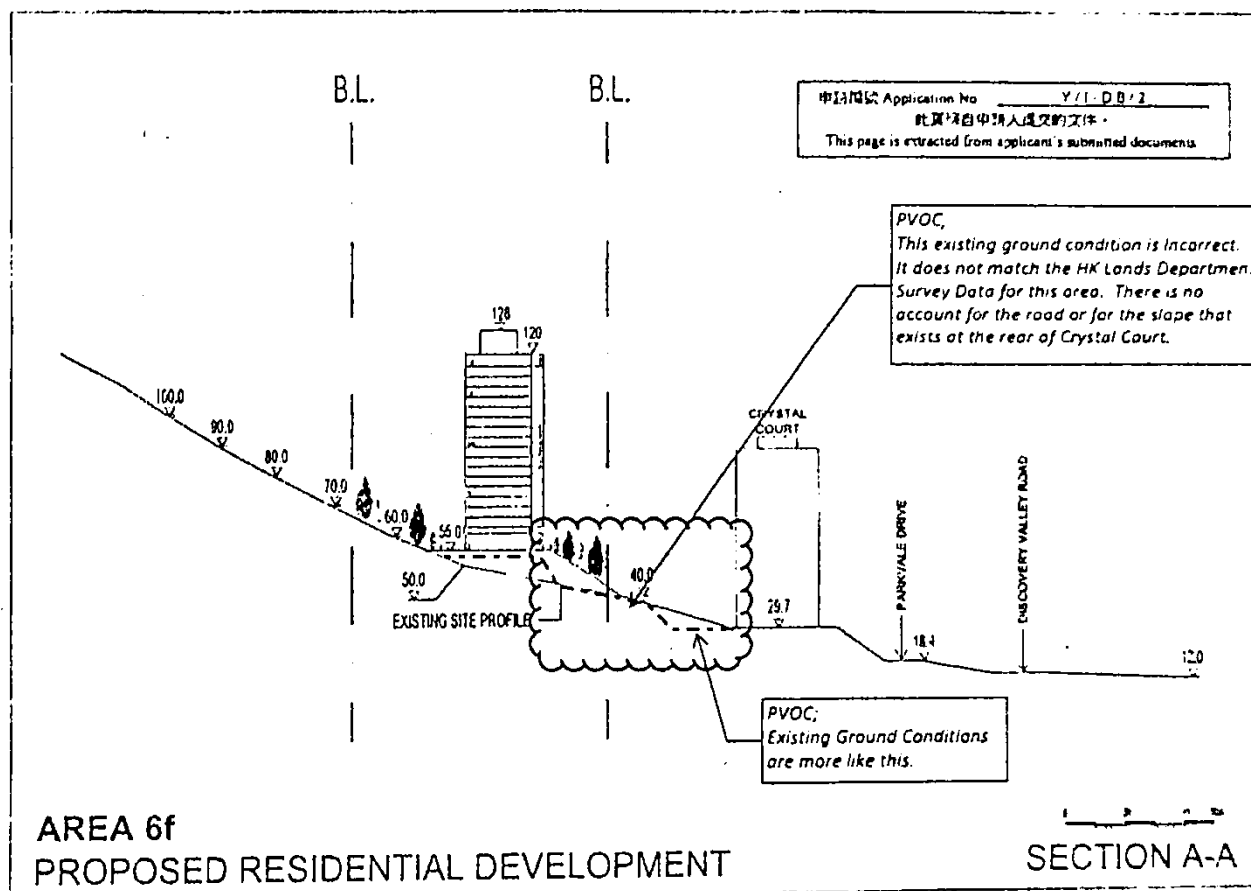
The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

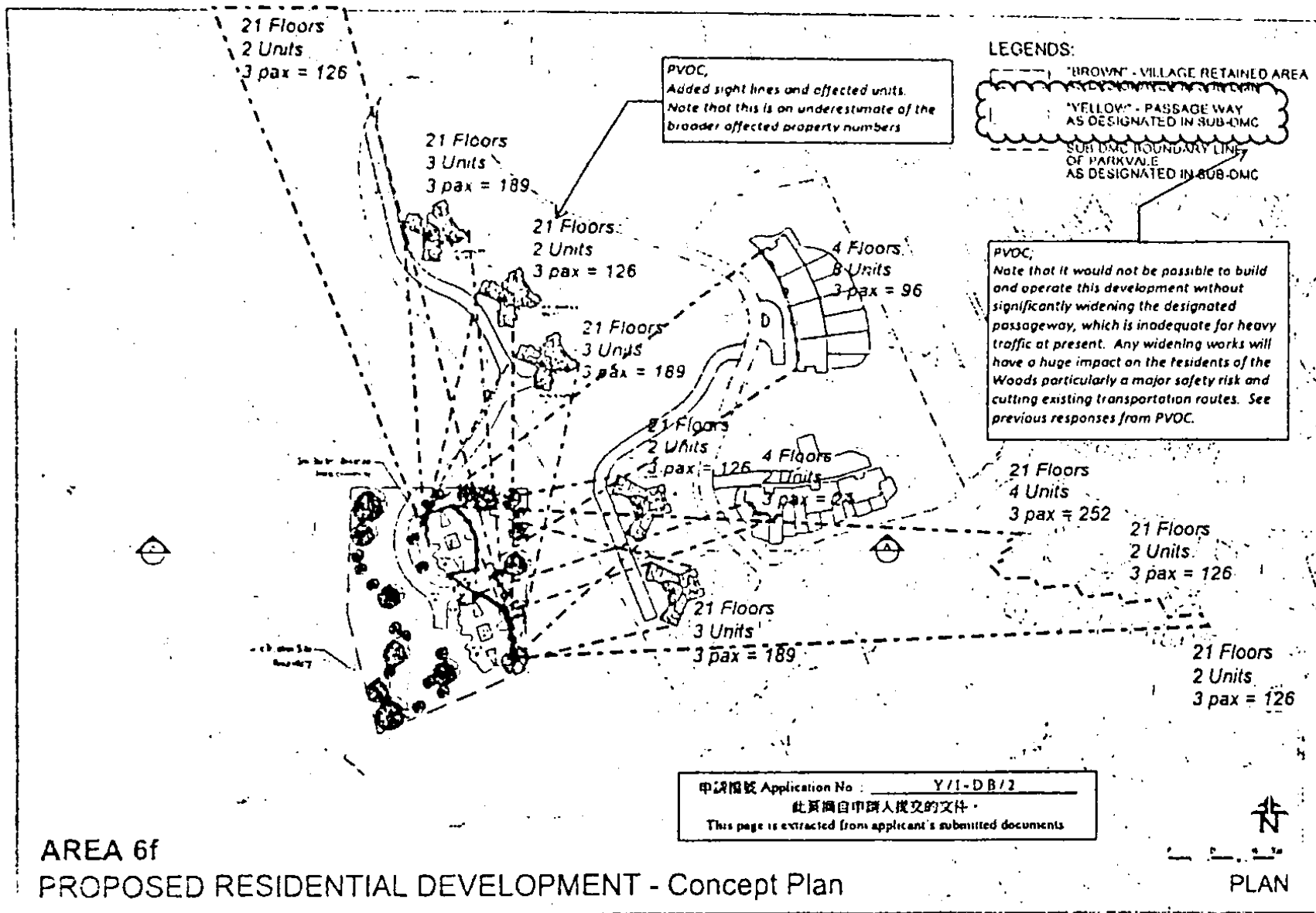


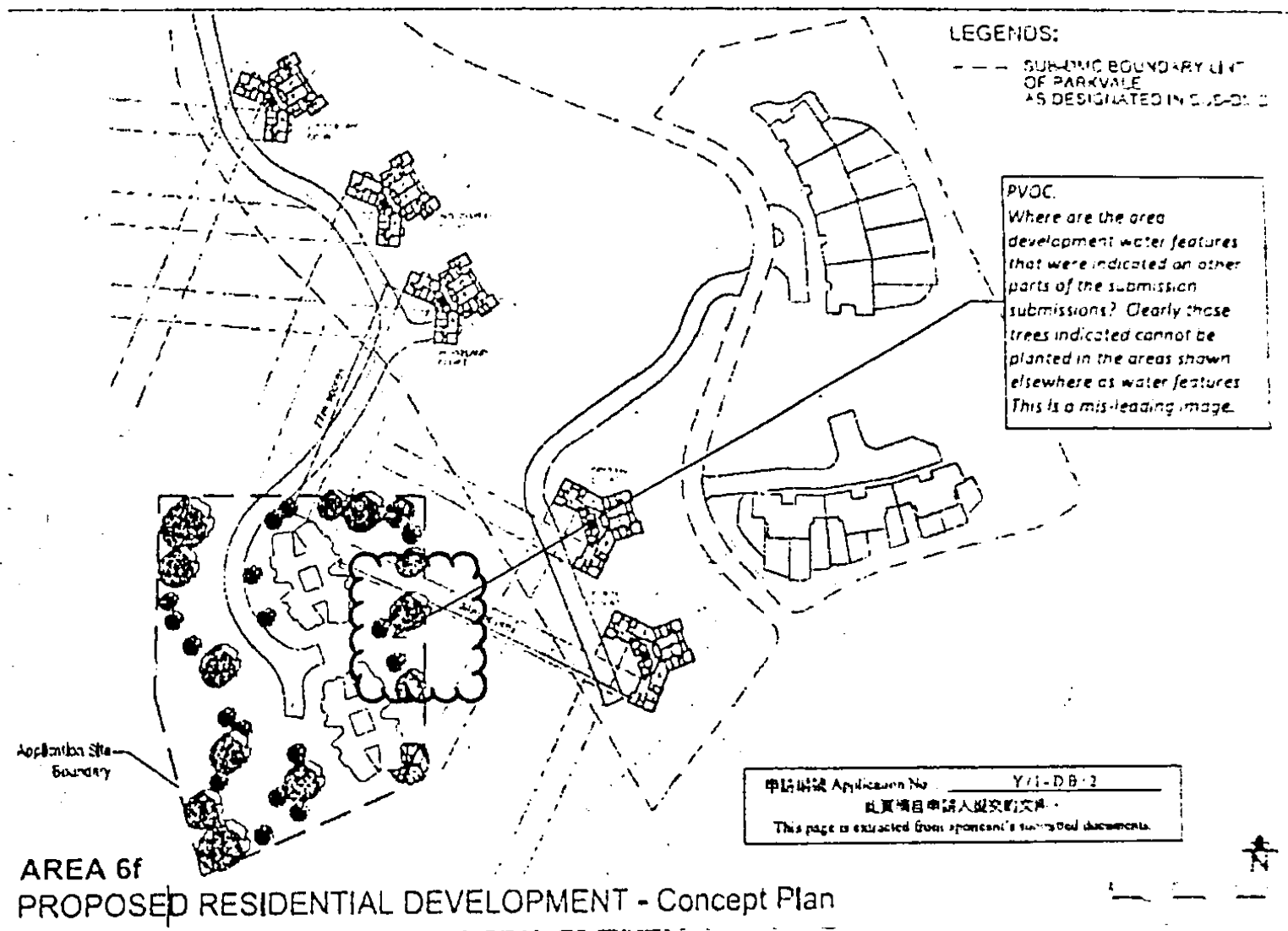
申請編號 Application No : Y/1-DD/2

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申請編號 Application No. Y/1-DB/2
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 This page is extracted from applicant's submitted documents



PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.

KEY PLAN

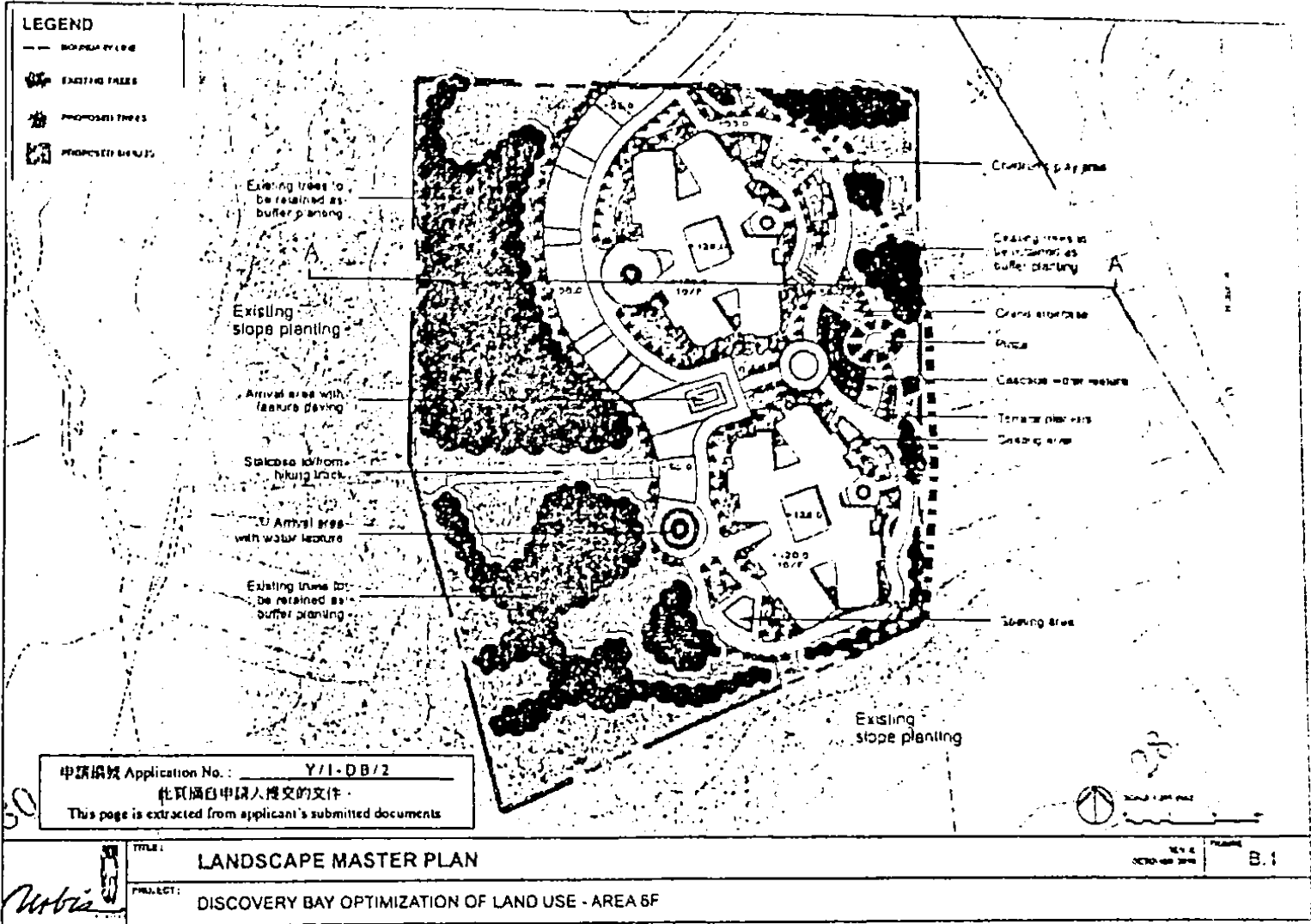
LEVEL

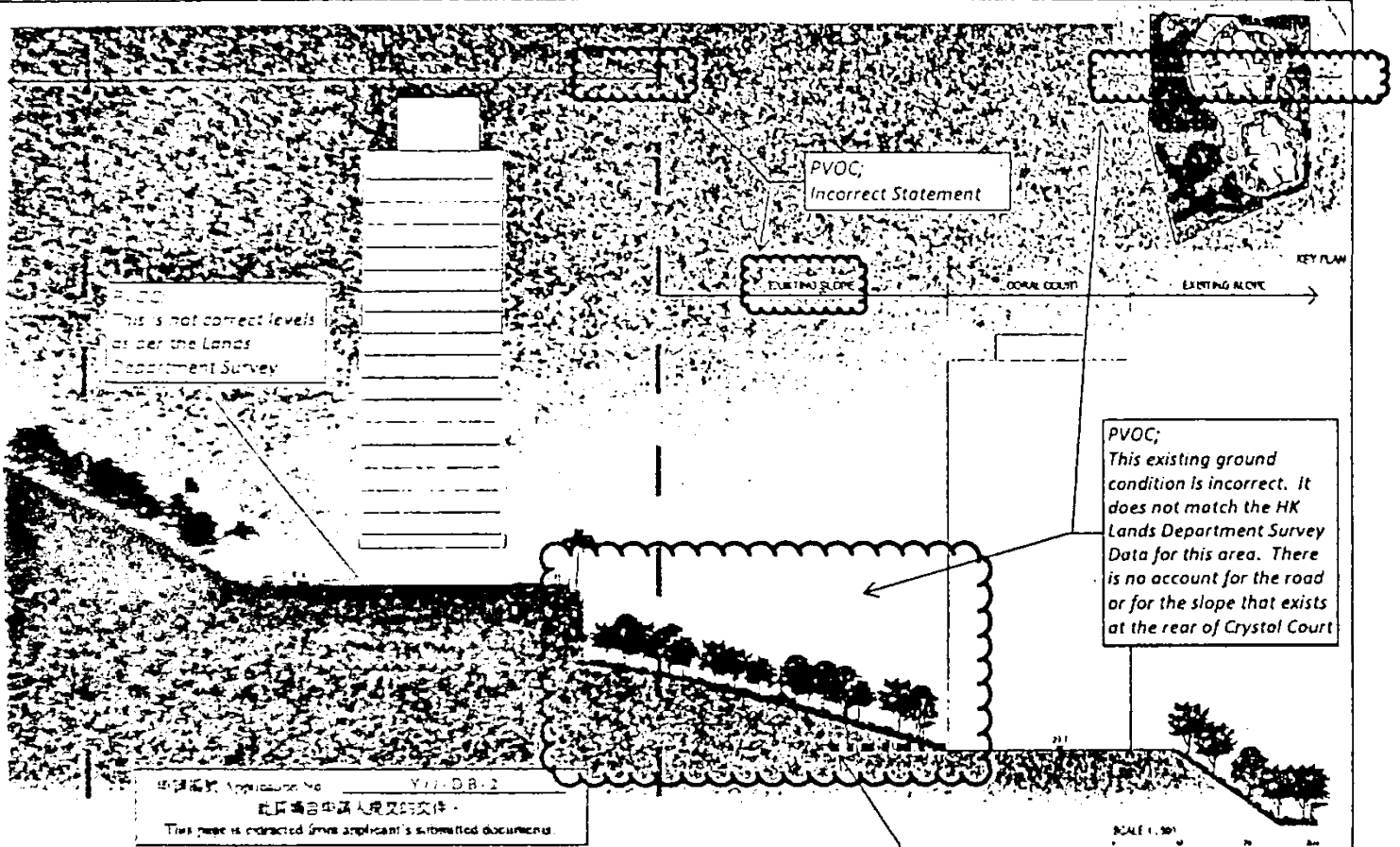
- EXISTING TREE GROUPS
TO BE RETAINED
- EXISTING TREE GROUPS
TO BE REMOVED
- EXISTING TREE GROUPS
TO BE FIELDED
- PROPOSED
DEVELOPMENT LAYOUT

PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F				Drawn by PT30/47/P/1502	
TREES TREATMENT PLAN				Scale 1:1000 (A3)	
Project No.	Y/1-DB/2	Project Name	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	Drawn by	PT30/47/P/1502
Scale	1:1000 (A3)	Project Manager		Checked by	
Author		Project Engineer		Approved by	
Checker		Project Manager		Drawn by	PT30/47/P/1502
Project Engineer		Project Manager		Checked by	
Project Manager		Project Manager		Approved by	

Wubia





申請編號 Application No. Y17-DB-2
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SECTION A-A

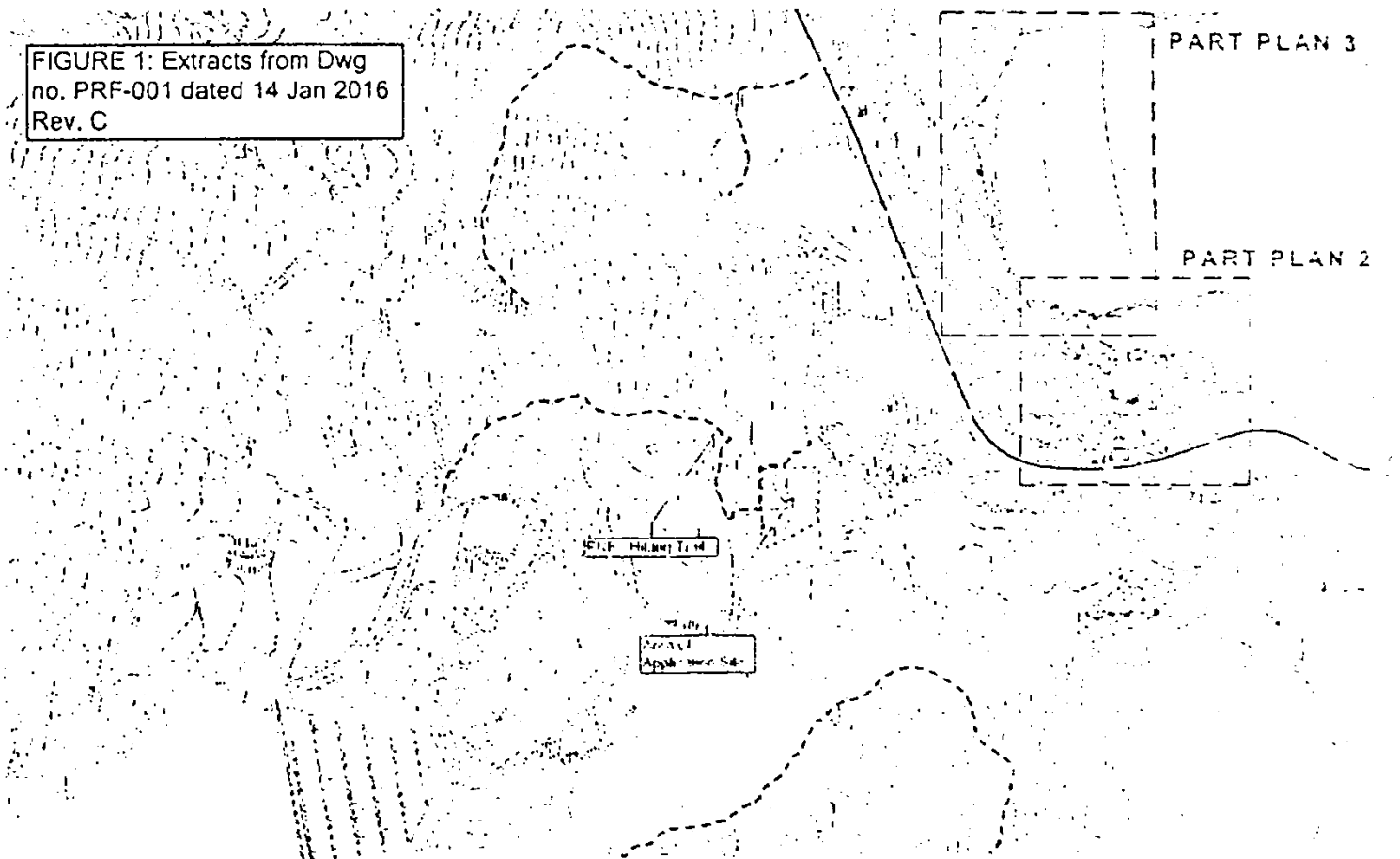
DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

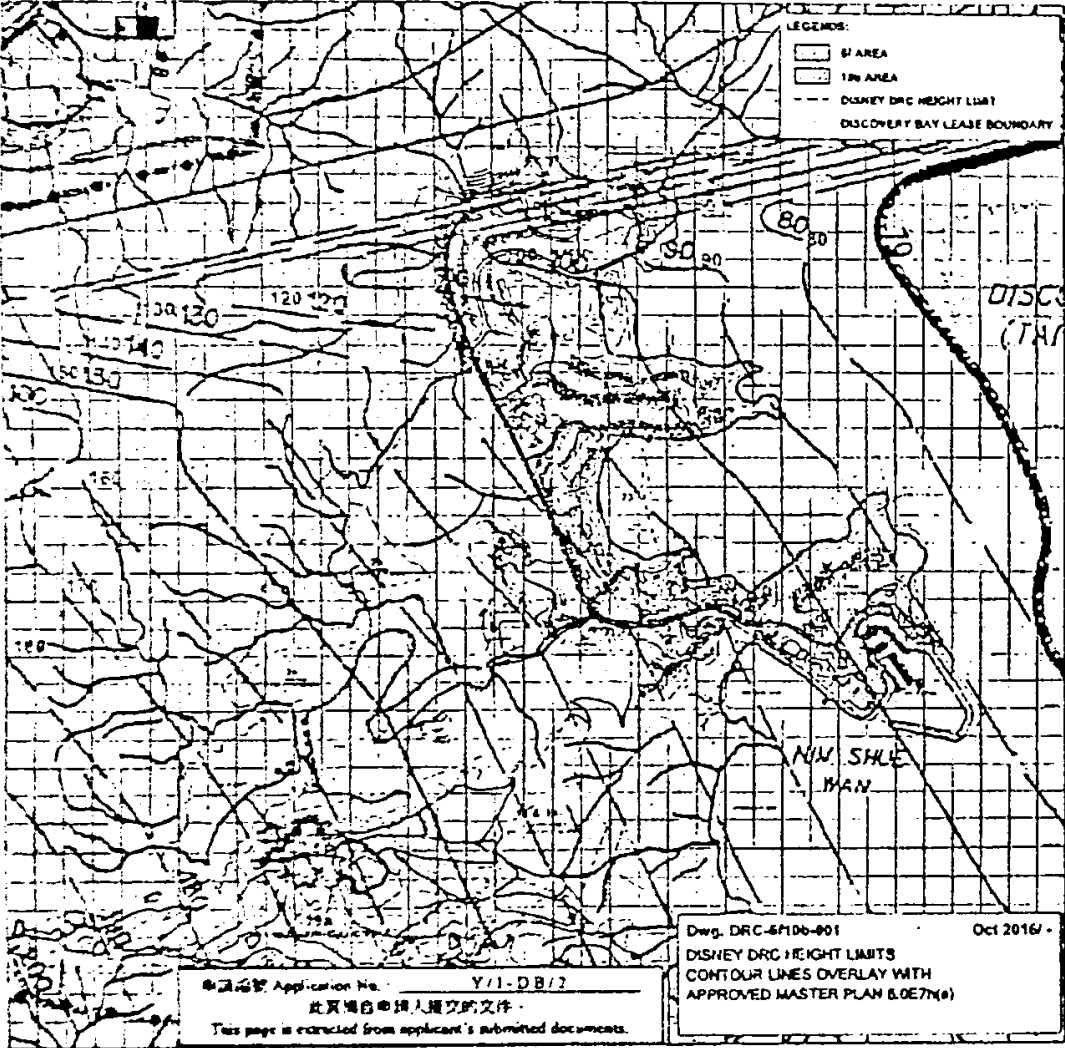
PVOC;
 Existing does not match the profile indicated by the consultant.

REV. A
 UC FORM 8.2 (16)

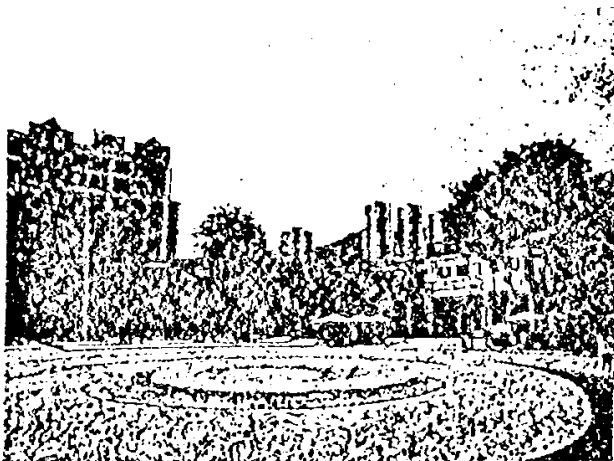
FIGURE
8.2

FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C

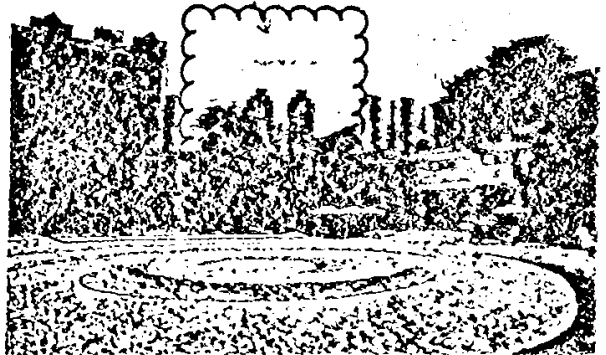




PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached.




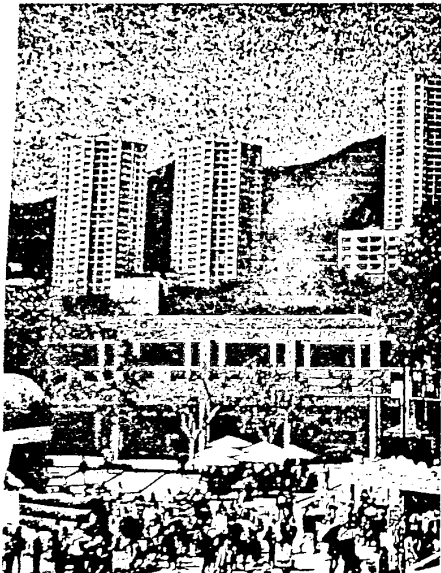
VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

申請編號 Application No.: Y/1-DB/2
 此頁源自申請人提交的文件。
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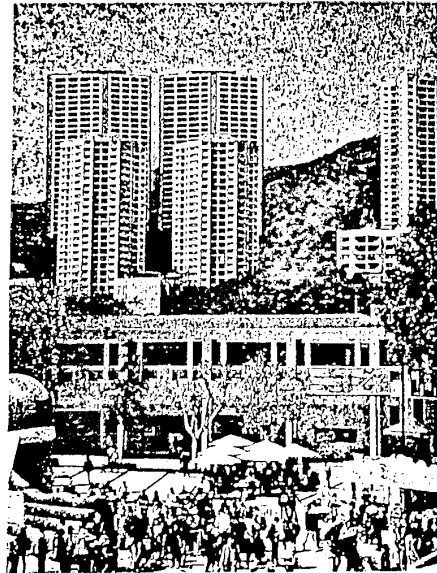
	TITLE	PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	REVISION NO.	R.2
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F		



BEFORE

VOC comments on

HKRs 6f Planning Proposal

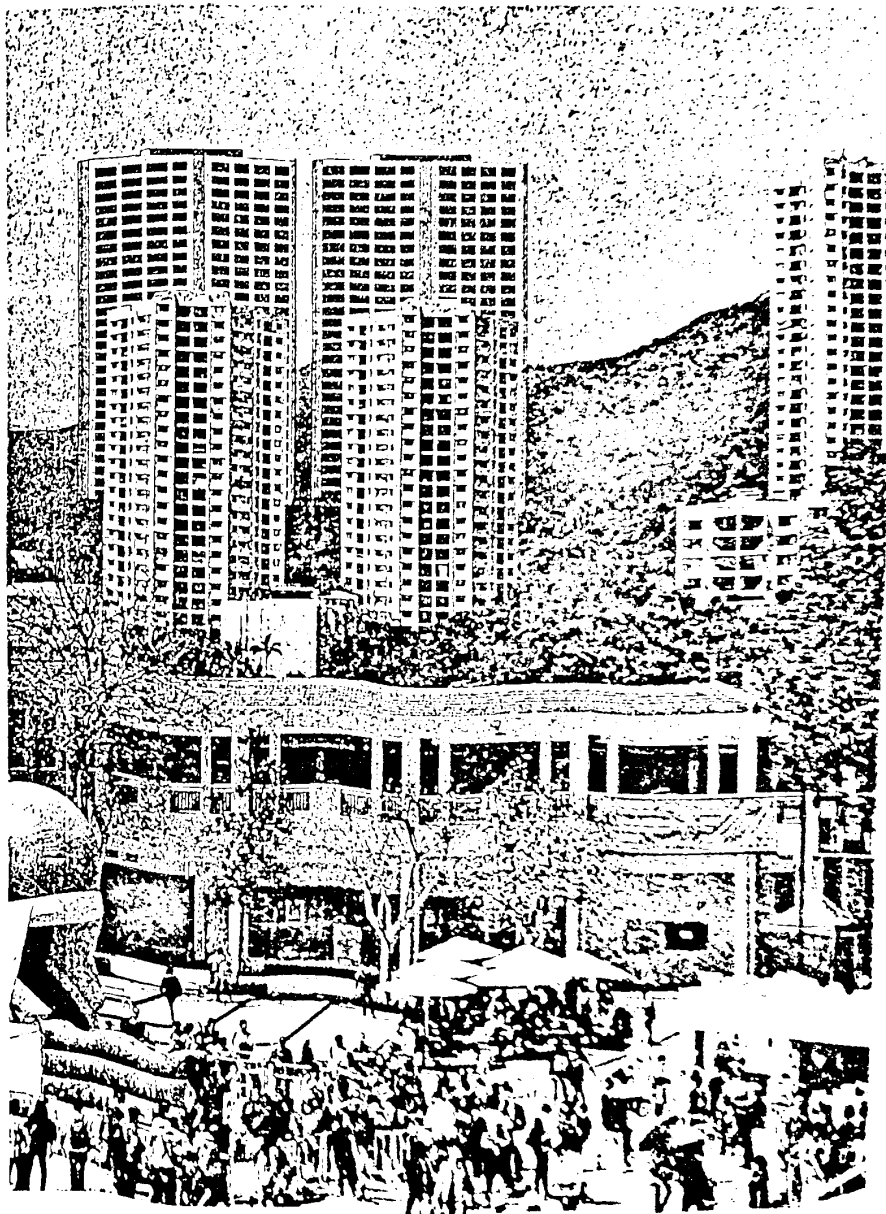


AFTER

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA

VOC comments on
HKRs 6f Planning Proposal

Fig. 1.1.1 AFTER IMPRESSION FROM PLAZA



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.



VP5 View South-East towards Application Site from Lo Fu Tau Pergola/lookout (Existing Condition)



VP5 View South-East towards Application Site from Lo Fu Tau Pergola/lookout with Proposed Development

申請編號 Application No. Y 11-D B/2
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VP12: View West towards Application Site from D-Deck (Existing Condition)

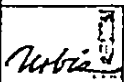
PVOC;

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.

Why are there no images from the more populated areas where residents are impacted? Ref to page 7 of the EIS



VP12: View West towards Application Site from D-Deck with Proposed Development

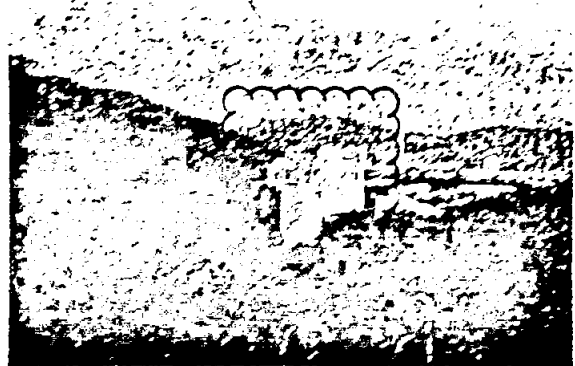


TITLE PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK
PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 3F

FIGURE 5.14

申請人: Application No. 10000000000000000000
政府編號: 10000000000000000000
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PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit.



Photomontage by YOUNG & RUBICAM
BOSTON, MASS.

These photos & captions have appeared in numerous newspapers.

PHOTOMONTAGE - TWO PINE TREES FROM VIEWING TRAIL SOUTH OF DISCOVERY VALLEY

B.12

PHOTOGRAPHY BY "NATIONAL" IN JAN. 1962 - REFERENCE TO AREA OF



VOC comments on
HKPs of Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC;

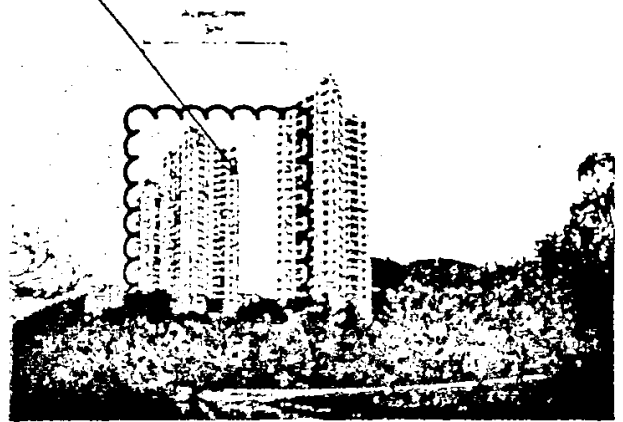
Why is this Photo-montage used - there are very few residents at this location who would be affected

Why are there no images from the more populated areas where residents are impacted - see page 7?

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15 - View from Lookout to Application Site from Middle Lane (Existing Condition)



VP15 - View from Lookout to Application Site from Middle Lane with Proposed Development

申請編號 Application No. : Y/1-D B/2

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PHASE

PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE

DEC 10/2010

APPROVAL

B.17

PROJECT

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F

申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant

申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
樓宇位置圖 Block plan(s)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
樓宇平面圖 Floor plan(s)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
截視圖 Sectional plan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
立視圖 Elevation(s)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
顯示擬議發展的合成照片 Photomontage(s) showing the proposed development	<input type="checkbox"/>	<input checked="" type="checkbox"/>
環境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
if)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PVOC:

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

if)

抽錄圖則 Extract Plans of Public

an and Deed of Restrictive Covenant

規劃研究 Planning studies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
環境影響評估 (噪音、空氣及／或水的污染) Environmental impact assessment (noise, air and/or water pollutions)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
就車輛的交通影響評估 Traffic impact assessment (on vehicles)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
計行、步交通影響評估 Traffic impact assessment (on pedestrians)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
視覺影響評估 Visual impact assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
景觀影響評估 Landscape impact assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
樹木調查 Tree Survey	<input type="checkbox"/>	<input type="checkbox"/> MISSING
土力影響評估 Geotechnical impact assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
排水影響評估 Drainage impact assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
排污影響評估 Sewerage impact assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
風險評估 Risk Assessment	<input type="checkbox"/>	<input type="checkbox"/> MISSING
其他 (請註明) Others (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責，若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

5320

To: Secretary of the Town Planning Board

5321

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

致：城市規劃委員會秘書

專人送遞或郵遞：香港北角渣華道333號北角政府合署15樓

傳真：2877 0245或2522 8426

電郵：tpbpd@pland.gov.hk

The application no. to which the comment relates (有關的規劃申請編號): Y/I-D8/2
For optimising the land uses in the development proposal of Area 6f, Discovery Bay
Public comment- in support of the application
支持愉景灣第 6f 區的發展計劃以善用珍貴土地資源

I am writing in support of the application for Area 6f in Discovery Bay, for the following reasons:

本人來函就愉景灣第 6f 區的發展計劃表示支持，原因如下：

計劃可舒緩香港緊張的房屋供應，並可提供不同類型的房屋選擇，提升市民生活質素。

Name (姓名):

YU ZING WAH

Angus

Signature (簽名):

Angus

Contact 聯絡方式(電郵/傳真/地址):

[Redacted contact information]

tpbpd

寄件者:
寄件日期:
收件者:
主题:

Frank Stewart [REDACTED]
09日12月2016年 星期五 11:40
tpbpd@pland.gov.hk
Discovery Bay "Improvements"?

Y/I-DB/2

5322

We have lived in Discovery Bay for about 16 years. It has been a wonderful experience with lots of room, clean air, nice gardens, a Plaza we enjoy, beautiful sea views, good transportation, low population density, low crime rates, reasonable cost of living i.e., in many ways the ideal place to live. The changes that I see coming put all of this at risk, plus I fear lowered property values. Nothing has been said that my concerns will not come true!, I am very concerned about THIS development. The new structures proposed for Peninsular Village would bring drastic change to where I call my home! I THEREFORE OPPOSE THE DEVELOPMENT PLAN BY THE RESORT MANAGEMENT. I ask your help to assure me that my home will not be degraded.

Hiroko & Frank Stewart, [REDACTED]

Sent from my iPad



thead

发件人: Gyongwha Wha Kim [REDACTED]
发件日期: 09/11/2016 星期五 13:05
收件人: tphyd@pland.gov.hk
主题: Opposition to 10b & 6f in discovery bay

Y/1-DB/2

5323

Dear Sir/Madame,

Good afternoon.

I am Gyong Wha Kim who owns the flat of [REDACTED] in Discovery bay in parkvale village since 2011 April.

It is a lovely green neighbourhood with mountain behind hence the reason we bought the flat. More than the sea view I like the mountain view as it is right in my window of the two bedrooms.

Anyway, it is so disappointing to hear, there will be major construction happening. It is insane to build 40 odd high rise of two three blocks. Main reasons of many other reasons are below:

1) they cannot OCCUPY our residential road that has regularly running village buses, school buses, delivery vans, hire cars AND PRIVATE golf carts.

The roads CANNOT BE MAINTAINED. The road is already busy as it is and to add onto that Construction bulldozers is just unthinkable.

We are not the only users of this parkvale road but one main road leads up to midvale And parkvale. It is simply unquestionable that they will use this road to bring in their equipments and trucks.

2) what about the dust and noise pollution?

The most attractive merit of life here is the mountain and hiking route under your doorstep. But if they start

tybpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Deborah Wan
09/11/2016年星期五 9:23
tybpd@pland.gov.hk
Objection to application on development in Discovery Bay
6f.pdf, 10b.pdf

5324

Y/I-DB/2

Dear Sir,

I would like to submit my objection to 2 applications, Area 6f and Area 10B of Lot 385 in DD352 of Discovery Bay.

My objection is simply based on objection to the change of land use and I forward to you the enclosure objection documents.

Deborah Wan
Resident of Discovery Bay

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

**Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay**

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-


1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This the submission has not addressed.

3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature :  Date: 7-12-2016

Name of Discovery Bay Owner / Resident: DEBORAH WAN

Address: 

tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Serene Chan
09日12月2016年星期五 9:16
tpbpd@pland.gov.hk
Discovery Bay Planning
Area 6F.pdf; Area10b.pdf

5325

Y/I-DB/2

Dear Sir/Madam,

I am writing to express my views about the proposed redevelopment of Areas 6f and 10b in Discovery Bay, Lantau Island. Please see my detailed reasons in the attached documents. Thank you very much for your kind attention.

Regards,
Serene CHan

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

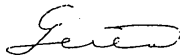
I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

I strongly object to the submission regarding the proposed development of the lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f, but the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is substantial, and the submission has not addressed this.
3. There is major change to the development concept of the lot and a fundamental deviation from the land use of the original approved Master Plan or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent from an environmental perspective and would also be against the interest of all property owners of the

4. The original stipulated DB population of 25,000 should be fully respected as the capacity of the underlying infrastructure could not afford such a substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate support to the proposed development, e.g. all required road network and related utilities improvement works arisen out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f will be an ecological disaster, and will pose a substantial environmental impact to the immediate natural settings. The proposal is unacceptable and the proposed tree preservation plan or tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, mass and disposition in this revision. The two towers are still too close to each other which may create a wall-effect to the existing rural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to the existing buildings in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

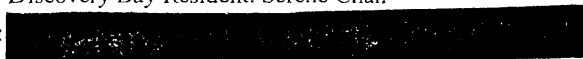


Signature :

Date: 9 December, 2016

Name of Discovery Bay Resident: Serene Chan

Address:



tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Edmund Fan
09/12/2016年星期五 6:45
tpbpd@pland.gov.hk
Application No. Y/I-DB/2 Area 6f and Application No. Y/I-DB/3 Area 10b
PVOC Third Comments on the Section 12A Application further information (1).pdf; Discovery Bay Penninsular Village Owners Committee
Objection to 10B (4).pdf

5326

Dear Sirs,

Application No. Y/I-DB/2 Area 6f

Application No. Y/I-DB/3 Area 10b

I have read the attached submission from the PENINSULA OWNERS COMMITTEE for 10b (PARKVALE OWNERS COMMITTEE for 6f) and I wish to register my objection with the TPB accordingly.

Edmund Fan
(Owner of

C



Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application "*To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay*". Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information. Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the

Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable Information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal *"is considered not an efficient sewage planning strategy"*.
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. Many Plans, Drawings and Reports are missing. The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: "This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party".
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing



together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not



been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAO implications of the proposed development*". (i.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 – again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 – HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 – HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. **EPD and Waste Management** – HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. **EPD and Sewage Infrastructure** – HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. **EPD and Air Quality** – Specific 7 – HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.
10. **Lands Department's comments:**
- a. Specific 1 – this is missing and should be provided by HKR to the TPB.
 - b. Specific 4 – HKR recognizes that its application does not conform to the approved MP6.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
 - c. Specific 6 – HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
 - d. Specific 7 – this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information



HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.

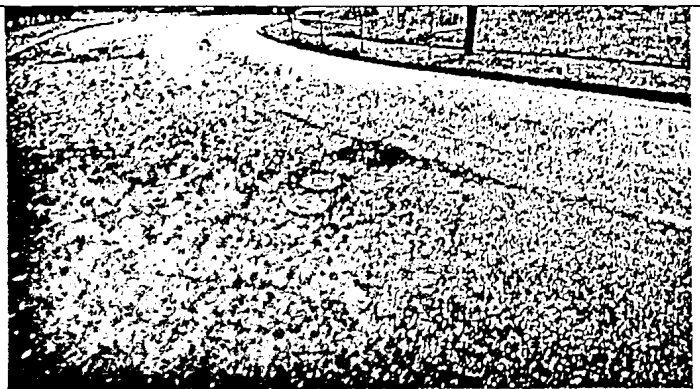
Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.
4. Parkvale Drive comprises three sections, being:

Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.

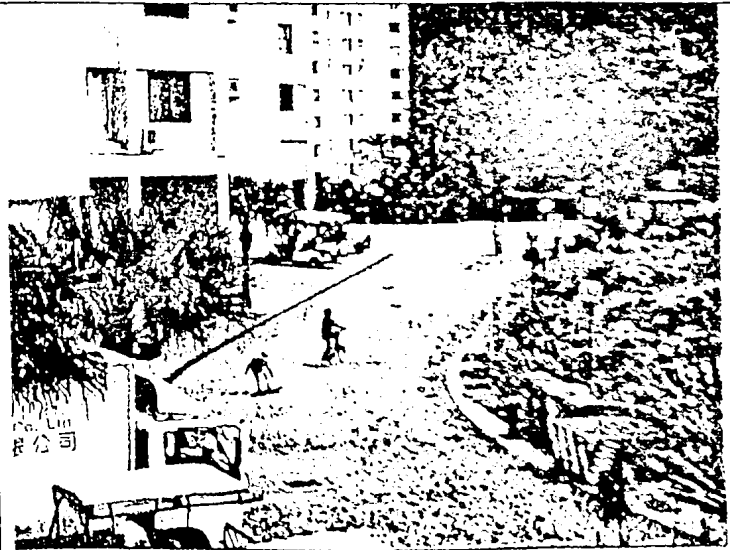
Settlement cracking evident in asphalt surface on Section 2 of Parkvale Drive.



Section 3 – the “Passageway”, as defined in the Parkvale Village Sub-Division, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.

Section 3 of Parkvale Drive.

The far end of the pedestrian pavement is from where the proposed extension of Parkvale Drive will start.



5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.

7. **State of Repair** - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

Section 3 of Parkvale Drive.

Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



8. Although this is known by HKR, no mention of it is made in its application or Further Information.

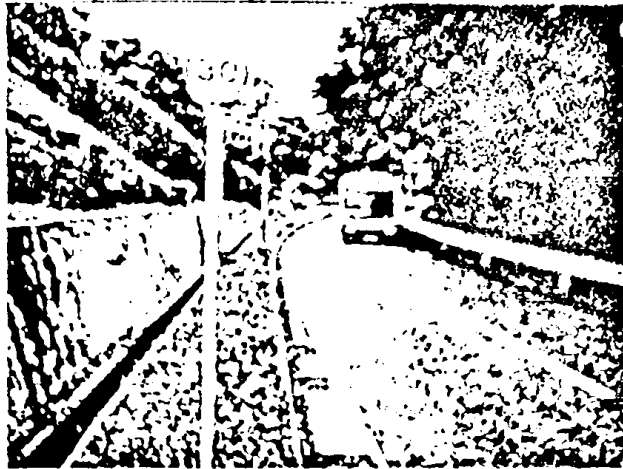
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.

10. **Width Constraints** - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.



Section 1 of
Parkvale Drive.

The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



- 11 When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
- 12 The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this congested area if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

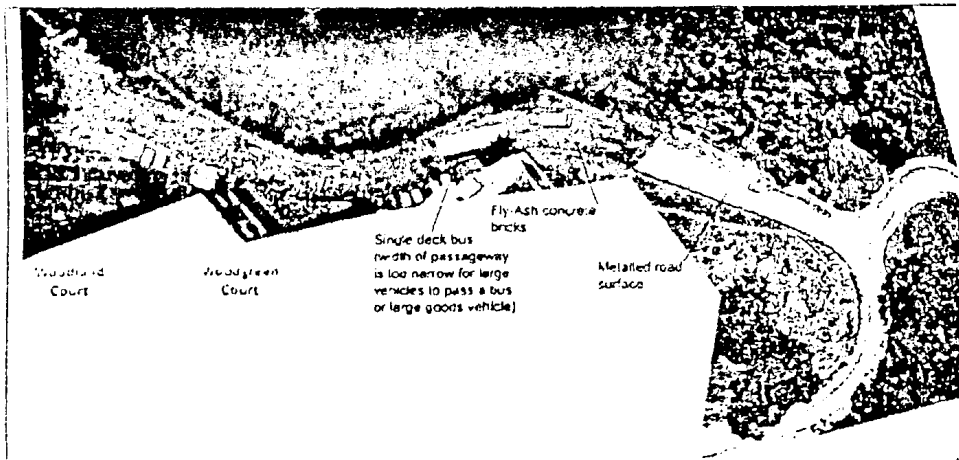
Section 1 of
Parkvale Drive

View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carnageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



- 13 The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus or when two construction vehicles are travelling in opposite directions along Parkvale Drive.

14. **Emergency Access** - in the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



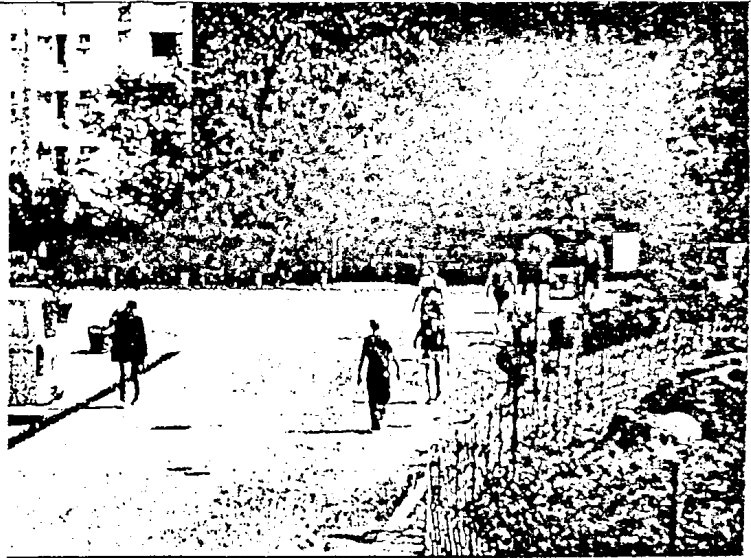
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of Parkvale Drive.

View of the pedestrian pavement leading to the start of the proposed extension of Parkvale Drive to Area 6f, illustrating that it is primarily a pedestrian thoroughfare.



18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:

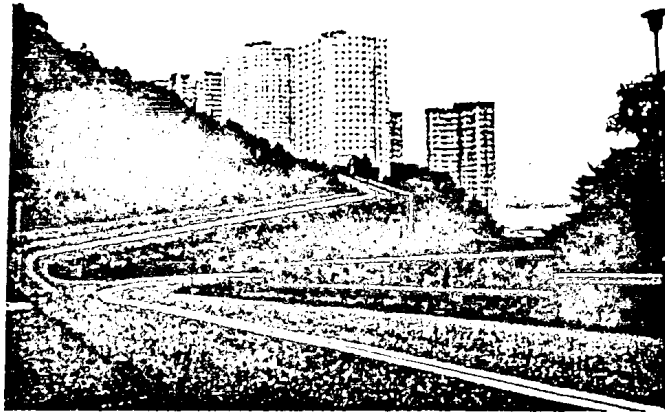
19. "We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".

20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.

Alternative access to Area 6f from Discovery Valley Road.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is



environmentally unacceptable and will encourage toxic red tides as well as concentrations of *E. coli*.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. In paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*



only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. **HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the**



gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

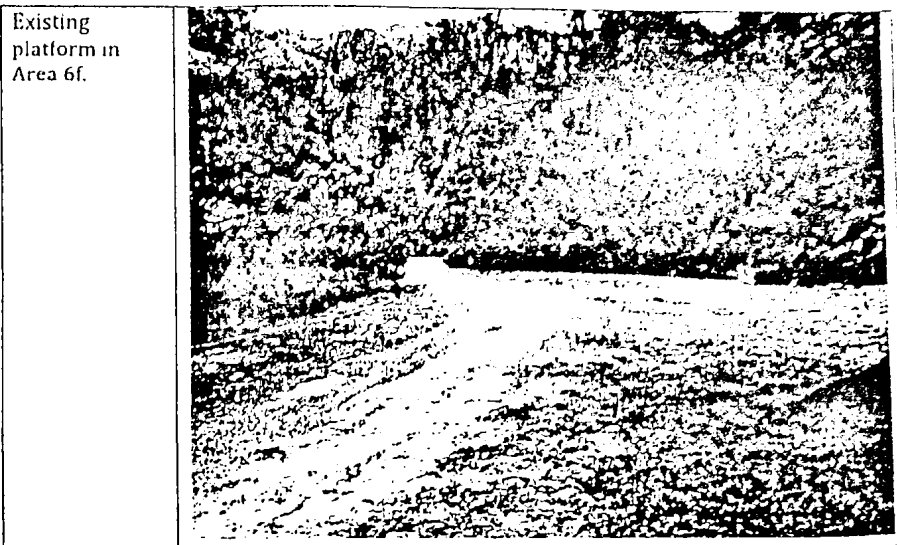
1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EVSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

J. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.





6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR's RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the "commercially sensitive information" contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above

L. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to population, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m2 under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m2.
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.

8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. The allocation of undivided shares and management units is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
11. The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The DIAGRAMS (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. **Annex A to the Further Information "Revised Concept Plan":**
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.

b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.

5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. I.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.

6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.

a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.

b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.

c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.

d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.



- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

關於申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範

Broad Development Parameters of the Indicative
Development Proposal in Respect of Application No. Y/I-DB/2

因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範

Revised broad development parameters in view of
the further information received on 27.10.2016

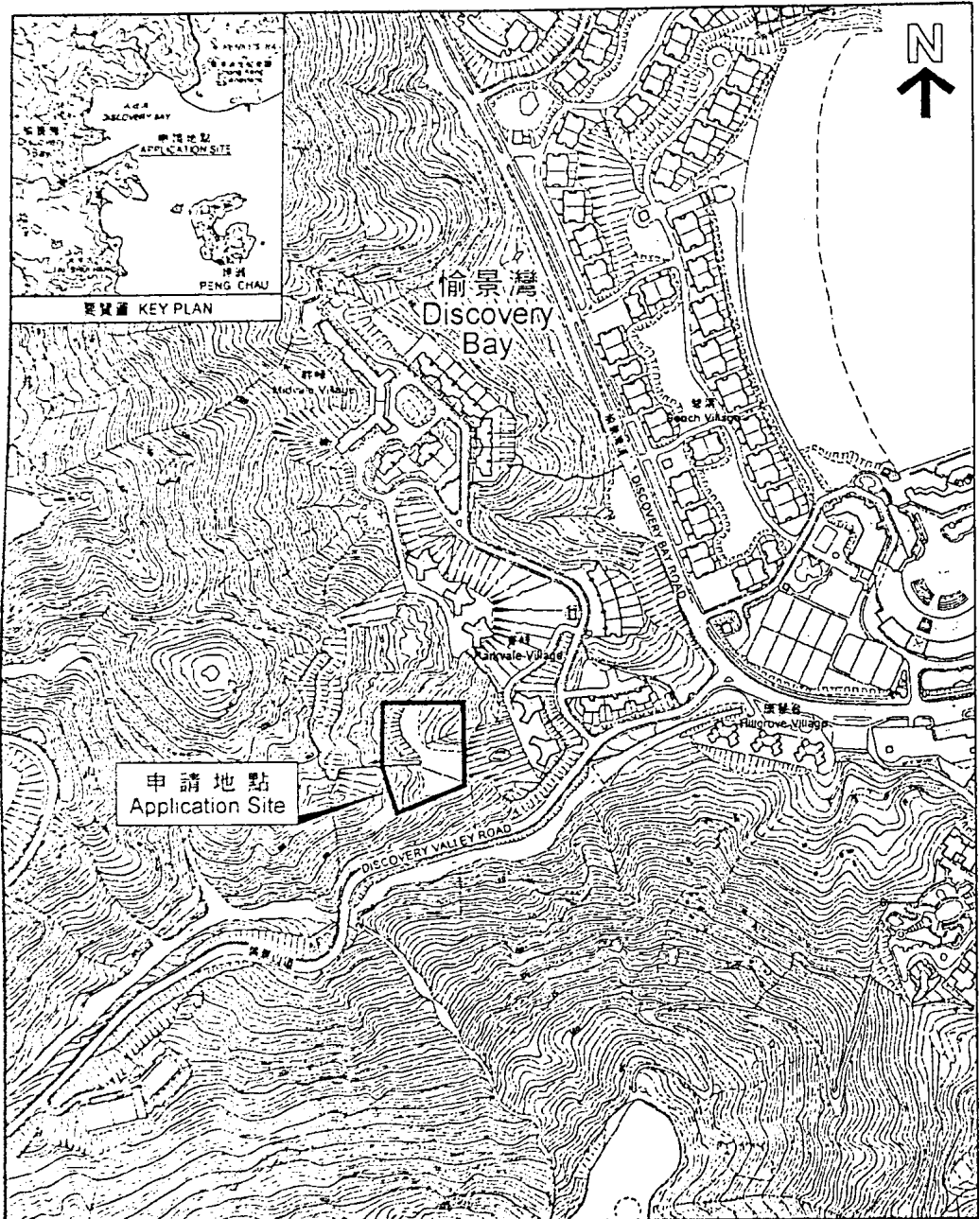
(a) 申請編號 Application no.	Y/I-DB/2			
(b) 位置/地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D D 352, Discovery Bay			
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²			
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4			
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"			
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"			
(g) 總樓面面積 及/或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio	
	住用 Domestic	約 About 21,600	約 About 2.83	
	非住用 Non-domestic	-	-	
(h) 幢數 No. of block	住用 Domestic	2		
	非住用 Non-domestic	-		
	綜合用途 Composite	-		
(i) 建築物高度(以最高 實用樓面空間計算) / 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)		
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)		
		綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
	(j) 上蓋面積 Site coverage	約 About 30 %		
	(k) 單位數目 No. of units	476 住宅單位 Flats		
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平方 米 m ²		
	公共 Public			
(m) 停車位及上落 客貨車位數目 No. of parking spaces and loading/ unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)			

* 有關資料是為方便市民參考而提供。對於所載資料在使用上的問題及主觀上的詮釋，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.



Y/I-DB/2



申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

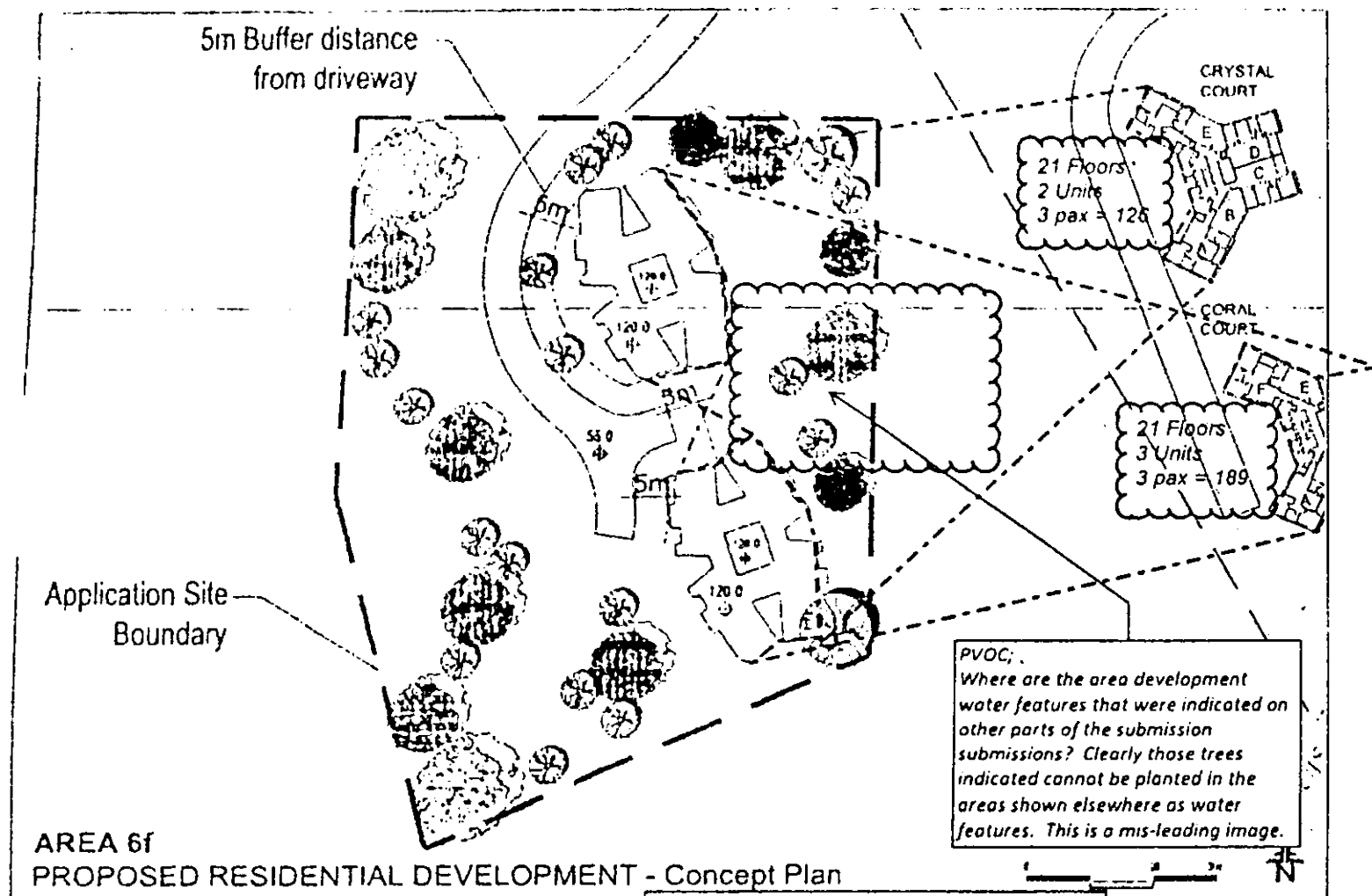
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, thats potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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申請編號 Application No.: Y/1-DB/2

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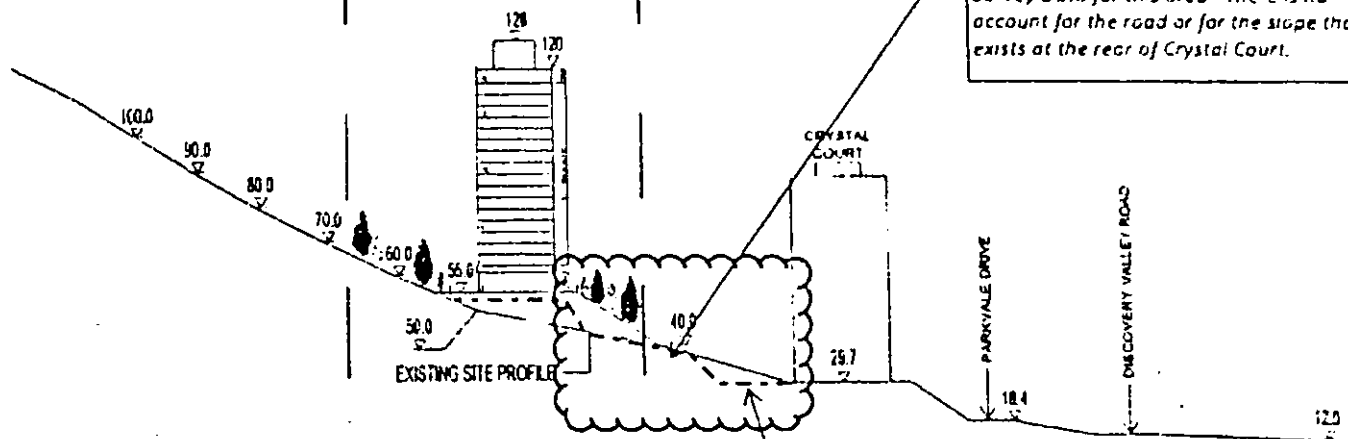
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B.L.

B.L.

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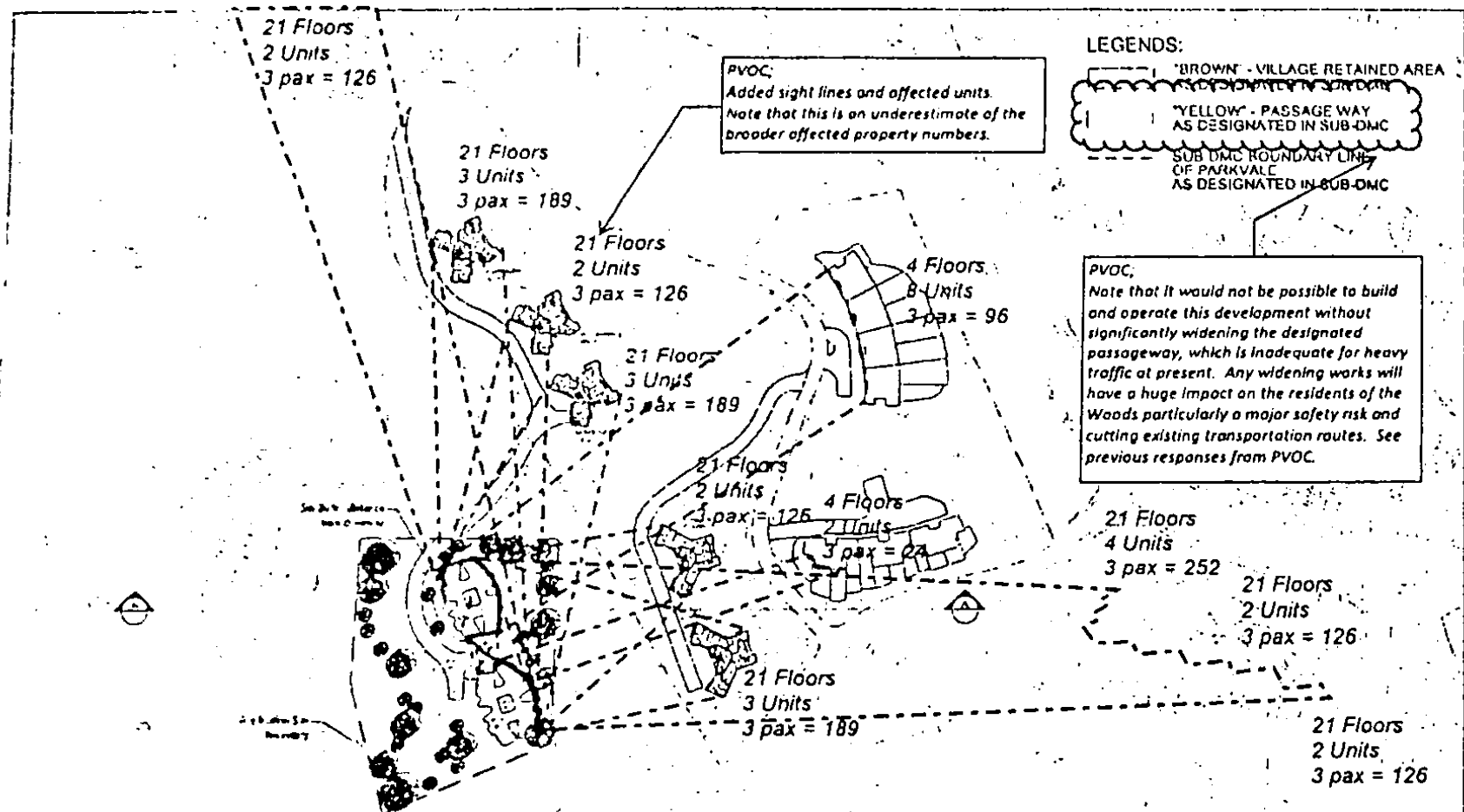
PVOC,
This existing ground condition is incorrect.
It does not match the HK Lands Department
Survey Data for this area. There is no
account for the road or for the slope that
exists at the rear of Crystal Court.



PVOC;
Existing Ground Conditions
are more like this.

AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

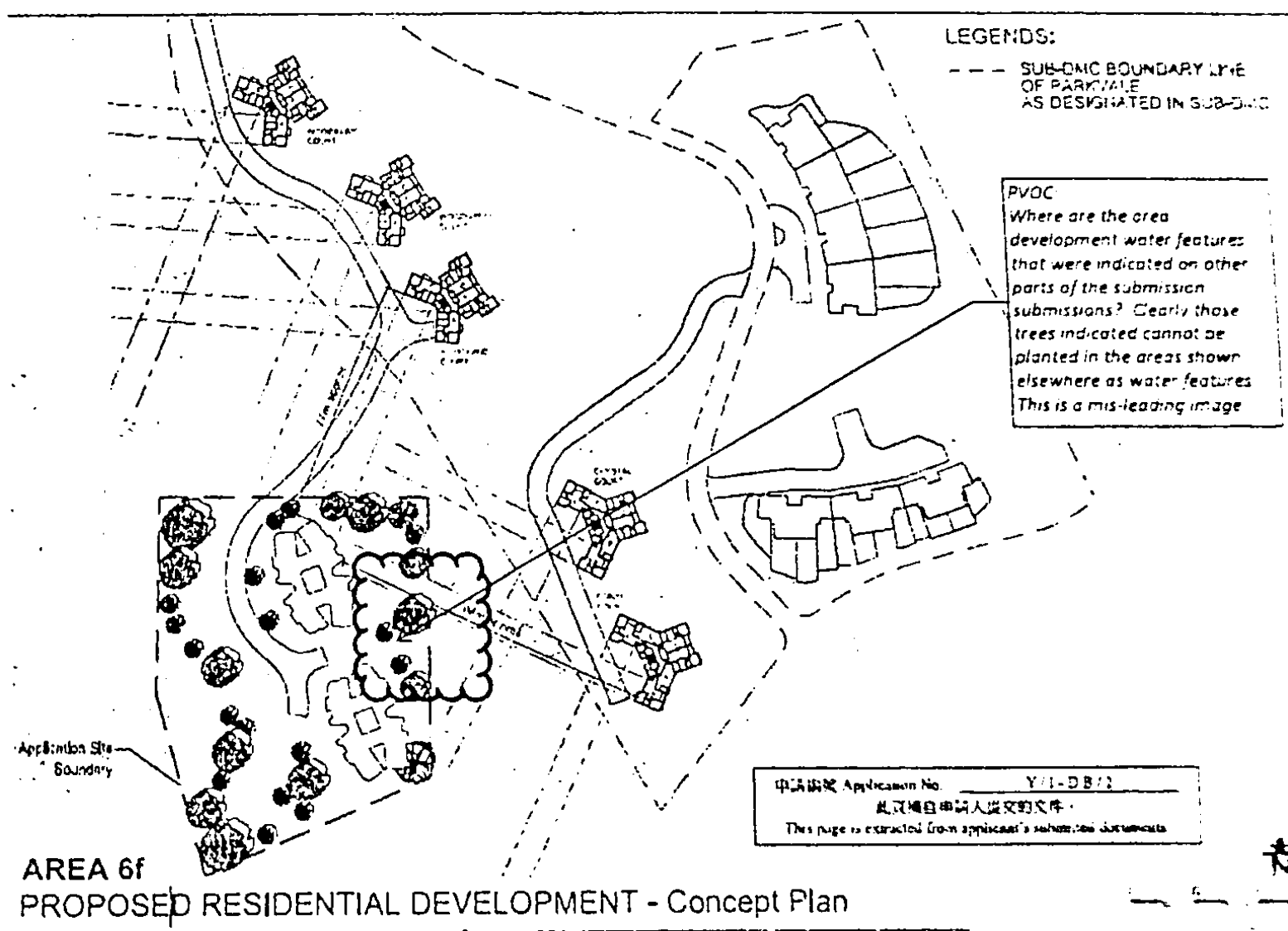
SECTION A-A



AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

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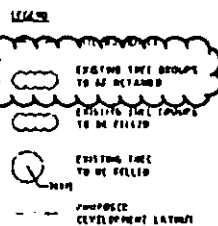


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PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.

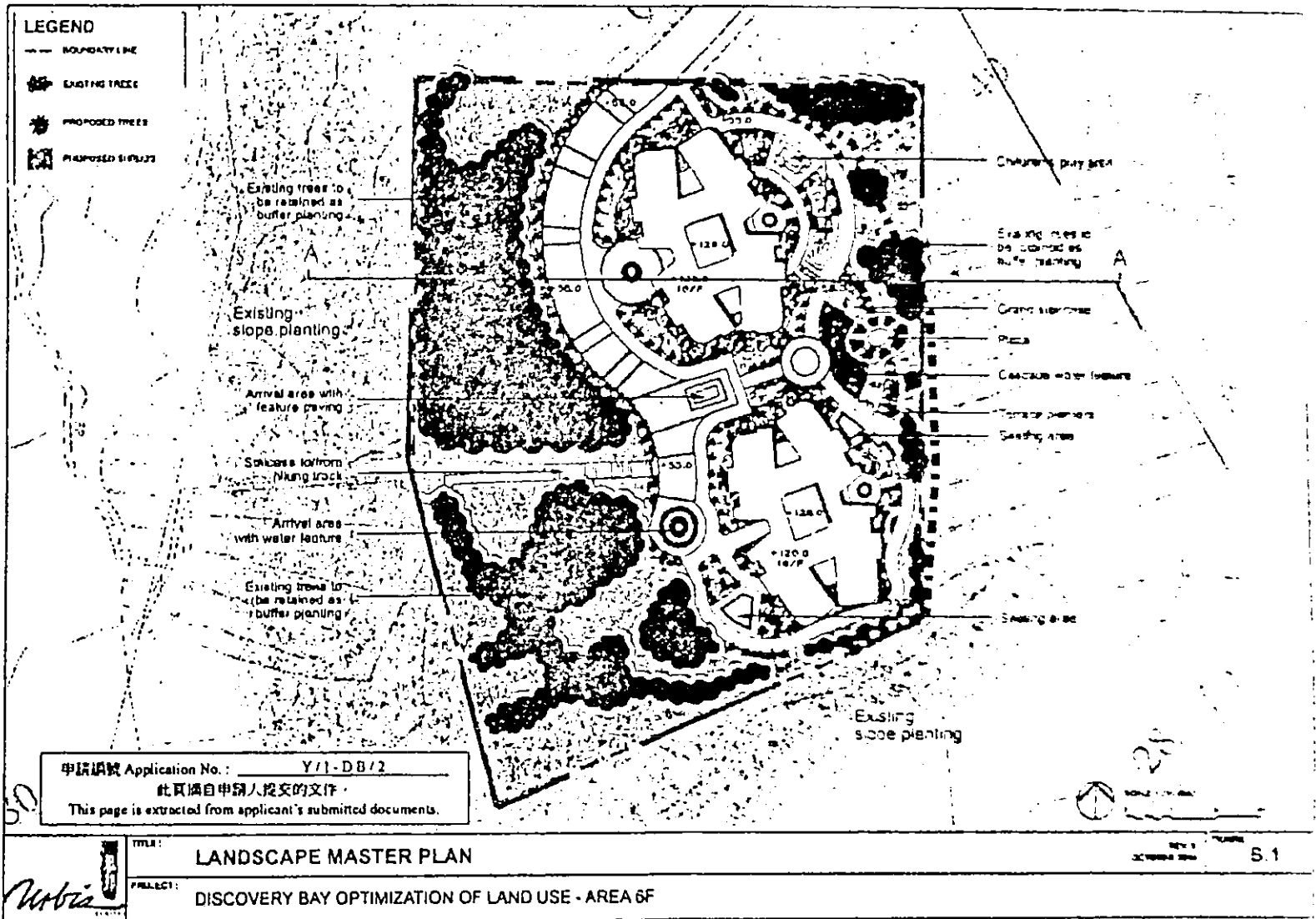
KEY PLAN

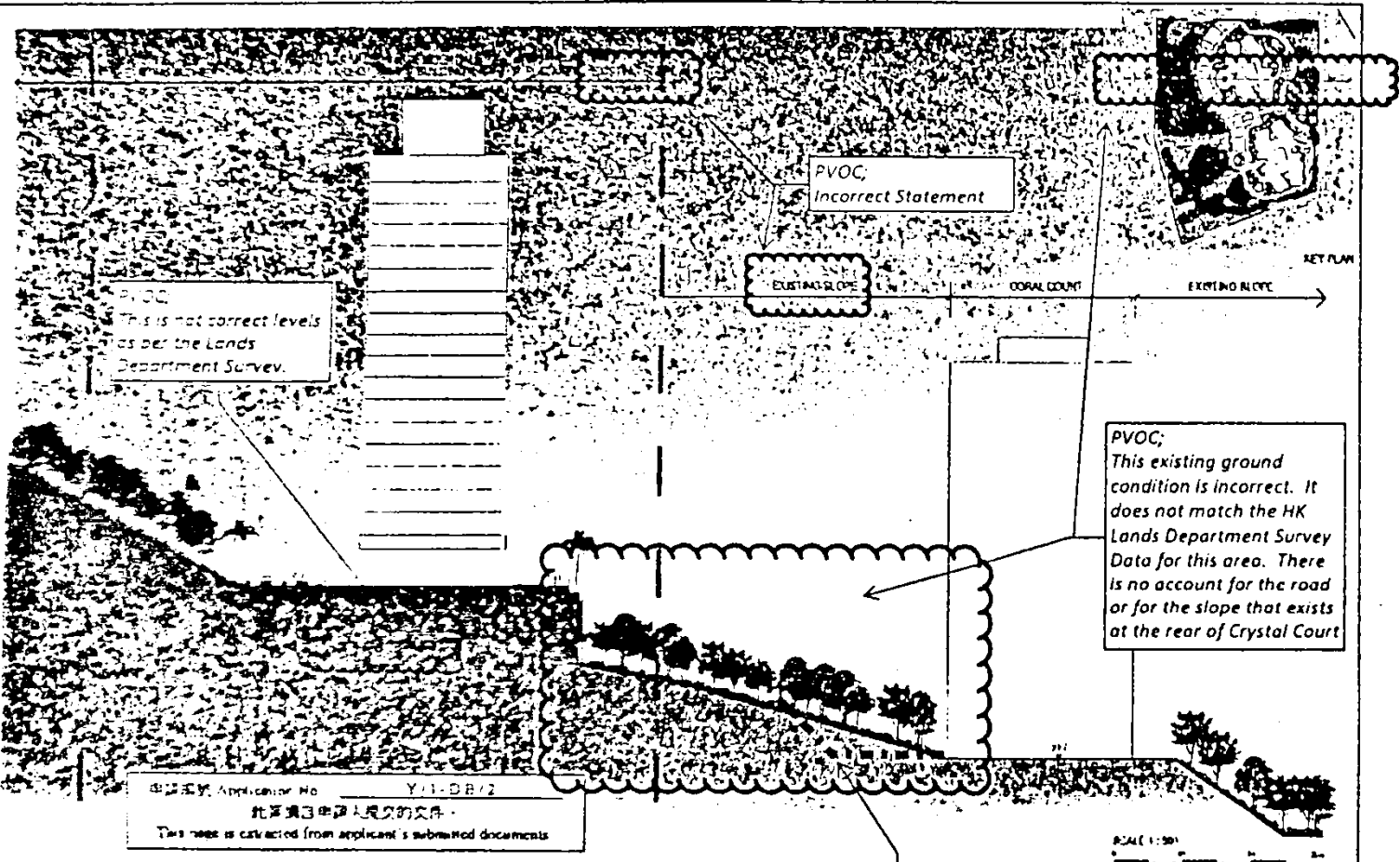


PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

100 DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F				Drawing No. PT39/14/P/1507	
Drawing Title TREE TREATMENT PLAN				Scale 1:1000 (A3)	
Prepared by: [Blank] Drawn by: [Blank] Checked by: [Blank] Approved by: [Blank]				Date: [Blank] Project No.: [Blank]	

Urban





申請編號 Application No. Y/L-DB/2
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SECTION A-A

DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 8F

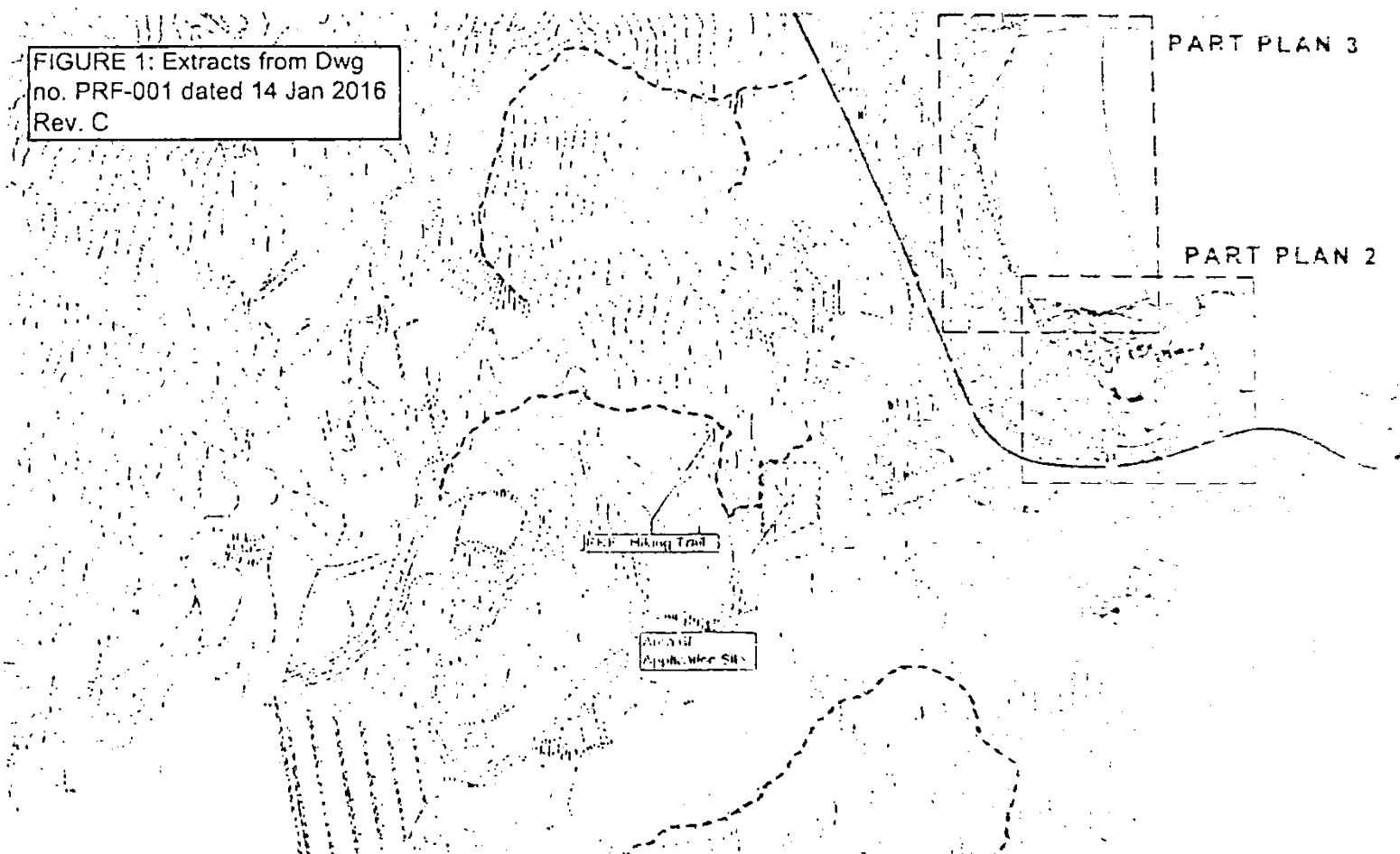
PVOC;
 Existing does not match the profile indicated by the consultant.

REV A
 OCTOBER 2014

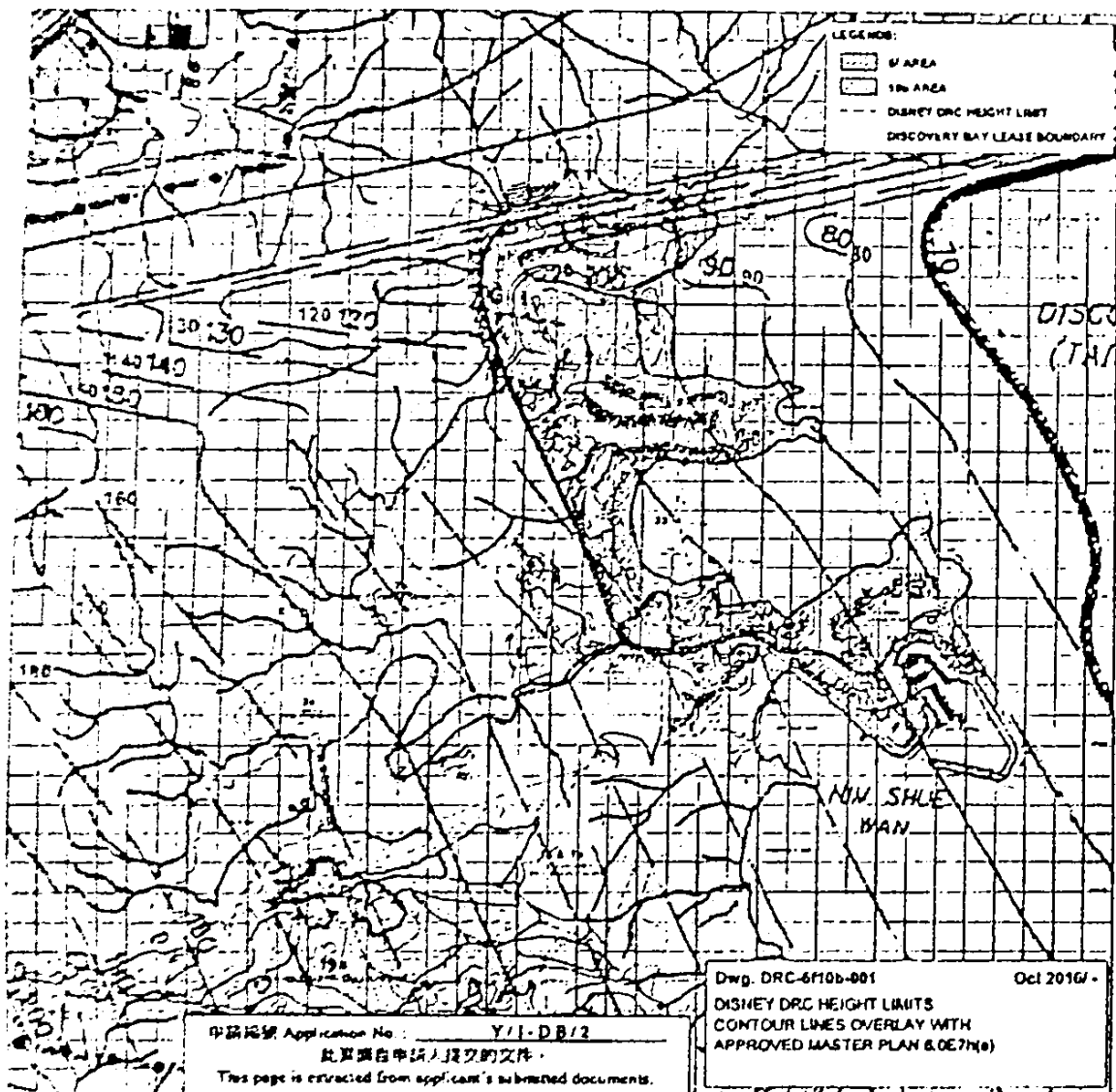
FIGURE
 B.2



FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



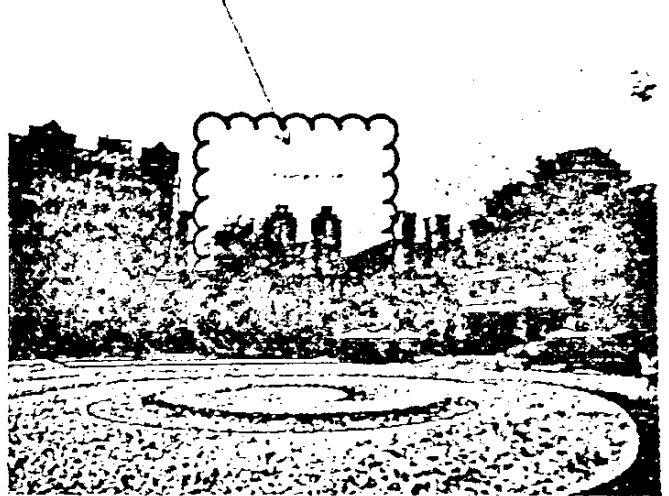
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PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Plaza on a clear day - see
attached.



VP1. View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1. View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

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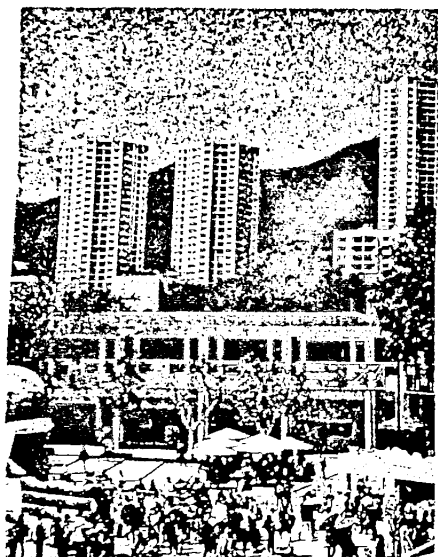
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TITLE: PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA

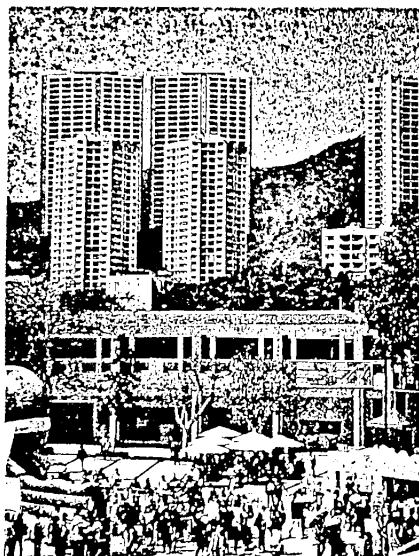
DATE: OCTOBER 2018 PAGE: 23

PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F



BEFORE

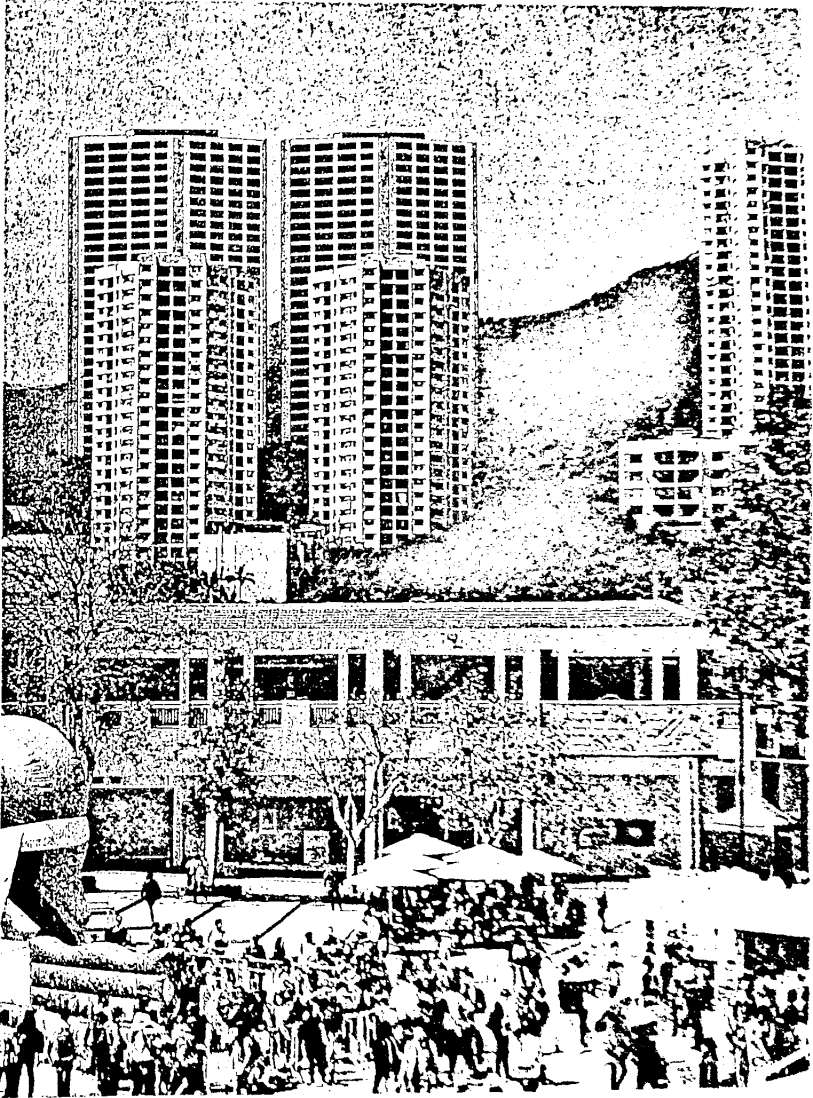
VOC comments on



AFTER

HKRs 6f Planning Proposal

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC, 1-2
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.



VPS View South-East towards Application Site from Lo Fu Tau Pergola Lookout (Existing Condition)



VPS View South-East towards Application Site from Lo Fu Tau Pergola Lookout with Proposed Development

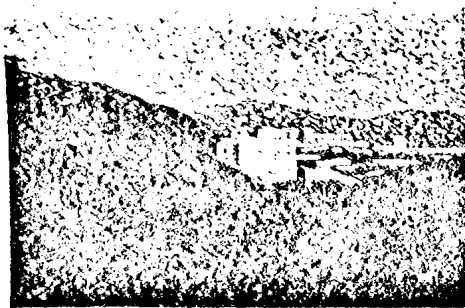
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PHOTOMONTAGE - VPS (VSR REC4) FROM LO FU TAU PERGOLA LOOKOUT JT

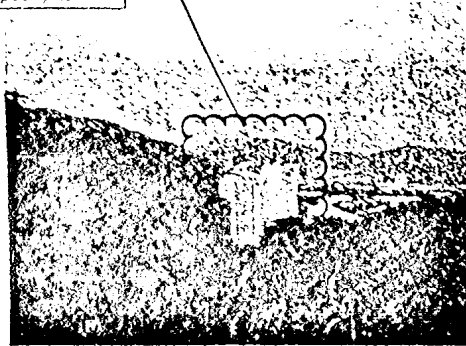
DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF 15 B.10

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF 15

PVOC:
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.



VP8 - View North from Lookout Point, looking South, as seen from the Lookout, Discovery Valley



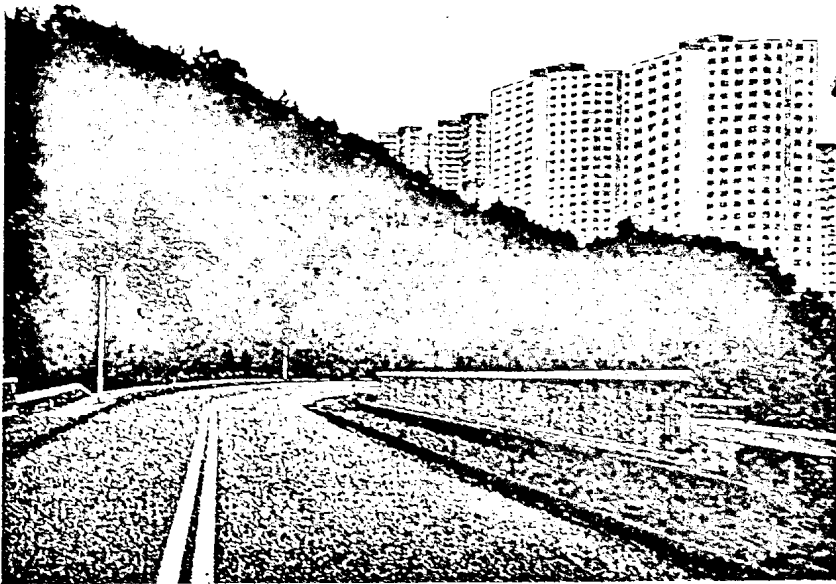
VP8 - View North from Lookout Point, looking South, as seen from the Lookout, Discovery Valley

申請人 Application No. Y-1-DB/2
 申請人申請人申請人
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VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC;

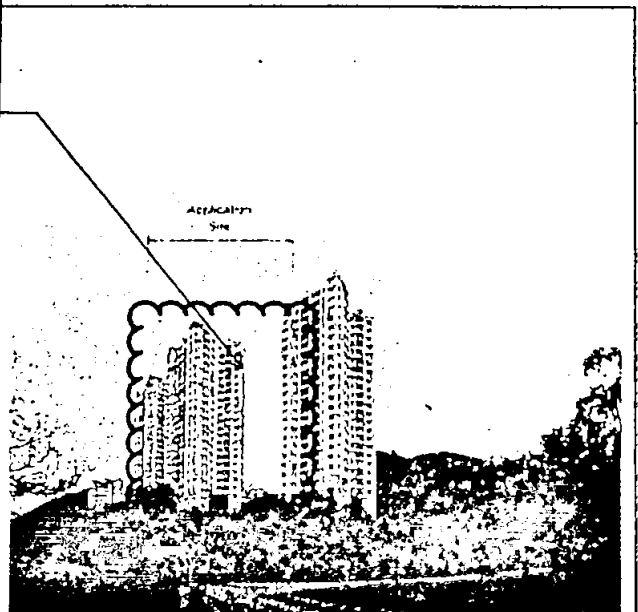
Why is this Photo-montage used - there are very few residents at this location who would be affected.

Why are there no images from the more populated areas where residents are impacted - see page 7?

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15: View West towards Application Site from Middle Lane (Existing Condition)




VP15: View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No.: Y/1-DB/2

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	TITLE PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE	APPROVED OCTOBER 2016 B.17
	PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	

申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.





申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐ ☒

樓宇位置圖 Block plan(s)

☐ ☐ MISSING

樓宇平面圖 Floor plan(s)

☐ ☐ MISSING

截視圖 Sectional plan(s)

☐ ☒

立視圖 Elevation(s)

☐ ☐ MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐ ☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐ ☒

PVOC:

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

ify)

☐ ☒

摘錄圖則 Extract Plans of Public

an and Deed of Restrictive Covenant

規劃研究 Planning studies

☐ ☒

環境影響評估（噪音、空氣及／或水的污染）

☐ ☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐ ☐ MISSING

計行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐ ☐ MISSING

視覺影響評估 Visual impact assessment

☐ ☐ MISSING

景觀影響評估 Landscape impact assessment

☐ ☐ MISSING

樹木調查 Tree Survey

☐ ☐ MISSING

土力影響評估 Geotechnical impact assessment

☐ ☐ MISSING

排水影響評估 Drainage impact assessment

☐ ☐ MISSING

排污影響評估 Sewerage impact assessment

☐ ☐ MISSING

風險評估 Risk Assessment

☐ ☐ MISSING

其他（請註明） Others (please specify)

☐ ☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical Report

回應部門意見 Response to

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

5326

upbnd

寄件者: Janice Fung
寄件日期: 08/12/2016 星期四 18:44
收件者: tpbpd@pland.gov.hk
主题: Objections to the development application by HKR
附件: Area 6f Resident Objection.pdf; Area 10b Objection.pdf

Y/I-DB/2 5327

Dear Sir,

I am writing to object the development applications submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited on 27.10.2016. Would you please find the attached comments.

Thank you for your attention.

Best regards,
Fung Ka Po



The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

**Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay**

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This the submission has not addressed.

3. The Proposal is major change to the development concept of the lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature : *afice* Date : 8 December 2016

Name of Discovery Bay Owner : Fung Ka Po

Address : [REDACTED]

The Secretariat
8 December 2016
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email tpbpd@pland.gov.hk)

Discovery Bay applications Y/I-DB/2 and Y/I-DB/3

I wish to register my objection to the subject applications.

As a resident and property owner in Discovery Bay I object to the plans submitted to the Town Planning Board (TPB) on several grounds.

The entire lot of Discovery Bay, including the areas covered by the applications Y/I-DB/2 and Y/I-DB/3, is held under a Deed of Mutual Covenant (DMC). The claim by Hong Kong Resort Company Limited (HKR) to be the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.

HKR and the Manager, Discovery Bay Services Management Limited (DBSML), a wholly-owned subsidiary of HKR have not complied with the terms of the DMC. There are numerous unresolved disputes between HKR and the co-owners including irregularities in the calculation of Management Expenses. HKR is the owner/operator of all the commercial properties in Discovery Bay and, with the assistance of its directly controlled subsidiary DBSML, is not paying Management Fees on the commercial properties in accordance with the provisions of the DMC.

The DMC requires that Management Expenses must be shared according to GBA, as defined in the DMC. HKR and the Manager calculate Management Fees for the commercial properties according to Gross Floor Area (GFA), which allows HKR to underpay its due share of Management Expenses. HKR has blocked attempts to resolve these disputes through the City Owners' Committee (COC), recognised as the owners' committee under the Building Management Ordinance (Cap. 344), as HKR controls the majority of undivided shares in the lot and is able to cast its shares at any time to control the outcome of any vote. For the same reason, the owners of Discovery Bay are unable to form an Owners' Corporation as HKR can block any resolution to incorporate.

The Lands Department is aware of these unresolved disputes and should reject further applications by HKR until these disputes are resolved. Any new development will only subject more owners to the unfair charging of Management Expenses by HKR and their wholly owned subsidiary, DBMSL

On above grounds, I ask the TPB to reject the applications until government departments can show that HKR agrees to abide in full to the terms of the New Grant and the DMC.

I additionally object to the applications based on the questions of improper submissions in support of the

application as reported in the Hong Kong media, including the link below.

5328

<http://www.scmp.com/news/hong-kong/politics/article/2023045/police-investigate-planning-papers-firm-linked-hong-kong>

These reports cite evidence that documents were falsified in support for the application. Such allegations call into question the legitimacy of all the submissions in support of the application. The TPB cannot accurately assess public reaction to the application if certain parties may be manipulating the process by "stuffing the ballot box" with supporting submissions which may be fake or submitted by people who have little or no legitimate interest in Discovery Bay.

As such, the application should be rejected until such time as the investigation into this matter has been concluded and the TPB is assured that the process has not been manipulated.

Lastly, the application should be rejected due to the inability of the existing DB infrastructure to support a substantial increase in population implied by the submission. The application contains insufficient explanation of how peak period transport will be accommodated, particularly in and around Parkvale Village, where access to the new development is only available using a narrow road up a steep slope.

All DB property owners and occupiers would have to pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.

Best regards,

Douglas Nairne
Discovery Bay

*This email may contain materials that are confidential and privileged for the sole use of the intended recipient. Any use or distribution by others, or forwarding without expressed permission, is strictly prohibited. If you are not the intended recipient, please contact the sender immediately.

Thank you.*

寄件者:
寄件日期:
收件者:
主题:
附件:

JANA BUECHI [REDACTED]
08/12/2016 10:42:04
The Town Board HK
HKR's Applications to The Town Planning Board - Our petitions- Submission for the 2016
Petition DB Parkvale.docx; ATT00352.htm; Petition DB Parkvale.pdf; ATT00353.htm; Petition DB Peninsula.docx; ATT00354.htm; Petition DB Peninsula.pdf; ATT00355.htm

Dear Sir / Madam

The Town Planning Board,

Included are the attached files (PDF) with my own signature and petitions dated on
Dec. 08 2016 for your acknowledge.

Thank you with best regards !

Ms. J. Buechi

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature : _____ Date: 08/12/2016

Name of Discovery Bay Owner / Resident: Campos Valenca Buechi, Janaina

Address: [REDACTED]

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree-preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature : *Buechi* Date: 08/12/2016

Name of Discovery Bay Owner / Resident: Campos Valenca Buechi, Janaina

Address: [REDACTED]

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5330

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

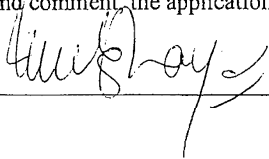
Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,


and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature:  Date: 06/12/2016

Name of Discovery Bay Owner/Resident: Meeta Nayar

Address: 

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5331

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

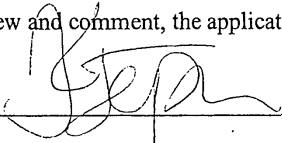
Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :  Date: 06/12/2016

Name of Discovery Bay Owner/Resident: Katie Jane Jepson

Address: 

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,


and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :  Date: __06/12/2016__

Name of Discovery Bay Owner /Resident: King, Charles Chirstian

Address: 

The Secretariat

Town Planning Board

5333

15/F, North Point Government Offices

333 Java Road, North Point

(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

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Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature:  Date: 06/12/2016

Name of Discovery Bay Owner/Resident: Charlotte Elizabeth Clark

Address: 

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature : _____

Date: 06/12/2016

Name of Discovery Bay Owner/Resident: Tina Stradmoor

Address: _____

The Secretariat

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point

(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5335

Dear Sir,

Section 12A Application No. Y/I-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. The main reasons of my objection on this particular submission are listed as follows:-

1. I doubt if HKR has the sole land ownership of Area 6f, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant (HKR) has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not addressed these foreseeable issues and no solutions are suggested here.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory, this has violated the original idea of the land use and totally destroyed the natural environment of this place which is the main reason for people living in this place.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Name of University Pay Order Recipient

Address

99 DEC 2016 20:55

參考編號

161208-185842-13622

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

08/12/2016 18:58:42

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

Jane Robbins

Name of person making this comment:

意見詳情

Details of the Comment :

I am writing to highlight my serious concerns over the inaccurate resubmission of the information submitted in support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, in Discovery Bay.

As you are aware, this is the second resubmission of additional information to the Town Planning Board, but the content and quality of this submission is shameful as it is full of technical errors, inappropriate assumptions and misleading images and commentary. Such an application should clearly be rejected as the applicant has not invested sufficient time or expertise to justify the change of zoning with this proposed scheme.

The detailed list to justify the complete rejection of this submission has been collated by the Parkvale Village Owner's Committee (PVOC), but I strongly feel that these mistakes need to be highlighted clearly to the Town Planning Board for their studios review.

In my personal submission I wish to draw the Boards attention to these specific items;

- 1) The Sewerage Treatment Proposal.
- 2) The inaccurate Traffic Study and the clear safety implications.

1) The Sewerage Treatment Proposal offered under this application is very clearly misleading and is based on unacceptable premise that water may be freely discharges into the Resort's bay which is used by all ages (the old and very young) for swimming and water sports. As I am sure you are aware, the beaches in Discovery Bay have recently been highlighted in the public press for the discovery of large quantities of medical waste (syringes etc) that are washing up on to the shores. Apart from the immediate risk to children and adults alike who could easily be hurt and contract a number of life threatening medical conditions from this criminal situation, this also clearly demonstrates that the tidal conditions within these bays lead to particulate solids being returned to the beaches.

There is no consideration; no technical data; no environmental study provided by the applicant to justify that there will not be an increased risk to the residents of Discovery Bay and visitors who use these popular beaches. HK SAR has taken significant measure over the past decade to improve the environmental quality of Hong Kong waters and this is backward step that poses an immediate health risk to residents and the suffering wildlife. This also goes against current Government environmental policies which have led to the recent development of the Hong Kong sludge treatment facilities.

To date Tai Pak bay has experienced red tides due to the current water quality, and the new proposal will lead to a significant deterioration the water quality to a level which would pose a direct risk to public safety.

In addition to the issue of the sea outfall, the technical data presented to the board on the pretreatment of the sewerage is inaccurate, misleading and inaccurate. For a development designed for 1190 people, (476 units) the sanitary discharge is significant. In this submission the applicant has failed to describe the content of the standalone sewage treatment process, and based on what would be expected in this location, the applicant has;

- a) Not provided answers on the technical criteria for pre-treatment i.e. what type of treatment would be provided.
- b) Not provided answers on the necessary footprint of such equipment and the necessary infrastructure that would be required to support this facility.
- c) Not provided answers to the Town Planning Board on how a vehicle could reach the proposed site for regular maintenance and for emergency conditions. Note that the applicant has stated that 36 sewage tankers would be required on a daily basis to address a failure in their proposed facility – this equates to 1.5 truck movements per hour (including loading times) with absolutely no provisions for parking, safe loading and additional traffic movements in an already oversubscribed minor road system. For issues regarding the road network please see following section.
- d) Not provided any analysis on the impact of the Sewerage Treatment Plant on adjacent sensitive receivers. The proposed site is at an elevated position, above the Woods. It would be located on land that is currently very steep and has no flat or accessible areas for such a sizable plant. There are no existing or logical roadways for maintenance or emergency provisions. There is no data on the risks associated with smell or toxicity within the submission.

2) The Traffic Study that was tabled by HKR contains many inaccuracies and assumptions that cause grave concern to the community of Discovery Bay;

- a) The Traffic Study fails to recognize the increased safety risks to the whole community due to the unreasonable increase in traffic volumes for both construction and long term operations.

The very real concern is for safety. Discovery Bay is a very young community that is not used to this quantity of heavy construction traffic. The traffic is being forced on to roads that are shared by golf-carts, cyclists (many of whom are school children), pedestrians, buses and the occasional car. This is a clear recipe for a fatality or major traffic incident. This situation exists also at the designated 'access path' into the 6F site. Here the pedestrian pavement is used by children, by cyclists, by hikers, and by elderly – it is an environment that is wholly unsuitable for heavy construction traffic and for increased long term traffic flow to the new project.

- b) The Traffic Study does not assess the current standard or likely damage to the existing road network from the increased volume of traffic. As previously highlighted by both the PVOC and the residents, the existing road system struggles to cope at present. The road surface is cracked and uneven due to existing wear and tear, and the Study has failed to address the concerns of the holistic traffic loading that would result on the road network if 6F, 10C and other construction projects within Discovery Bay overlap. The roads simply cannot take this traffic loading.

- c) The Traffic Study fails to identify the very real possibility that a single breakdown or accident would gridlock the road system.

- d) The Traffic Study does not contain sufficient detail to demonstrate if their proposal for access and logistics is practical. At present there is insufficient room for a bus and a second vehicle to pass each other in front of the Woods pedestrian paved area. There seems very little hope that an articulated lorry or a haulage truck and a bus could negotiate the existing space. At present there is only 11cm clearance from a vehicle to the side of Woodbury Court. This is insufficient for a pedestrian safety reserve for residents accessing their property, and creates a very real safety concern of a significant accident or fatality.

There are so many errors in this Submission, misleading images and incorrect assumptions that it should be rejected immediately. The scheme is ill conceived and inappropriate for the suggested site that was Master Planned for a much smaller staff property. I raise these issues as a concerned resident and professional and trust that the Town Planning Board will recognize that the Sub

mission for rezoning of 6F must be rejected on technical, safety and environmental reasons alone.

5336

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

161208-185842-13622

提交限期

Deadline for submission:

09/12/2016

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

Jane Robbins

聯絡人

Contact Person

Jane Robbins

通訊地址

Postal Address :

電話號碼

Tel No. :

傳真號碼

Fax No. :

電郵地址

E-mail address :

5337

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Review

參考編號

Reference Number:

161208-190058-04088

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 19:00:58

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

Neil Robbins

意見詳情

Details of the Comment :

I am writing to highlight my serious concerns over the inaccurate resubmission of the information submitted in support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, in Discovery Bay.

As you are aware, this is the second resubmission of additional information to the Town Planning Board, but the content and quality of this submission is shameful as it is full of technical errors, inappropriate assumptions and misleading images and commentary. Such an application should clearly be rejected as the applicant has not invested sufficient time or expertise to justify the change of zoning with this proposed scheme.

The detailed list to justify the complete rejection of this submission has been collated by the Parkvale Village Owner's Committee (PVOC), of which I am a member, but as I am aware of so many errors within this application, and as a Fellow of the Institution of Civil Engineers (FICE), of the Hong Kong Institute of Engineers (FHKIE) and a Master Planner, I strongly feel that these mistakes need to be highlighted clearly to the Town Planning Board for their studious review.

In my personal submission I wish to draw the Boards attention to these specific items;

- 1) The Sewerage Treatment Proposal.
- 2) The size of this development on the allotted land.

1) The Sewerage Treatment Proposal offered under this application is very clearly misleading and is based on unacceptable premise that water may be freely discharges into the Resort's bay which is used by all ages (the old and very young) for swimming and water sports. As I am sure you are aware, the beaches in Discovery Bay have recently been highlighted in the public press for the discovery of large quantities of medical waste (syringes etc) that are washing up on to the shores. Apart from the immediate risk to children and adults alike who could easily be hurt and contract a number of life threatening medical conditions from this criminal situation, this also clearly demonstrates that the tidal conditions within these bays lead to particulate solids being returned to the beaches.

There is no consideration; no technical data; no environmental study provided by the applicant to justify that there will not be an increased risk to the residents of Discovery Bay and visitors who use these popular beaches. HKSAR has taken significant measure over the past decade to improve the environmental quality of Hong Kong waters and this is backward step that poses an immediate health risk to residents and the suffering wildlife. This also goes against current Govern

ment environmental policies which have led to the recent development of the Hong Kong sludge treatment facilities.

To date Tai Pak bay has experienced red tides due to the current water quality, and the new proposal will lead to a significant deterioration the water quality to a level which would pose a direct risk to public safety.

In addition to the issue of the sea outfall, the technical data presented to the board on the pretreatment of the sewerage is inaccurate, misleading and inaccurate. For a development designed for 1190 people, (476 units) the sanitary discharge is significant. In this submission the applicant has failed to describe the content of the standalone sewage treatment process, and based on what would be expected in this location, the applicant has;

- a) Not provided answers on the technical criteria for pre-treatment i.e. what type of treatment would be provided.
- b) Not provided answers on the necessary footprint of such equipment and the necessary infrastructure that would be required to support this facility.
- c) Not provided answers to the Town Planning Board on how a vehicle could reach the proposed site for regular maintenance and for emergency conditions. Note that the applicant has stated that 36 sewage tankers would be required on a daily basis to address a failure in their proposed facility - this equates to 1.5 truck movements per hour (including loading times) with absolutely no provisions for parking, safe loading and additional traffic movements in an already oversubscribed minor road system. For issues regarding the road network please see following section.
- d) Not provided any analysis on the impact of the Sewerage Treatment Plant on adjacent sensitive receivers. The proposed site is at an elevated position, above the Woods. It would be located on land that is currently very steep and has no flat or accessible areas for such a sizable plant. There are no existing or logical roadways for maintenance or emergency provisions. There is no data on the risks associated with smell or toxicity within the submission.

2) The size of this development on the allotted land is misleading to the Town Planning Board. The photo montages presented as part of the Gist seem to have been prepared to reflect the minimum impact of this development. The quality of those montages very poor and misleading. The locations of the viewing points are questionable as the positions do not appear to include the most populous locations where the impact would be far more. The PVOC have prepared a new set of montages that seem more representative of the actual conditions faced by residents. It does not seem acceptable to me that the applicant's submission has tabled such mis-representative imagery to the Town Planning Board for their review.

As mentioned in Item 1, the allotment of land for the Sewerage Treatment Plant is not accurate and has no consideration for vehicular access for maintenance or emergency planning.

The profile of the existing landscape in front of the 6F development and at the rear of Crystal and Coral courts is incorrect when based on the data provided by the survey and mapping services of the Lands Department, and quite obvious contradictions for a visual study. As a result, it is clear that the construction of a very large retaining structure would be necessary and that construction would involve an increase in the number of trees that would be required to be felled, and on the construction impact and overall risk of this development. Therefore, the applicant's proposal for retaining the quantities of existing trees on this slope is incorrect and could be misleading to many.

There are so many errors in this Submission, misleading images and incorrect assumptions that it should be rejected immediately. The scheme is ill conceived and inappropriate for the suggested site that was Master Planned for a much smaller staff property. I raise these issues as a concerned resident and professional and trust that the Town Planning Board will recognize that the Submission for rezoning of 6F must be rejected on technical, safety and environmental reasons alone.

5338

就規劃申請/議核提出意見 Making Comments on Planning Application / 就規劃申請/議核提出意見

參考編號

Reference Number:

161209-094116-62915

提交限期

Deadline for submission:

30/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 09:41:16

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Stuart Farr

意見詳情

Details of the Comment :

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arising out of this submission etc. The proponent should consult and liaise with all property owners being

affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.

6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

5339

就規劃申請/覆核提出意見 / Comment on Planning Application / Review

參考編號

Reference Number:

161209-111306-03820

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 11:13:06

有關的規劃申請編號

The application no. to which the comment relates:

Y/T-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Ken Bradley

意見詳情

Details of the Comment :

Area 6f proposal of a stand alone sewage treatment works and discharge proposal is considered to be totally wrong for this area 6f and aslo by the HKR consultants to be inefficient. It is incompatible with the modern sewage treatment and discharge policy of the HKSAR government.

The above is explained in more detail below -

1. All the PVOC concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is environmentally unacceptable and will encourage toxic red tides as well as concentrations of E. coli.
4. It is noted that HKR is still saying, as it did in its second submission, that discharging the treated sewage directly into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. The nullah serves the dual purpose of a storm water channel and as an overflow relief for the reservoir at the top of Discovery Valley Road. Normally it is virtually empty, but during periods of rainstorm and/or reservoir discharge this nullah is full to the top. The addition of the sewage effluent to the raging storm water flow may cause the nullah to overflow or the effluent to back-up into the STW, both with serious health implications. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst

t giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.

6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.

7. In its Further Information of June and October HKR's consultants have said:

a. in paragraph 6.2.iii of its original application, that "alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies of scale for the infrastructure and land area". Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that "This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy". Paragraph 5.6.4.1 also notes that a local STW may cause "an offensive smell and is health hazard".

b. "This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA". (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.

c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G "Revised Study on Drainage, Sewerage and Water Supply", paragraph 5.6.1.4, stated that "As this new DBSTW will only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.

9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.

10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.

11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in s

shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of "Discovery") and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.

12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.0.2 and 5.0.3, respectively, of HKR's application, the June Further Information states that "The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments". This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.

13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the gravity sewage pipe or use of the nullum will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

534c

就規劃申請/發核提出意見 Making Comments Regarding Application / Review

參考編號

Reference Number:

161209-112001-19620

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 11:20:01

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Kenneth J. Bradley
J.P.

意見詳情

Details of the Comment :

SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation." We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.
6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.

就規劃申請覆核提出意見 (Meaning of Comment on Planning Application Review)

參考編號

101289-12001-0020

Reference Number:

提交限期

2012/2/16

Deadline for submission

有關的規劃申請編號

101289-12001-0020

The application no. to which the comment relates

「撰寫意見」姓名名稱

Mr. Alex Chan, Bradley IF

Name of person making this comment

聯絡人

Ken Bradley

Contact Person

通訊地址

[REDACTED]

Postal Address

電話號碼

[REDACTED]

Tel No.:

傳真號碼

Fax No.:

電郵地址

[REDACTED]

E-mail address:

就規劃申請/覆核提出意見 Making Comments on Planning Application / Review

參考編號

Reference Number:

161209-112211-63594

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 11:22:11

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Kenneth J. Bradley
J.P.

意見詳情

Details of the Comment :

INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.

2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.

3. Many Plans, Drawings and Reports are missing. The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.

4. The following Plans, Diagrams and Reports have never been provided:

- a. Floor plans
- b. Elevations
- c. Traffic impact assessment on pedestrians
- d. Geotechnical impact assessment
- e. Drainage impact assessment
- f. Sewage impact assessment
- g. Risk assessment

5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:

- a. Block plan
- b. Visual impact assessment
- c. Landscape impact assessment
- d. Tree survey

6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.

7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: "This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party".

8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

就規劃申請書所提出意見的參考編號

參考編號

Reference Number:

161209-111510-28320

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 11:15:10

有關的規劃申請編號

The application no. to which the comment relates:

Y1-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Kenneth J. Bradley
J.P.

意見詳情

Details of the Comment :

PROVISION OF OTHER UTILITIES

1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.
3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

就規劃申請/覆核提出意見 Making Comment on Planning Application Review

參考編號

161209-111510-28820

Reference Number:

提交限期

09/12/2016

Deadline for submission:

有關的規劃申請編號

Y/H-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Kenneth J. Bradley J.P.

Name of person making this comment:

聯絡人

Ken Bradley

Contact Person

通訊地址

Postal Address :

電話號碼

Tel No. :

傳真號碼

Fax No. :

電郵地址

E-mail address :

經規劃申請/覆核提出意見 Planning Application / Review

參考編號

161209-113002-26268

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 11:30:02

Date and time of submission:

有關的規劃申請編號

Y/A-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Kenneth J. Bradley

Name of person making this comment:

J.P.

意見詳情

Details of the Comment :

Summary of principal concerns are:

A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.

B. Public Consultation is inadequate and non-transparent.

C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.

D. A Risk Assessment has not been undertaken.

E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.

G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal "is considered not an efficient sewage planning strategy".

H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.

I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.

J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).

K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.

L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.

M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

5380

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Review

參考編號

161209-112401-58979

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 11:24:01

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Kenneth J. Bradley

Name of person making this comment:

J.P.

意見詳情

Details of the Comment :

PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.

a. In the published Gist of Area 6f, the TPB states that "on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments". This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.

b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is "commercially sensitive information". In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.

2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

5386

就規劃申請/覆核提出意見 Making Comments on Planning Applications

參考編號

161209-111712-16859

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 11:17:12

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Kenneth J. Bradley J.

Name of person making this comment:

P.

意見詳情

Details of the Comment :

RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.
2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.



5341

就規劃申請/覆核提出意見 Making Comment on Existing Application / Refer

參考編號

Reference Number:

161209-124058-39115

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 12:40:58

有關的規劃申請編號

The application no. to which the comment relates:

Y/J-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. YIP Cham Sum

意見詳情

Details of the Comment :

可善用土地資源，減輕香港土地不足的問題，提供不同類型的房屋選擇。6f一直已規劃為居住用途，證明土地適宜建屋。規劃中的地積比亦很低，基建及配套足以容納新增的人口。新計劃可支持開辦獨立的巴士路線，令交通更方便快捷。新發展會創造更多就業機會，為市民及社會帶來好處及經濟效益。

就規劃申請發表提出意見 Planning Comment on Planning Application / 就規劃申請發表提出意見

參考編號

Reference Number:

161209-123456-18904

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 12:34:56

有關的規劃申請編號

The application no. to which the comment relates:

Y/A-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. YIP Cham Sum

意見詳情

Details of the Comment:

可善用土地資源，減輕香港土地不足的問題，提供不同類型的房屋選擇。6f一直已規劃為居住用途，證明土地適宜建屋。規劃中的地積比亦很低，基建及配套足以容納新增的人口。新計劃可支持開辦獨立的巴士路線，令交通更方便快捷。新發展會創造更多就業機會，為市民及社會帶來好處及經濟效益。

5343

就規劃申請/覆核提出意見 Planning Comment on Planning Application / Review

參考編號

161209-130446-38310

Reference Number:

提交限期

30/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 13:04:46

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

小姐 Miss Law Siu Kuen

Name of person making this comment:

意見詳情

Details of the Comment :

1. I object to let more people living there, which is already overcrowd, not enough facilities, a lot of buses /shuttle/truck moving around in DB.
2. more air pollution issue.
3. It is against the view of DB resident.
4. My kids have to travel outside for their secondary school, should more facilities including secondary school, basketball court, been ready before letting more people to move in.

有關的規劃申請/對策提出意見

參考編號

Reference Number:

181218-130610-21803

提交限期

Deadline for submission:

30-12-2016

提交日期及時間

Date and time of submission:

09-12-2016 13:06:20

有關的規劃申請編號

The application no. to which the comment relates:

Y4-DB-2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Cheung Shing YA

U

意見詳情

Details of the Comment :

1. I have high reservation on this project as it only a profit making project which only favour for HKR for their money earning. Nothing to address the housing problem in HK. However, it creates many issues to DB resident including recreation facilities, education, traffic, etc. Why HK Government allows HKR to earn more money, which against the views of local resident.
2. No resident consultation had been made before. As I believe that most DB residents do not want more house and people in DB in future, which are already overcrowd with people and vehicle.
3. There is no local secondary school. Student need to travel outside. They need to plan at least a local secondary before considering to allowing more people living there.
4. Some HKR's house building has destructed the countryside, which is irreversible. e.g. in HKR's project to reconstruct the bus terminal station. They have cut many old trees along the DB main road without considering replanting them in other place. May I request to know how many trees had HKR been cut in their past housing project? Should they promise to relocate those old trees in some other place?
5. In peak time around 6:45 – 9:00am, most buses and ferry are full even HKD has changed to use double deck and large ferry. How HKR to resolve the problem for more people, don't mention to add more buses.

就其對中環海濱發展計劃的意見

參考編號

Reference Number:

161209-125946-15071

提交限期

Deadline for submission:

30/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 12:59:46

有關的規劃申請編號

The application no. to which the comment relates:

Y/H-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Cheung Hon Man,
Donald

意見詳情

Details of the Comment :

1. I have high reservation on this project as it only a profit making project which only favour for HKR for their money earning. Nothing to address the housing problem in HK. However, it creates many issues to DB resident including recreation facilities, education, traffic, etc. Why HK Government allows HKR to earn more money, which against the views of local resident.
2. No resident consultation had been made before. As I believe that most DB residents do not want more house and people in DB in future, which are already overcrowd with people and vehicle.
3. Limited recreation facilities, e.g. no basketball court, tennis court, swimming pool, as those facilities are only available for club members.
4. There is no local secondary school. Student need to travel outside. They need to plan at least a local secondary before considering to allowing more people living there.
5. I witnesses the development in last 10 years, more and more vehicles in this place where originally designed for golf cart as the main vehicle. Now, more buses, school shuttle, truck, etc., are moving around in the DB road, any figure showing the pollution condition. We are hoping for a clean living place. Could I know how HKR manage and control the no. of vehicles using the DB main road?
6. Some HKR's house building has destructed the countryside, which is irreversible, e.g. in HKR's project to reconstruct the bus terminal station. They have cut many old trees along the DB main road without considering replanting them in other place. May I request to know how many trees had HKR been cut in their past housing project? Should they promise to relocate those old trees in some other place?
7. In peak time around 6:45 - 9:00am, most buses and ferry are full even HKD has changed to use double deck and large ferry. How HKR to resolve the problem for more people, don't mention to add more buses.

就規劃申請/覆核提出意見 Making Comments on Planning Applications

參考編號

Reference Number:

161209-134117-06171

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 13:41:17

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. M.Fairley

意見詳情

Details of the Comment:

As per my previous submissions on this application, I strongly protest against the proposed development for the reasons previously submitted. I am away on leave and cannot re-list all of the reasons that I have already submitted to this department. I would also ask the department to investigate the authenticity of submissions in favour of this proposal, as we (the Resident's) have reason to believe that many of those are fraudulent. My future career and contribution to Hong Kong depends on my quality of life here, and that will be negatively affected by this application for development. Please do the responsible thing for residents of Hong Kong and not bow to the demands of greedy developers. Sincerely, M. Fairley

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

161209-111602-10740

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 11:16:02

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

夫人 Mrs. SAEWONG SIRIWAN

意見詳情

Details of the Comment :

Y/I-DB/3 Zone 10b

- 可善用土地資源，減輕香港土地不足的問題，提供不同類型的房屋選擇，提升生活質素。
- 計劃可改善該區現時雜亂景觀及與愉景灣整體設計格格不入的情況，整體環境得到改善。
- 新建的海濱長廊、提升的交通配套、優化的街渡及碼頭設施，令出入更方便。
- 計劃已考慮基礎設施、視覺、交通及社區方面因素及承擔能力，設計亦與周邊環境及景觀更為融合。
- 創造全新的社區集結點，大眾可享用更多公眾休閒空間。
- 更多的綠化空間有助減低碳排放，提升空氣質素，提供更佳工作及生活環境。
- 新發展會創造更多就業機會，為市民及社會帶來好處及經濟效益。
- 引入適量人口可支持本土小商店的營運，為居民提供更多的零售選擇。
- It optimises the land use to alleviate the land shortage issue in HK, and provides more housing choices.
- The plan redevelops and upgrades the current mix of unsightly uses in the area. The overall environment of the area will be improved.
- The improvement to the foreshore promenade, transportation and marine access, kaito service and pier facilities will enhance the connectivity and convenience to and from Discovery Bay.
- The optimisation of the land use is well supported by suitable infrastructure, and has given due consideration for the waterfront setting with improvement to the foreshore promenade and marine access.
- More community focal points and public leisure space will be created for the residents and the public to enjoy.
- The extra landscape and greening help reduce carbon emissions and improve air quality, thus providing a better work and living environment.
- It creates more job opportunities, which will bring in many social and economic benefits to the society.
- The plan brings in suitable amount of population to support the businesses of local shops, in a way to provide more retail choices for residents.

就規劃申請/覆核提出意見 (Comment on Planning Application/Review)

參考編號

161209-102340-30856

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 10:20:40

Date and time of submission:

有關的規劃申請編號

Y.T-IDB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Yeung Siu Ming

Name of person making this comment:

意見詳情

Details of the Comment:

項目計劃有利瑜景灣發展。

5349

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Planning

參考編號

Reference Number:

161209-102405-01211

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 10:24:05

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 馬先生

意見詳情

Details of the Comment :

同意是項工程項目，請儘快落實

5350

就規劃申請/覆核提出意見 / Comment on Planning Application / Review

參考編號

Reference Number:

161208-204451-83849

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 20:44:51

有關的規劃申請編號

The application no. to which the comment relates:

Y/T-D13/2

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. Chole

意見詳情

Details of the Comment :

The plan brings in suitable amount of population to support the businesses of local shops, in a way to provide more retail choices for residents.

The surrounding area of the proposed development will be beautified and bring in new leisure facilities.

The mountain view of most Crystal and Coral units will not be blocked due to the sufficient distance between the buildings.

With one more village, the cost of sharing the maintenance expense of communal facilities can be reduced which will benefit all owners.

5351

就規劃申請/覆核提出意見 Making Comments on Planning Applications / 就規劃

參考編號

Reference Number:

161208-210348-37700

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 21:03:48

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Chung

意見詳情

Details of the Comment :

The plan optimises the land use to alleviate the land shortage issue in HK and provides more housing choices.

The area is suitable for residential building as it has been designated for staff headquarters which are no longer required. The planned plot ratio is still low that the infrastructure and facilities will be sufficient to accommodate the extra population.

The optimisation of the land use has given due consideration to various aspects, such as infrastructure, visual, traffic and capacity of the community. The design is sensitive to the adjacent development and natural setting. It has given due regard for the mountain backdrop and the relationship with the existing residents.

The proposed development will justify for operating a complete separate bus route from Midvale Village which will offer faster and more direct bus service for residents.

5352

就規劃申請/撥款提出意見 (Planning Development / Allocation)

參考編號

161208-223220-26448

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

08/12/2016 22:32:20

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

小姐 Miss LEUNG SIU WING

Name of person making this comment:

意見詳情

Details of the Comment :

引入新屋苑，可分擔公共設施的維修費用，使周邊的基建設施作出翻新及改善，業主可減省維修保養及相關開支。支持愉景灣維持不斷發展，令社區環境更美好。

5353

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Review

參考編號

Reference Number:

161208-221201-62484

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 22:12:01

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss TSE SEE YIN

意見詳情

Details of the Comment :

支持善用土地資源，增加樓宇供應。

新發展會創造更多就業機會，為市民及社會帶來好處及經濟效益。

就規劃申請/覆核提出意見 Planning Comment / Application / Review

參考編號

Reference Number:

161208-222908-42457

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 22:29:08

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAI CHI MAN

意見詳情

Details of the Comment :

香港可發展土地買少見少,優質海景住宅更難求。本計劃設計圖則顯示附近屋苑與新屋苑有充足距離,景觀不會受阻。讚成有關發展

5355

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

161208-220231-16147

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

08/12/2016 22:02:31

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

女士 Ms. 楊錫和

Name of person making this comment:

意見詳情

Details of the Comment :

贊成盡快落實發展計劃

5356

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Review

參考編號

Reference Number:

161209-003630-18327

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 00:36:30

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. Tang

意見詳情

Details of the Comment :

支持善用土地建屋，令社區健康發展。

就規劃申請/覆核提出意見 / Making Comment on Planning Application / 161209

參考編號

Reference Number:

161209-002955-98614

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 00:29:55

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Sharon

意見詳情

Details of the Comment :

I fully support the application as it has conducted thorough studies and surveys on the visual, landscape, environmental, traffic and infrastructure capacity which will only impose very minimal impacts to the adjacent environment, but the project will bring in greater benefits to DB and HK in regards of land supply, housing choices, and sustainable development by offering suitable growth in population to support the running of shops, share the costs and bring in new recreational facilities.

It is a private plot of land that I can't see any points to hinder the development and to utilize the land and which has been zoned for housing people.

All technical issues should not impose any obstacles viewing the experience of the developer and the advance technologies nowadays. If the developer can well develop a piece of barren land 40 years ago, why can't they overcome the infrastructure problems nowadays?

We should focus the discussion on ironing out the details in executing the project in a pragmatic approach instead of knocking it down based on the NIMBY mindset of individuals.

Without continuous development in the community, DB will be a stagnant, ageing and dead community like the Sea Ranch that no young population will be moving in, and the schools will not be able to recruit sufficient students, and DB owners will suffer from today's consequence of voting down the plan.

On these grounds, I sincerely hope that the plan will get a fair discussion and approval.

0358

就規劃申請/建議提出意見 / Making Comments on Planning Applications

參考編號

Reference Number:

161209-003114-96614

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 00:31:14

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Louisa Wong

意見詳情

Details of the Comment :

I fully support the application as it has conducted thorough studies and surveys on the visual, landscape, environmental, traffic and infrastructure capacity which will only impose very minimal impacts to the adjacent environment, but the project will bring in greater benefits to DB and HK in regards of land supply, housing choices, and sustainable development by offering suitable growth in population to support the running of shops, share the costs and bring in new recreational facilities.

It is a private plot of land that I can't see any points to hinder the development and to utilize the land which has been zoned for housing people.

All technical issues should not impose any obstacles viewing the experience of the developer and the advance technologies nowadays. If the developer can well develop a piece of barren land 40 years ago, why can't they overcome the infrastructure problems nowadays?

We should focus the discussion on ironing out the details in executing the project in a pragmatic approach instead of knocking it down based on the NIMBY mindset of individuals.

Without continuous development in the community, DB will be a stagnant, ageing and dead community like the Sea Ranch that no young population will be moving in, and the schools will not be able to recruit sufficient students, and DB owners will suffer from today's consequence of voting down the plan.

On these grounds, I sincerely hope that the plan will get a fair discussion and approval.

就規劃申請/接提出意見 (Planning Application / Comment)

參考編號

161209-002416-19341

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 00:24:16

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Alex Chan

Name of person making this comment:

意見詳情

Details of the Comment :

I fully support the application as it has conducted thorough studies and surveys on the visual, landscape, environmental, traffic and infrastructure capacity which will only impose very-minimal impacts to the adjacent environment, but the project will bring in greater benefits to DB and HK in regards of land supply, housing choices, and sustainable development by offering suitable growth in population to support the running of shops, share the costs and bring in new recreational facilities.

It is a private plot of land that I can't see any points to hinder the development and to utilize the land which has been zoned for housing people.

All technical issues should not impose any obstacles viewing the experience of the developer and the advance technologies nowadays. If the developer can well develop a piece of barren land 40 years ago, why can't they overcome the infrastructure problems nowadays?

We should focus the discussion on ironing out the details in executing the project in a pragmatic approach instead of knocking it down based on the NIMBY mindset of individuals.

Without continuous development in the community, DB will be a stagnant, ageing and dead community like the Sea Ranch that no young population will be moving in, and the schools will not be able to recruit sufficient students, and DB owners will suffer from today's consequence of voting down the plan.

On these grounds, I sincerely hope that the plan will get a fair discussion and approval.

5360

就規劃申請/覆核提出意見 / Making Decision on Planning Application / Comment

參考編號

Reference Number:

161209-003857-03850

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 00:38:57

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. HN Chan

意見詳情

Details of the Comment :

支持善用土地建屋，令社區健康發展。

5361

就規劃申請/撥款提出意見 Making Comments on Planning Application / Service

參考編號

161209-001820-11166

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 00:18:20

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

小姐 Miss L. WONG

Name of person making this comment:

意見詳情

Details of the Comment :

I fully support the application as it has conducted thorough studies and surveys on the visual, landscape, environmental, traffic and infrastructure capacity which will only impose very minimal impacts to the adjacent environment, but the project will bring in greater benefits to DB and HK in regards of land supply, housing choices, and sustainable development by offering suitable growth in population to support the running of shops, share the costs and bring in new recreational facilities.

It is a private plot of land that I can't see any points to hinder the development and to utilize the land which has been zoned for housing people.

All technical issues should not impose any obstacles viewing the experience of the developer and the advance technologies nowadays. If the developer can well develop a piece of barren land 40 years ago, why can't they overcome the infrastructure problems nowadays?

We should focus the discussion on ironing out the details in executing the project in a pragmatic approach instead of knocking it down based on the NIMBY mindset of individuals.

Without continuous development in the community, DB will be a stagnant, ageing and dead community like the Sea Ranch that no young population will be moving in, and the schools will not be able to recruit sufficient students, and DB owners will suffer from today's consequence of voting down the plan.

On these grounds, I sincerely hope that the plan will get a fair discussion and approval.

5362

就規劃申請/撥款提出意見 Mr. Siu Y. Y. (sioy@plover.org.hk) 161209-002552-56206

參考編號

Reference Number:

161209-002552-56206

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 00:25:52

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. SY

意見詳情

Details of the Comment :

I fully support the application as it has conducted thorough studies and surveys on the visual, landscape, environmental, traffic and infrastructure capacity which will only impose very minimal impacts to the adjacent environment, but the project will bring in greater benefits to DB and HK in regards of land supply, housing choices, and sustainable development by offering suitable growth in population to support the running of shops, share the costs and bring in new recreational facilities.

It is a private plot of land that I can't see any points to hinder the development and to utilize the land which has been zoned for housing people.

All technical issues should not impose any obstacles viewing the experience of the developer and the advance technologies nowadays. If the developer can well develop a piece of barren land 40 years ago, why can't they overcome the infrastructure problems nowadays?

We should focus the discussion on ironing out the details in executing the project in a pragmatic approach instead of knocking it down based on the NIMBY mindset of individuals.

Without continuous development in the community, DB will be a stagnant, ageing and dead community like the Sea Ranch that no young population will be moving in, and the schools will not be able to recruit sufficient students, and DB owners will suffer from today's consequence of voting down the plan.

On these grounds, I sincerely hope that the plan will get a fair discussion and approval.

5363

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

161209-074727-27237

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 07:47:27

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. 肖

意見詳情

Details of the Comment :

支持善用土地資源，應盡速批出此發展項目。

5364

就規劃申請/覆核提出意見 Planning Comment on Planning Application / Review

參考編號

Reference Number:

161209-083307-98430

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 08:33:07

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

Angel Lam

意見詳情

Details of the Comment :

支持

5365

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

161209-092716-96164

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 09:27:16

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

夫人 Mrs. Linyan Wang

意見詳情

Details of the Comment :

Dear Sir/Madam,

I am strongly against this building project!

Discovery Bay as a unique brand for quality living and being close to nature, too much buildings will just destroy the brand and lower the value of this already remote area, people will not move here if too dense because it is not convenient for transportation.

There are below reasons which we would suggest you to consider:

- 1, these massive buildings will be too dense for this area and destroy the nature, quietness and view.
- 2, The road and infrastructure are not ready for adding so much residents all at once
- 3, Discovery Bay recently constant construction already bring us too much noise and dust, living in DB is no more pleasant as before.
- 4, If DB change to be dense area like the city, I wonder if people will still move here because it is so inconvenient.
- 5, DB is also an important attraction for people coming from all over Hongkong to enjoy the weekend, its nature and beautiful planning and layout are what attracting them.

Best Regards,
Linyan Wang

對規劃申請/覆核提出意見 (In Reply to Planning Application / Review)

參考編號

Reference Number:

161209-092716-17068

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 09:27:16

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Alexander Carsten Uhlmann

意見詳情

Details of the Comment :

Dear Sir or Madam,

I'm very strongly against this building project as it's going to damage the brand of Discovery Bay. The building development is too close, dense and large and doesn't fit into the existing brand of Discovery Bay. I've traveled and lived in many places in the world regard Discovery Bay as a world-wide unique area, that we in Hong Kong should protect and use to attract talent to Hong Kong that would otherwise not be willing to live in dense Hong Kong Island, Kowloon or nearby Shenzhen and Guangzhou. Discovery Bay and in particular the area around this re-development (6A, Parkvale Village) attracts a different type of character. This area is a unique selling proposition for the wider Pearl River Delta. I work in software and in order to attract talents it's critical to provide a natural living environment that supports a sustainable work-life balance. Silicon Valley does provide that and is hence very successful. The Pearl River Delta could also compete with Discovery Bay. Don't destroy the little attraction we still have here.

Additionally, the current road towards Woodland Court over the area 6A is far too small to support the building construction vehicles and later traffic. If at all, they should consider building another permanent access road from the waterfall/bridge/golf road. If you make the existing road bigger, you'll need to destroy parts of the mountain, which would lower character of the area.

Additionally, the current nature area that would be destroyed by 6A is valuable to hikers from all around and a small meeting place. Wildlife and vegetation would be negatively impacted.

Overall, I think there are various more suitable areas in Hong Kong to develop further, even in Discovery Bay as long as they fit into the brand and are smaller scale and don't take away much nature.

5367

就規劃申請/覆核提出意見 Making Comments on Planning Application / Review

參考編號

Reference Number:

161208-171507-20734

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

08/12/2016 17:15:07

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Natalie

意見詳情

Details of the Comment :

本人贊成發展計劃，能提升愉景灣社區設施及美化生活環境。

5358

就規劃申請/建議提出意見 1466 (g) Comment on Planning Application / Suggestion

參考編號

Reference Number:

161209-141753-04494

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 14:17:53

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. KENNY TAM

意見詳情

Details of the Comment :

本人支持偷景灣有關規劃申請。

理由是偷景灣的基建設施, 生活服務設施和對外公共交通都發展完備. 但偷景灣居住人口密度偏低, 可持續發展空間很大. 目前香港缺乏土地發展住宅的大環境下, 本人支持偷景灣的新發展規劃.

5369

就規劃申請/覆核提出意見 Making Comments on Planning Applications / Review

參考編號

Reference Number:

161209-162032-77368

提交限期

Deadline for submission:

30/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 16:20:32

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Peter Monger

意見詳情

Details of the Comment :

These comments are from both myself and my wife Ng Sau Ling. We are the owners of [REDACTED] adjacent to and fronting the application site. We are retired and consequently occupy our property during the working day. We continue to object to the proposed rezoning as the proposed buildings will have significant visual impact on the enjoyment of our dwelling and will compromise our privacy. Notwithstanding our objection to the rezoning in principle we would request that every effort to be made to reduce the visual impact and to maintain our privacy. During the construction period, which including ground and accommodation works will be of a lengthy period, we strongly request that measures are put in place to minimise construction noise. Bearing in mind with the elevations of the existing and proposed residential buildings there is no opportunity for noise attenuation and screening and therefore noise needs to be controlled at source with respite periods.

5370

就規劃申請/覆核提出意見 Making Comments on Planning Application / Rezoning

參考編號

Reference Number:

161209-202251-27983

提交限期

Deadline for submission:

30/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 20:22:51

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Rekha

意見詳情

Details of the Comment :

I am against this rezoning application. Firstly there is no place infrastucturally to support this increase in construction application. There is no access road to it and due to major building projects already taking place, too many vehicles, noise, pollution, travel delays etc. Secondly, this land was supposed to be for staff quarters but has not been developed as such for so long, which hints to perhaps intentional plan for redevelopment by HKR, which is fraudulent. Thirdly, it supports a lot of flora and fauna, lots of interesting plants and trees and birds, butterflies, dragonflies etc. and will be shameful to destroy that by building another condo for mainland purchase. I am sure if checked there might be some species which are rare but can be found here. We need green spaces for kids and dogs and people to enjoy and although DB is green, there are not many spaces as such which have not been built upon in the name of progress. Also, as this area is very windy due to the Venturi effect, it will be dangerous to the residents already living in the vicinity if there is major construction due to the risk specially during typhoons.

I do hope our opposal to this is taken into consideration.

5371

就規劃申請/覆核提出意見 Making Comments on Planning Application / Review

參考編號

Reference Number:

161209-202043-56389

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 20:20:43

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. MURALI KRISHN
AN

意見詳情

Details of the Comment :

I DO NOT support this application by HKR. HKR has not addressed the concerns of the residents of discovery bay as the current infrastructure is limited and does not allow for an increase in high-end properties.

HKR has not addressed the concerns raised by me in the previous submission, a copy of which you already have. It is for the lands department to make sure that the responses by HKR are vetted, specially in its calculation of the number of residents per flat. Please ask HKR to release that information on how they arrived at that number without doing a door to door survey.
In the end, do not let big money win by deceit.

5372

就規劃申請/覆核提出意見 Meeting Comment on Planning Application / Review

參考編號

Reference Number:

161209-210831-69639

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 21:08:31

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

夫人 Mrs. JENN ATEPOLIK
HINE

意見詳情

Details of the Comment :

TO WHOM IT MAY CONCERN,

I'M OPPOSED TO THE REZONING OF AREA 6f FOR THE FOLLOWING REASONS:

1) The impact of construction vehicles has not been taken into consideration by the applicant. The existing passageway is too narrow for construction vehicles to use at the same time as existing buses, golf carts and pedestrians and an increase will make the passageway unsafe. It will also potentially block access for emergency services as the road is too narrow for such an increase of traffic.

2) The applicant has provided insufficient plans for sewage treatment of the buildings with a suggestion that the sewage will be deposited next to the ferry pier and DBs private beach where residents and visitors use it for recreational purposes. The smell plus an increase in bacterial content will have detrimental effects on health and the environment of DB.

Overall the plan does not seem well thought through with little realistic traffic assessment plus impact studies being completed before the said application.

I strongly object to the proposed application and suggest that the Town Planning Board have a look at the reality of the suggested course of work

Sincerely,

Jennifer Atepolikhine

5373

就規劃申請/覆核提出意見 Making Comment on Planning Applications / Review

參考編號

Reference Number:

161209-222054-48804

提交限期

Deadline for submission:

30/12/2016

提交日期及時間

Date and time of submission:

09/12/2016 22:20:54

有關的規劃申請編號

The application no. to which the comment relates:

Y/I-DB/2

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss Kung Wing Chi

意見詳情

Details of the Comment :

希望可盡快開展工程，增加就業以及美化環境

5374

就規劃申請/覆核提出意見 Planning Comment on the Application for Planning Permission

參考編號

161209-101813-66554

Reference Number:

提交限期

30/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 10:18:13

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. 馬先生

Name of person making this comment:

意見詳情

Details of the Comment :

同意是項改善建設，希望儘快通過落實

5375

就規劃申請/覆核提出意見 Making Comments on Planning Application / Review

參考編號

161209-142833-78767

Reference Number:

提交限期

30/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 14:28:33

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Simon Minshall

Name of person making this comment:

意見詳情

Details of the Comment :

I am an owner of a residential flat in Parkvale Village, Discovery Bay, the village adjacent to Area 6f, through which HKR proposes to access Area 6f. I have lived in Discovery Bay for more than 30 years and seen its considerable growth and the benefits which have arisen from this growth. Although I think it is appropriate to further develop Discovery Bay, I believe that HKR's plans to build two 18 storey buildings, including 476 flats, of 21,600 m2 GFA on a platform created to accommodate a 170m2 GFA three storey building are very ill judged and that the Town Planning Board should reject HKR's application to rezone Area 6f.

In its covering letter to its submission of its first submission of Further Information, HKR noted that "We have also reviewed the public comments received during notification of the application", although it did not address at all, or very inadequately, the comments which I and others submitted in April 2016. Furthermore, although many comments were submitted by the public in response to HKR's first submission of Further Information, its latest submission of Further Information is only a response to government departmental comments and fails to respond to, or even acknowledge, the comments submitted by the public. It also appears that government departments are not familiar with many of the objections submitted by the public as they have not raised questions about many of these objections. This is very disappointing in what is supposed to be a public consultation. Nevertheless, I still hope that the TPB's secretariat will adequately inform government departments and members of the TPB of the serious objections raised by the public to HKR's application to rezone Area 6f.

Before HKR's application to change the use of Area 6f can be approved, I believe it still needs to address a number of serious defects in its application.

1. Access to Area 6f – The Traffic Impact Assessment focuses on the impact of the proposed increase in the population on traffic into and out of DB. It does not mention the impact of construction traffic on the Cheung Tung Road leading to DB or on roads within DB, nor does it focus on the impact of increased traffic on Parkvale Drive, an extension of which will provide access to the site, nor on the potential impact on emergency vehicle access. Parkvale Drive is narrow and two large vehicles can only pass with difficulty. There are already several road wide cracks in the asphalt across several parts of the metalled part of the Drive. The narrow section of Parkvale Drive outside the three residential buildings, from where HKR proposes to build the extension to Parkvale Drive to provide access to Area 6f and along which all traffic to the site will have to pass, is a pedestrian pavement, part of which directly abuts Woodbury Court. Its surface is only paving block. It is wholly unsuited to be used for construction traffic and increased use by buses to serve

ve the proposed development. Doing so would not only destroy the surface but create serious safety concerns and give rise to emergency services not being able to reach the existing residential units and the site. HKR should be required to assess alternative access to the site via Discovery Valley Road.

2. HKR's right to use Parkvale Drive as access to Area 6f - The Sub-Deed of Mutual Covenant for Parkvale Village refers to parts of Parkvale Drive as a "Passageway". In Annex E of its first submission of Further Information, HKR stated that "the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f", despite the fact that the owners of Parkvale Village have borne the costs of maintaining these "Passageways" for the past 28 years. HKR's assertion is its unilateral interpretation of the Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village. As there may be other interpretations, HKR should be required to present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.

3. Sewage - The proposed development would be reliant on an on-site sewage treatment plant, even though HKR's own consultants note that having an on-site sewage treatment plant is not preferred, as having numerous sewage treatment works in the area is considered to be ineffective and could cause an offensive smell and be a health hazard. Furthermore, although HKR states in its second submission of Further Information that the sewage would be disposed of through a gravity sewage pipe into the sea near the Discovery Bay pier and bathing beach, it also states that "During the subsequent detailed design, it is recommended to conduct further analysis to establish any base flow along the spillway and hence the feasibility of discharging the treated effluent into the nullah and box culvert directly". Surely, particularly given the efforts made by government over past years to prevent sewage being discharged into the harbour, it is not acceptable for sewage to be discharged through an open nullah, which passes directly beneath the balconies of a residential building, into the sea close to a pier and a public bathing beach. Furthermore, HKR should be required to confirm that the capital and operating costs of the sewage disposal works should be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay, whose sewage is disposed on through the government STW in Siu Ho Wan Water.

4. Water treatment and fresh water supply - HKR proposes to supply private water using the raw water stored in the private Discovery Bay Reservoir, which ceased to provide fresh water to DB residents many years ago, and building a private water treatment works to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b. This appears to be a very expensive alternative. HKR should be required to confirm that the capital and operating costs arising from adopting this alternative will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

5. Other utilities - No mention is made in the application of how other utilities, including LPG supply, telephone, TV, street lighting and especially electricity supply, will be provided and of the effect on the residents of Parkvale Village, through which these utilities will have to pass.

6. Slope safety - The site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The application does not address the risk of slope failure above these buildings arising from the steep slope and the proposal to construct two high rise buildings of 21,600 m² of gross floor area on a platform formed to accommodate only 170 m² of gross floor area.

7. Population - In its application HKR noted that the population of Discovery Bay is 15,000. In response to comments made, HKR now admits the population of Discovery Bay is 19,585. How can a developer not know the population of its major development, especially when the government has limited the population to 25,000 in the current approved OZP? The sum of the proposed populations of Areas 6f and 10b is 4,003. Without any other increase, the population of Discover

5375

ry Bay would therefore be 23,588, being only 1,412 less than the permitted maximum. Before the change in use is considered, HKR must be required by government to demonstrate that the proposed developments in Areas 6f and 10b will not contribute, together with the other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. If HKR is allowed to breach the limit of 25,000, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000.

I believe that the Town Planning Board should not approve HKR's application due to these deficiencies in its application.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

161209-142833-78767

Reference Number:

提交限期

30/12/2016

Deadline for submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. Simon Minshall

Name of person making this comment:

聯絡人

Simon Minshall

Contact Person

通訊地址

Postal Address :

電話號碼

Tel No. :

傳真號碼

Fax No. :

電郵地址

E-mail address :

說規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

161209-162714-66401

Reference Number:

提交限期

09/12/2016

Deadline for submission:

提交日期及時間

09/12/2016 16:27:14

Date and time of submission:

有關的規劃申請編號

Y/I-DB/2

The application no. to which the comment relates:

「提意見人」姓名/名稱

女士 Ms. Natalia Veldman

Name of person making this comment:

意見詳情

Details of the Comment :

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.

2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.

3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arising out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.

5. There has been no satisfactory explanation of how provision of potable water and handling of sewerage will be addressed. The existing infrastructure cannot support this deviation from initial master plan.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.

6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

tpbpd

寄件者: Andrew Burns [REDACTED]
寄件日期: 08日12月2016年 星期四 14:05
收件者: G W Lovegrove, tpbpd@pland.gov.hk
主旨: RE: Objection Section 12A Application No. Y/I-DB/3 2
附件: TPB YI-DB2 Area of R3 Undivided Shares.pdf

5377

Excellent as always. One of the things that amazed me in the latest round was the dismissive attitude that HKR took to the government comments, especially those from WSD and EPD but also those that you highlight.

Here is a piece on an issue that I have been working on. I have a similar one for 10b.

Andrew

From: G W Lovegrove [mailto:[REDACTED]]
Sent: December 8, 2016 1:45 PM
To: tpbpd@pland.gov.hk
Subject: Objection Section 12A Application No. Y/I-DB/3

Dear Sirs,

I attach my objection concerning Section 12A Application No. Y/I-DB/3; Area 10b, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay Objection to the Submission by the Applicant dated 26.10.2016 For Optimising Land Uses at Area 10b, Discovery Bay.

G W Lovegrove

1

tpbpd

寄件者: Tish Hayward
寄件日期: 12月12日2016年星期一 13:23
收件者: tpbpd@pland.gov.hk
主题: Application No. Y/I-DB/2 Area 6f

5378

Application No. Y/I-DB/2 Area 6f

I have read the attached submission from the PENINSULA OWNERS COMMITTEE for 10b (PARKVALE OWNERS COMMITTEE for 6f) and I wish to register my objection with the TPR accordingly

Kind Regards,

Tish Hayward

HABITAT PROPERTY LTD

www.habitat-property.com

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寄件者:
寄件日期:
收件者:
主旨:

Shelagh Byron
10月12日2016年 星期六 9:16
tpbpd@pland.gov.hk
Discovery Bay

5379

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arising out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this

development. Its disruption during construction to other property owners in the vicinity should be properly regulated and addressed in the submission.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

5379

Date 9/12/16	

Name of Discovery Bay Owner / Resident: shelagh Byron

Correspondence Address: [REDACTED]

Sent from my iPhone

tpbpd

寄件者: Rob Craig [REDACTED]
寄件日期: 10日12月2016年星期六 0:06
收件者: tpbpd@pland.gov.hk
主旨: 6f discovery bay

5380

Dear sir,

Please accept this as my objection to the rezoning and development of the above area. The proposal is insufficient in scope and does not address issues with regards to direct access during the construction phase and then afterwards with the congestion that will ensue. Also, I understand that HKRI does not have approval for the significant increase in water and sewage requirements which will be a disaster. DB already has recurring water and sewage breakages as the system is antiquated.

Sincerely,
Rob Craig

[REDACTED]

Sent from my iPhone



tpbpd

寄件者:
寄件日期:
收件者:
主旨:

Rob Craig and Vera Giovannitti
10日12月2016年星期六 0:02
tpbpd@pland.gov.hk
Area 6f Discovery Bay proposed development

5331

Dear Sir/Madam

Please accept this letter as our objection to the proposed development in Discovery Bay for the many reasons pointed out by our VOC at Parkvale Village - we are residents there. As well as, our own opinion that this community cannot sustain any more development until HKR repairs the many other infrastructure problems from burst water pipes affecting flushing water - twice this year alone, and traffic problems, etc.

Sincerely,

Vera Giovannitti

寄件者:
寄件日期:
收件者:
主旨:

[REDACTED]
(09/11/2016 年 星期五 23:40)
tpbpd@pland.gov.hk
objection to the Development of Area 6f in DB

5382

Dear Sirs,

I, Low Sioh Eng of [REDACTED] is still very concerned that TPD and HKRI is still not taking any notice to our owners's concern and objections to the above development.

For the third time, in addition to what I have submitted before, I would like to submit my objections and concerns to you again.

1) Safety Issue of using the existing steep slope road up to Parkvale by big heavy cement mixers and truck carrying dangerous building materials has still been ignore by TPD and HKRI.

Should there be any road accidents due to your approval of using the steep slope road during the development stage, who will be responsible? HKRI? TPD?

2) Sewage issue: I object to the plan for any "treated sewage" to be dumped into Discovery Bay water next to the ferry pier. This is absolutely not allowed because of the close proximity to residential area and where people lives. Also, there are many restaurants, people swimming in the next bay, children and elderly around the pier... This is the most unhealthy solution to sewage issue however well the treatment you may claim to be... there will also be a smell and bacteria hovering around.

Again, who will be responsible in the future should there is any health problems?

3) Road maintenance of Parkvale road ..should be the responsibility of HKRI ..

These are additional concerns to my previous submission.

Unless and until all of the above issues plus those already submitted before are satisfactory addressed, I would like to hold TPB & HKRI responsible should TPB & HKRI choose to ignore the DB residents' concern and objections.



寄件者:
寄件日期:
收件者:
主旨:

121 M Rainbow [REDACTED]
09/11/2016 4 星期五 23:28
Town Planning Board
Application No. Y/I-DB/2 Area 6f - OBJECTION

5383

Application No. Y/I-DB/2 Area 6f - OBJECTION

With my husband, I am owner of [REDACTED]

Clearly the 6f development will be negative for the DB lifestyle.

Only the appearance of these two monsters on the hillside would take away a part of the resort feel, and consequently an important part of the famous DB lifestyle. My apartment loses part of my open, very green view of the hillside, where the two towers will stand. The property is tenanted and the main attractions is the peace relaxing we still experience. There have been several tenants over the years and I can say with confidence, that their Hong Kong experience had been "enhanced" (to use HKR's own word from Sound Developments for a Better Community) by DB as it is. I know that this has no value for this generation of developer, but it should have meaning for the TPB.

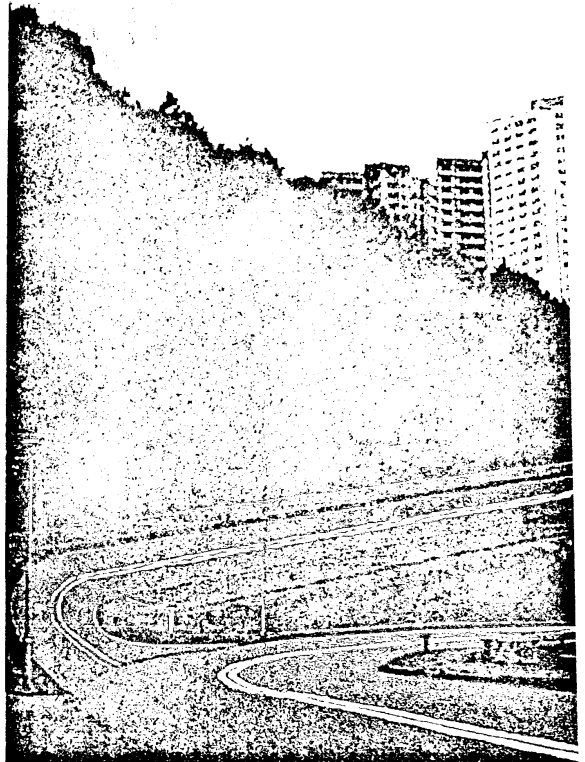
In the image on the opening page of your website the TPB captures the balance that must preserve, not only in Discovery Bay, but for Hong Kong in general. The hillside you are carefully preserving in your image is very much like the one the developer wants to take away.:





I fear that many do not understand why Hong Kong needs Discovery Bay. It does not satisfy everyone but it satisfies enough people to maintain its popularity. It will not have enough advantages to maintain its popularity if the special lifestyle is wrecked. It may have been a happy coincidence that the original concept of resort for weekends and short holidays grew to be what it is now. Discovery Bay grew to be what it is because there was a demand for a certain type of 'lifestyle' close to Central. The wishes of the developer and the recognition by town planners coincided and the demand was satisfied. WIN.WIN,WIN.

The TPB may need to save HKR from itself. "*Build and they will come*", does not always work. The hotel makes very little profit and there are many offices and shops at the North Plaza still unoccupied. Sales of Positano were slow and these certainly do not satisfy the need for low cost housing, which is a priority for the TPB. Discovery Bay does not make sense to most Hong Kongers (car lovers for example) but for those that like it, it makes a lot of sense. If the essence of the well known "DB lifestyle" is lost, the supply may well exceed demand, as seems to be the case in North Plaza area, and house prices may well be relatively low but the important niche lifestyle market would have been lost. The proportion of homes with a pleasant open views of the sea or green hillsides will be much reduced, and the Plazas will be overcrowded.



I cannot claim to have read through all the material submitted by HKR in their application, but have read quickly through the objections of the PARKVALE VOC (Ken Bradley) and the PENINSULA VOC (Trevor Jarrett) and the remarkable submissions of Thomas Gebauer, Peter Crush, Andrew Burns, Gepff Lovegrove and others. They are technical and legalistic and look like they will stop this 6f and the 10b project dead, without my relatively subjective reasoning above.

There is one technical point coming from the PARKVALE VOC submission which is even more important for Hillgrove Village:

..... discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst

giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.

Whatever evacuation of sewage route, it presumably goes into the on large scale, and has been pointed out it is too close to the public in relatively contained areas of sea.

New owners will not enjoy the Discovery Bay that we know. This is a bad plan. It puts a burden on the infrastructure, which was never designed. The traffic around Hillgrove will be massively increased. The relatively quite "residential road", will become a "main road" and the turn off to the "golf course" will become a "busy junctions". There are accidents now, but they are likely to be more. HKR are not controlling the entry of vehicles as they should now. We should be reducing not increasing traffic.

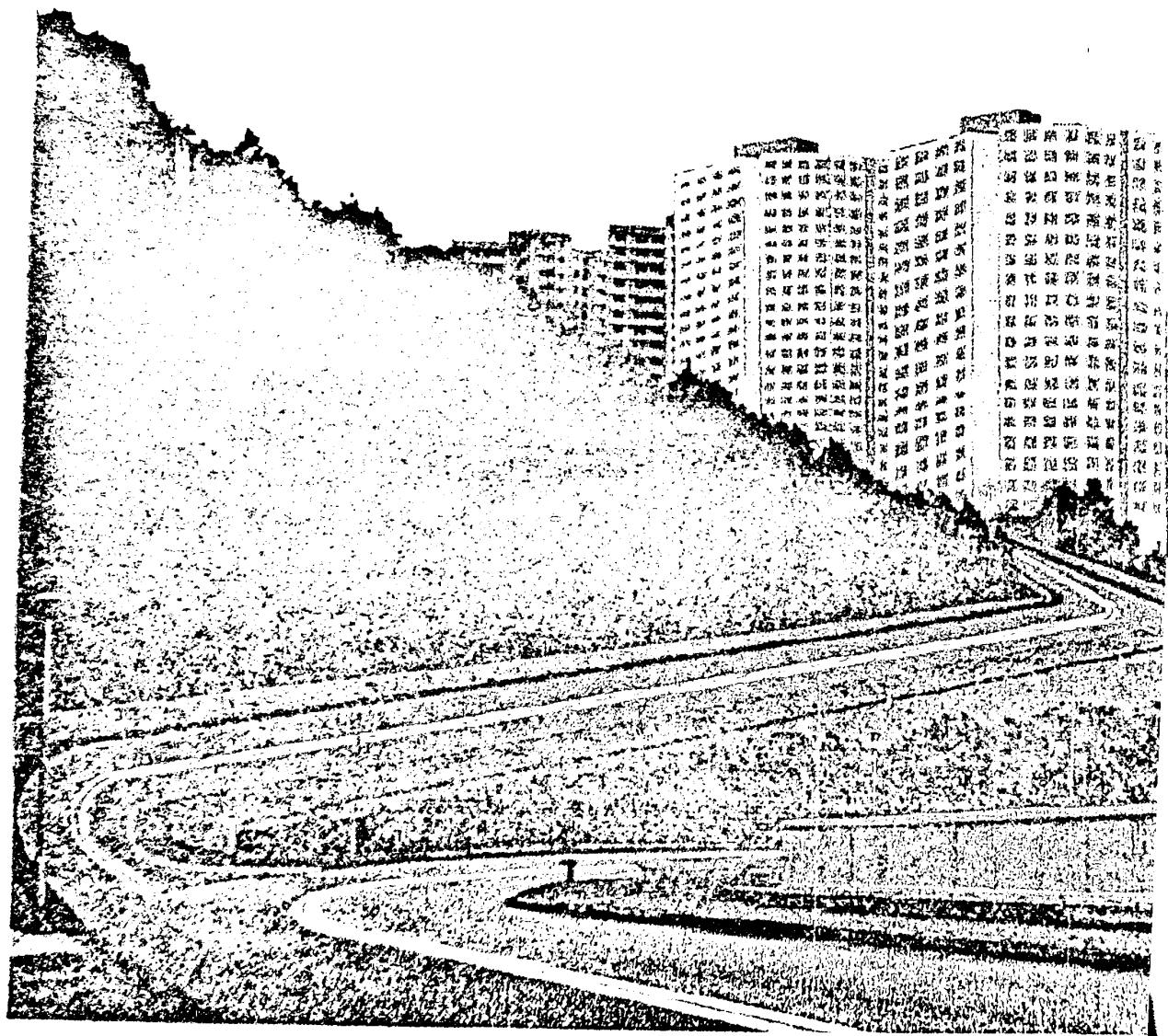
Iza Rainbow

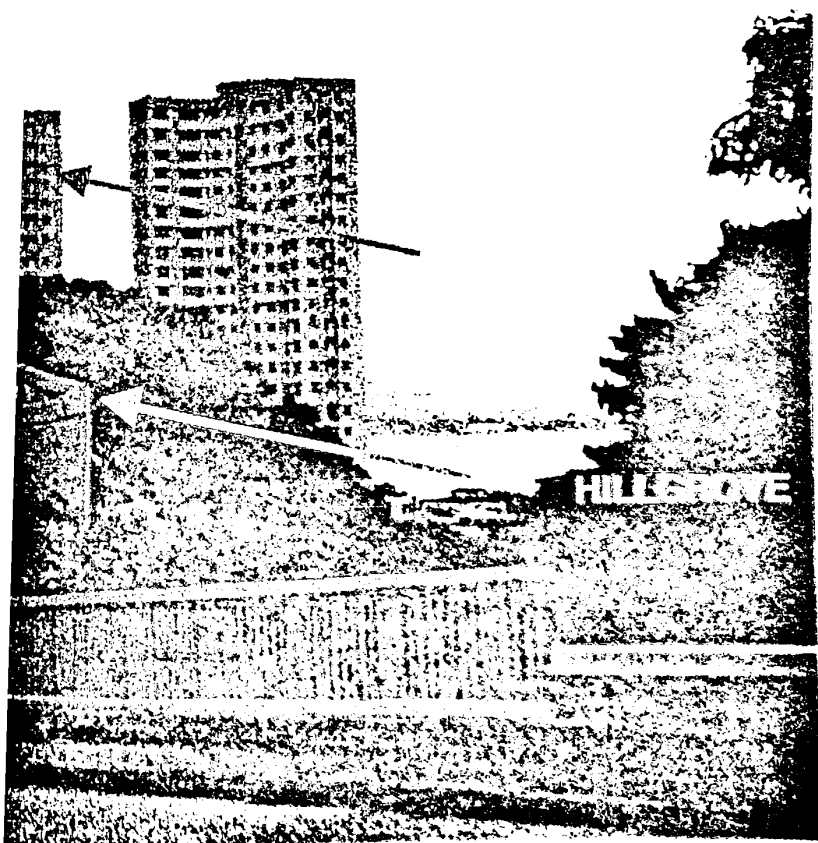
OWNER 

5383



城市規劃委員會
Town Planning Board





寄件者:
寄件日期:
收件者:
主旨:
附件:

(代理 Edwin Rainbow)
(9月12月, 2016年 星期五 23:02
Town Planning Board
Application No. Y/I-DB/2 Area 6f - OBJECTION FROM HILLGROVE VOC
6F 3.pdf

5384

Application No. Y/I-DB/2 Area 6f - OBJECTION

Dear Sirs

On 4th December, I was elected as Chairman of Hillgrove Village by a quorate Owners Meeting (20% of the owners). This for the third time

For the first and second round of consultations the VOC unanimously agree that I should write a submission on behalf of the VOC to object to both 6f, which effects Hillgrove directly, and 10b, which effects Hillgrove indirectly.

The VOC are expecting me to object to the developments in the 3rd Consultation. I can be completely confident that the VOC is in line with the views (as far as we can tell) of ALL OWNERS OF HILLGROVE. In my step down speech, I made it very clear to owners that the VOC had been consistent in objecting to the developments. The VOC had done its best to communicate throughout the process so far. The owners we contact regularly (around 30%) are well informed, far more than they have through HKR and their appointed management company DBMSL, which is limited to
promotion material
and a
schedule of events, all presented
as
if it is
a fait accompli
and in their interests.

With each round of consultation, the level of awareness of the shortcomings of the projects from the Hillgrove owners point of view, become more apparent. A few owners, like myself take a deep interest in the details studied and presented by others. We are in close contact with PARKVALE VILAGE AND one of our VOC members is also a member of the
PARK
VALE
VOC. We

are well acquainted
with all there submissions. They have our unanimous endorsement.

According to the recent Village Owners Meeting, we have 100% support for this OBJECTION. There is no dissent.

We have referred to and support the numerous submissions made by the following owners and I will not attempt to list the powerful points they make.

PARKVALE VOC	Ken Bradley
PENINSULA VOC	Trevor Jarrett

TRAFFIC AND TRANSPORT	Peter Crush
LEGAL AND TECHNICAL	Geoff Lovegrove
LEGAL AND TECHNICAL	Andrew Burns
ENVIRONMENTAL ETC	Thomas Gebauer

I thank the TPB for noting that two adjacent villages of HILLGROVE and PARKVALE, opposite sides of Discovery Valley Road are solidly against the 6f development. From what I know any submission, in support should be rare and is likely due to pecuniary reasons or relationship to the developer, which of course would be their right

on behalf of the Hillgrove Village Owners Committee

ED RAINBOW



CHAIRMAN HILLGROVE VILLAGE
COC COMMITTEE MEMBER
VOC MEMBER PENINSULA VILLAGE
ENVIRONMENTAL PROTECTION SUB COMMITTEE (OF THE COC)

Signed attachment

To: Secretary, Town Planning Board
cc: District Lands Office, Islands; LACO
Date: 9 December, 2016

5384

Application No. Y/I-DB/2 Area 6f - OBJECTION

Dear Sirs

On 24th December, I was elected as Chairman of Hillgrove Village by a quorate Owners Meeting (20% of the owners). This was for the third time, with over 20% of owners present (Quorum is 20%)

For the first and second round of consultations, the Hillgrove VOC unanimously agreed that I should write a submission on behalf of the VOC to object to both the 6f, which effects Hillgrove directly, and the 10b developments, which effects Hillgrove indirectly.

The VOC have asked me to object again to the developments in the 3rd Consultation.

I can be completely confident that the VOC is in line with the views (as far as we can tell) of EVERY OWNERS OF HILLGROVE, since in my step down speech, prior to the election, I made it very clear to owners that the VOC had been consistent in objecting to the developments, thus far. The VOC has done its best to communicate the issues throughout the process to the owners we contact regularly (around 30%). These owners are well informed, and can ask for more information. They have access to far more than they have through HKR and their appointed management company, DBMSL, which is limited itself to promotion material and a schedule of events, all presented as being in small owner interest and keeping them informed

With each round of consultation, the level of awareness of the shortcomings of the projects from the Hillgrove owners point of view, becomes more apparent.

A few owners, like myself take a deep interest in the details studied and presented by others. We are in close contact with PARKVALE VILLAGE and one of our VOC members is also a member of the PARKVALE VOC.

Hillgrove is well acquainted with all the PARKVALE submissions and directly share some of its concerns.

According to the recent Village Owners Meeting, we appear to have 100% support from owners for this OBJECTION, there being no sign of dissent.

We have referred to, and endorse the submissions made by the following owners, and it seems pointless to extract and list the powerful points they make.

PARKVALE VOC	Ken Bradley
PENINSULA VOC	Trevor Jarrett

TRAFFIC AND TRANSPORT	Peter Crush
LEGAL AND TECHNICAL	Geoff Lovegrove
LEGAL AND TECHNICAL	Andrew Burns
ENVIRONMENTAL ETC	Thomas Gebauer

Please note that two adjacent villages of HILLGROVE and PARKVALE (opposite sides of Discovery Valley Road) are both solidly against the 6f development with good reasons, as cited in the above submissions.

I would expect any person, from these two villages, submitting support, would be rare and likely due to pecuniary reasons (speculation on better valuations maybe) or a relationship to the developer, which of course is entirely their right.

On behalf of the Hillgrove Village Owners Committee :

ED RAINBOW

CHAIRMAN HILLGROVE VILLAGE
COC COMMITTEE MEMBER
VOC MEMBER PENINSULA VILLAGE
ENVIRONMENTAL PROTECTION SUB COMMITTEE (OF THE COC)



tpbpd

寄件者: Sally Conti [REDACTED]
寄件日期: 09日12月2010年星期五 23:00
收件者: tpbpd@pland.gov.hk
主旨: Discovery Bay Area 6f - Application No. Y/I - DB/2
附件: ATT00188.pdf; ATT00191.txt

5385

Dear Sirs,

I wish to object to the planning application (as amended) filed by the developer in respect of the above area in Discovery Bay. The reasons for my objection are as summarised in the attached submissions from the Parkvale Village Owners' Committee.

Yours faithfully,

Timothy Conti





Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. **It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information.** Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the

Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is Inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal *"is considered not an efficient sewage planning strategy"*.
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population celling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. **Many Plans, Drawings and Reports are missing.** The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing





together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not



been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAO implications of the proposed development*". (i.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- c. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. **EPD and Waste Management** - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. **EPD and Sewage Infrastructure** - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. **EPD and Air Quality** - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.
10. **Lands Department's comments:**
- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
 - b. Specific 4 - HKR recognizes that its application does not conform to the approved MP6.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
 - c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
 - d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information



HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.



Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.

4. Parkvale Drive comprises three sections, being:

Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

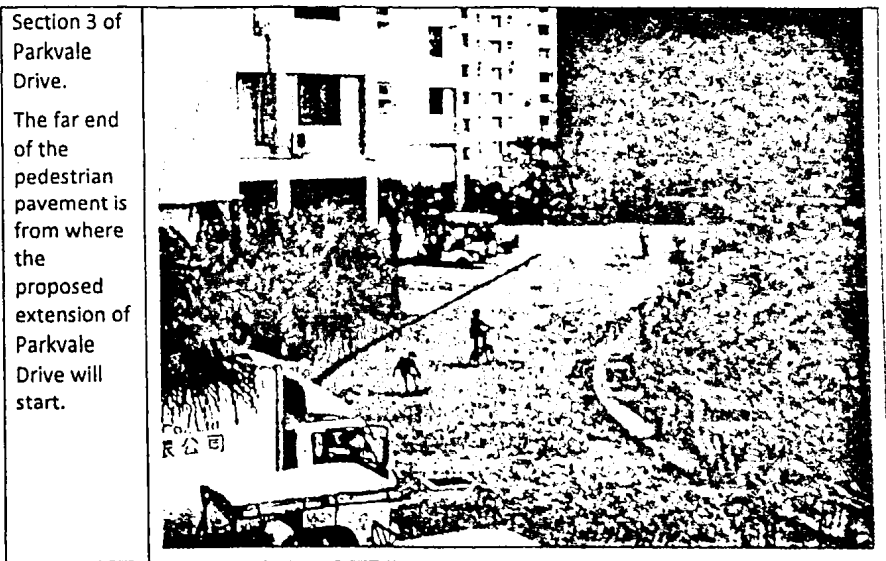
Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.



Section 3 - the "Passageway", as defined in the Parkvale Village Sub-DMC, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.



5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

Section 3 of Parkvale Drive.

Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.

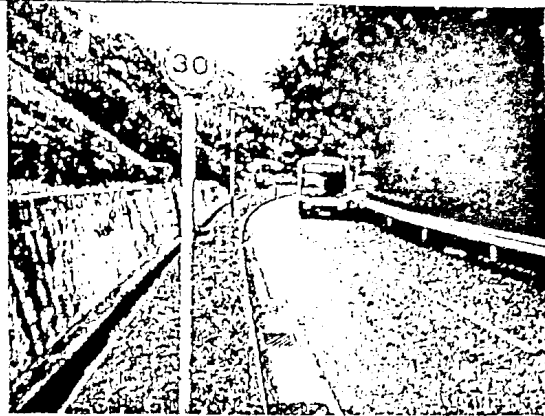


8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.
10. **Width Constraints** - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.



Section 1 of
Parkvale Drive.

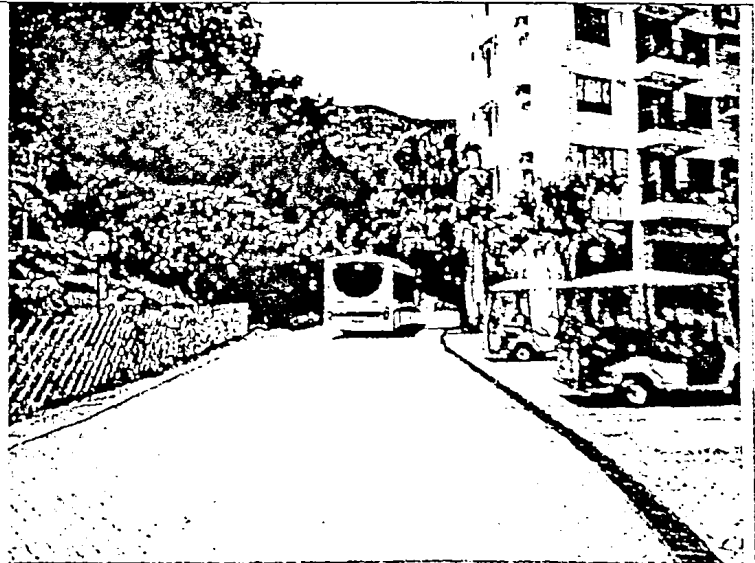
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this constricted area, if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

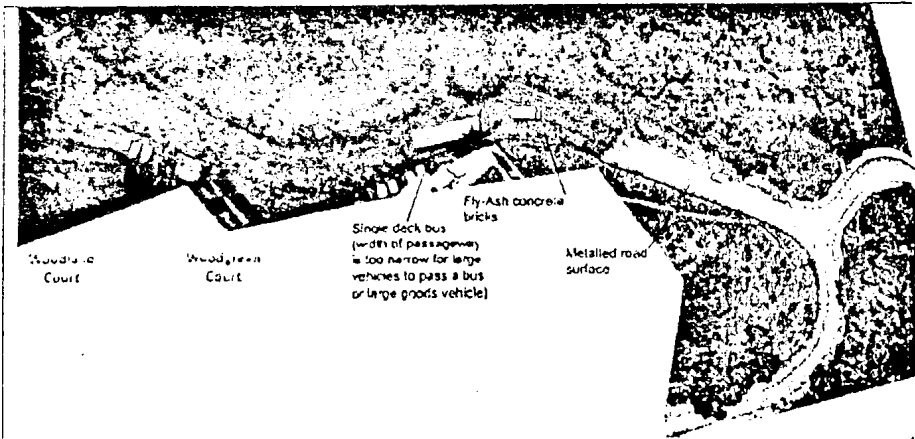
Section 3 of
Parkvale Drive.

View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



13. The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are travelling in opposite directions along Parkvale Drive.

14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



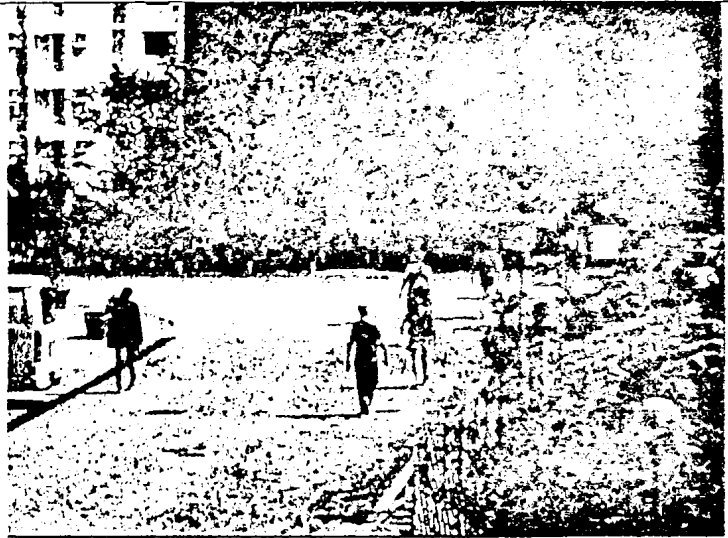
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. **This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.**

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of
Parkvale Drive.

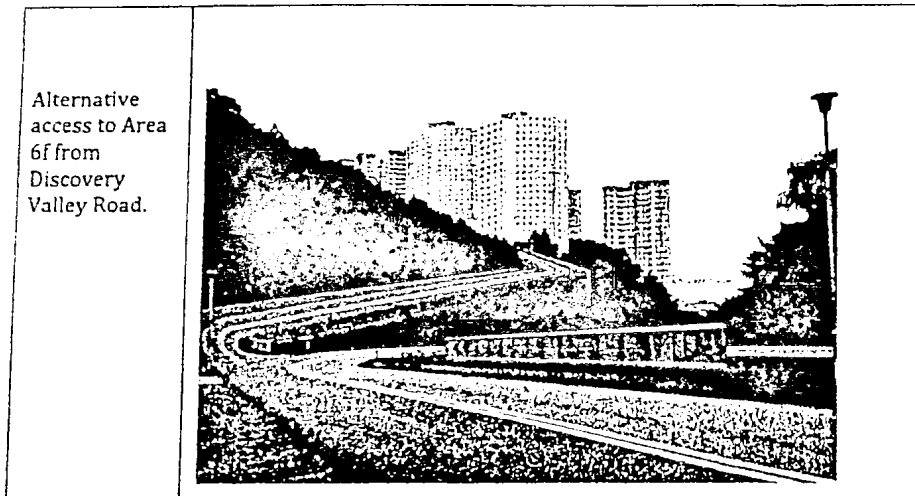
View of the
pedestrian
pavement
leading to the
start of the
proposed
extension of
Parkvale Drive
to Area 6f,
illustrating that
it is primarily a
pedestrian
thoroughfare.



18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:
19. *"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".*
20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is

environmentally unacceptable and will encourage toxic red tides as well as concentrations of *E. coli*.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. In paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*



only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. **Only now, in its third submission, is the subject of emergency arrangements addressed.** These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. **HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the**

gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

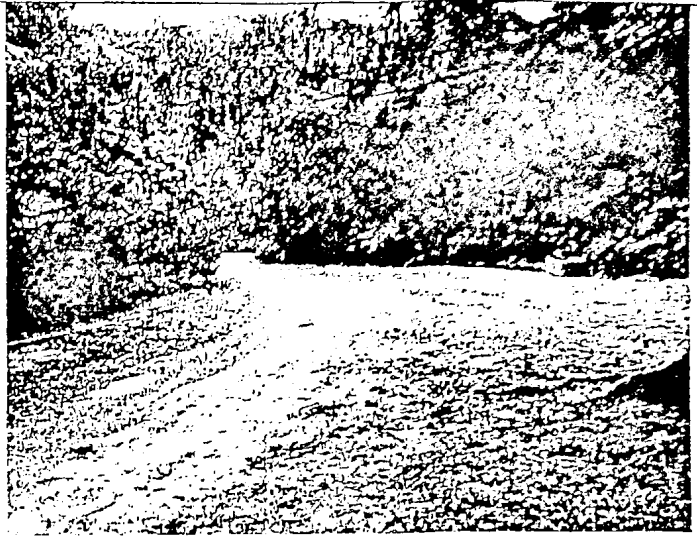
1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

J. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.

Existing platform in Area 6f.



6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR's RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.

L. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to population, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. **There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.**
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m² under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m².
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.

8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. The allocation of undivided shares and management units is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
11. The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The **DIAGRAMS** (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. **Annex A to the Further Information "Revised Concept Plan":**
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for

heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.

b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.

5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. I.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.

6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.

a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.

b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.

c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.

d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.





- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

寫字申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範

Broad Development Parameters of the Indicative Development Proposal in Respect of Application No. Y/I-DB/2

因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範

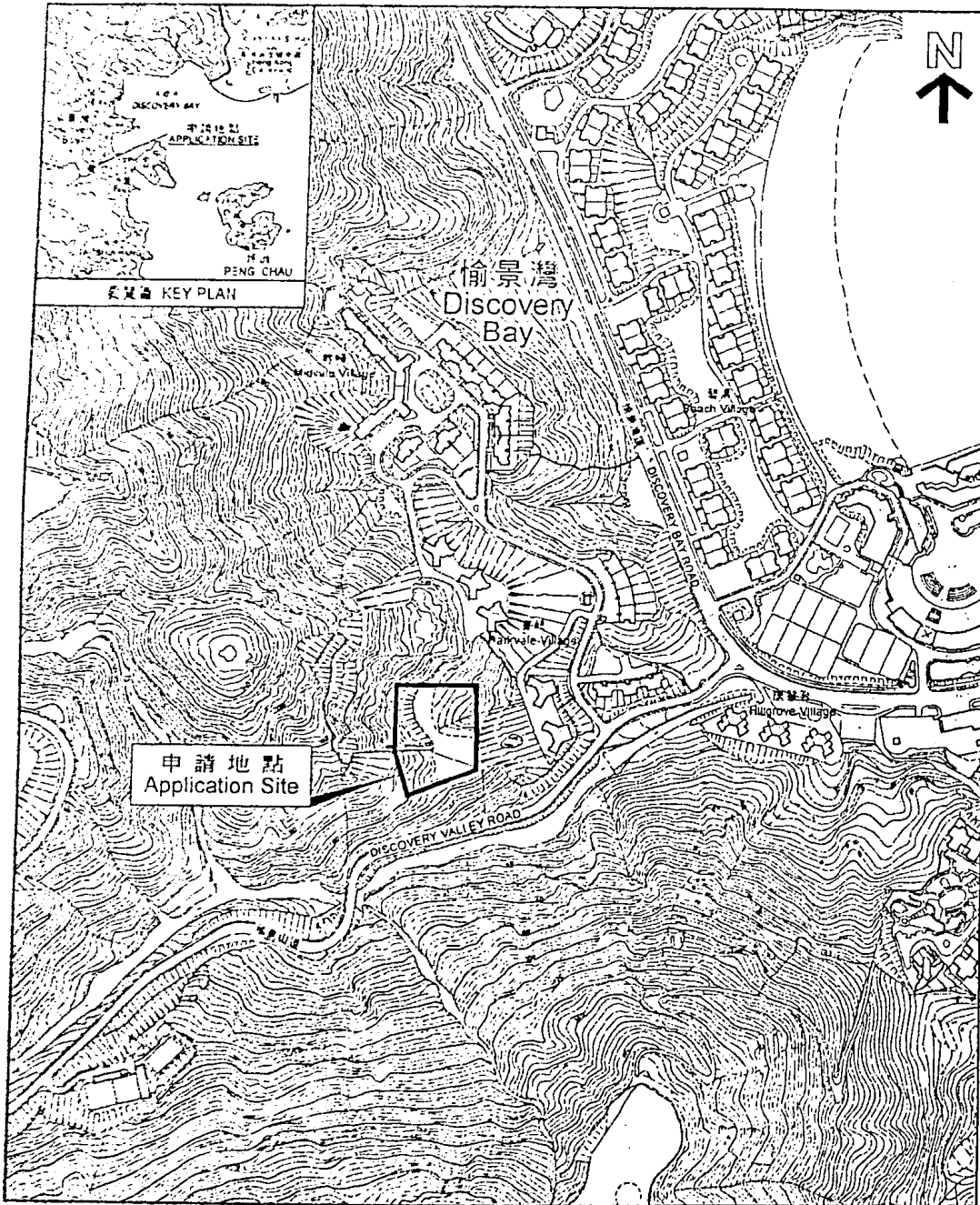
Revised broad development parameters in view of the further information received on 27.10.2016

(a) 申請編號 Application no	Y/I-DB/2		
(b) 位置/地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D D 352, Discovery Bay		
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²		
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4		
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"		
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"		
(g) 總樓面面積及/或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio
	住用 Domestic	約 About 21,600	約 About 2.83
	非住用 Non-domestic	-	-
(h) 幢數 No. of block	住用 Domestic	2	
	非住用 Non-domestic	-	
	綜合用途 Composite	-	
(i) 建築物高度(以最高實用樓面空間計算) / 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)	
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
	綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
		- 米 m	
		- 米(主水平基準以上)mPD	
		- 層 storey(s)	
(j) 上蓋面積 Site coverage	約 About 30 %		
(k) 單位數目 No. of units	476 住宅單位 Flats		
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平方米 m ²	
	- 公眾 Public		
(m) 停車位及上落客貨車位數目 No. of parking spaces and loading/unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)		

* 有關資料是為方便市民人士參考而提供。對於所載資料在使用上的問題及又義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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Y/I-DB/2



申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10 2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

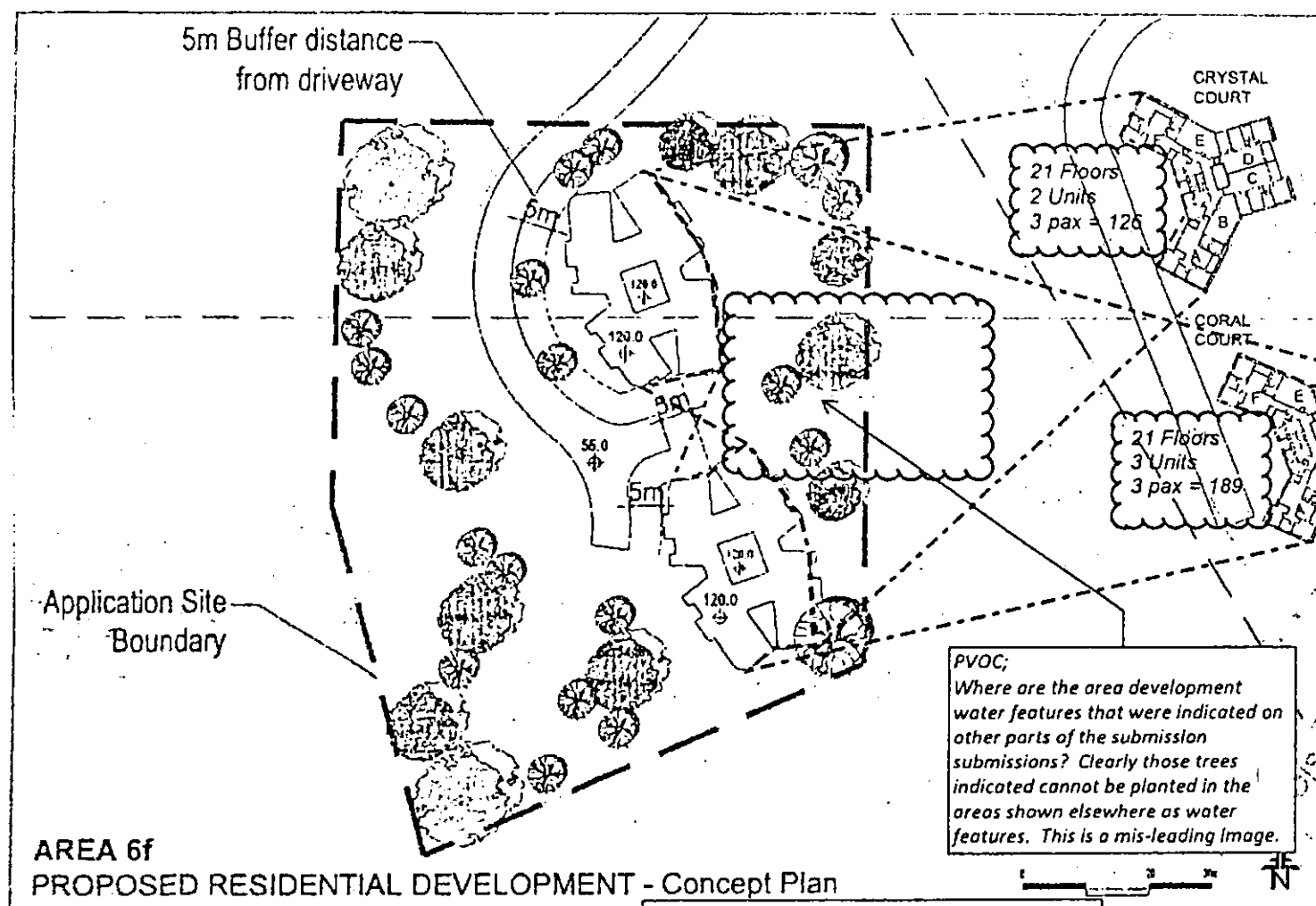
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, thats potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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B.L.

B.L.

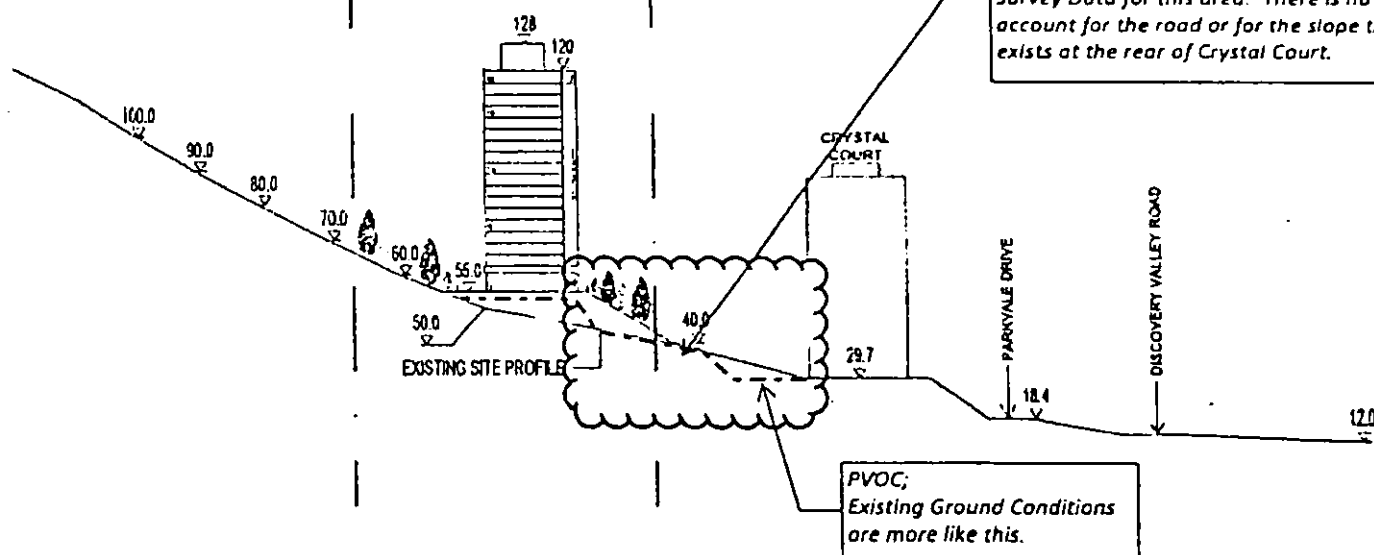
申請編號 Application No.: Y/I-D 8/2

此頁源自申請人提交的文件。

This page is extracted from applicant's submitted documents

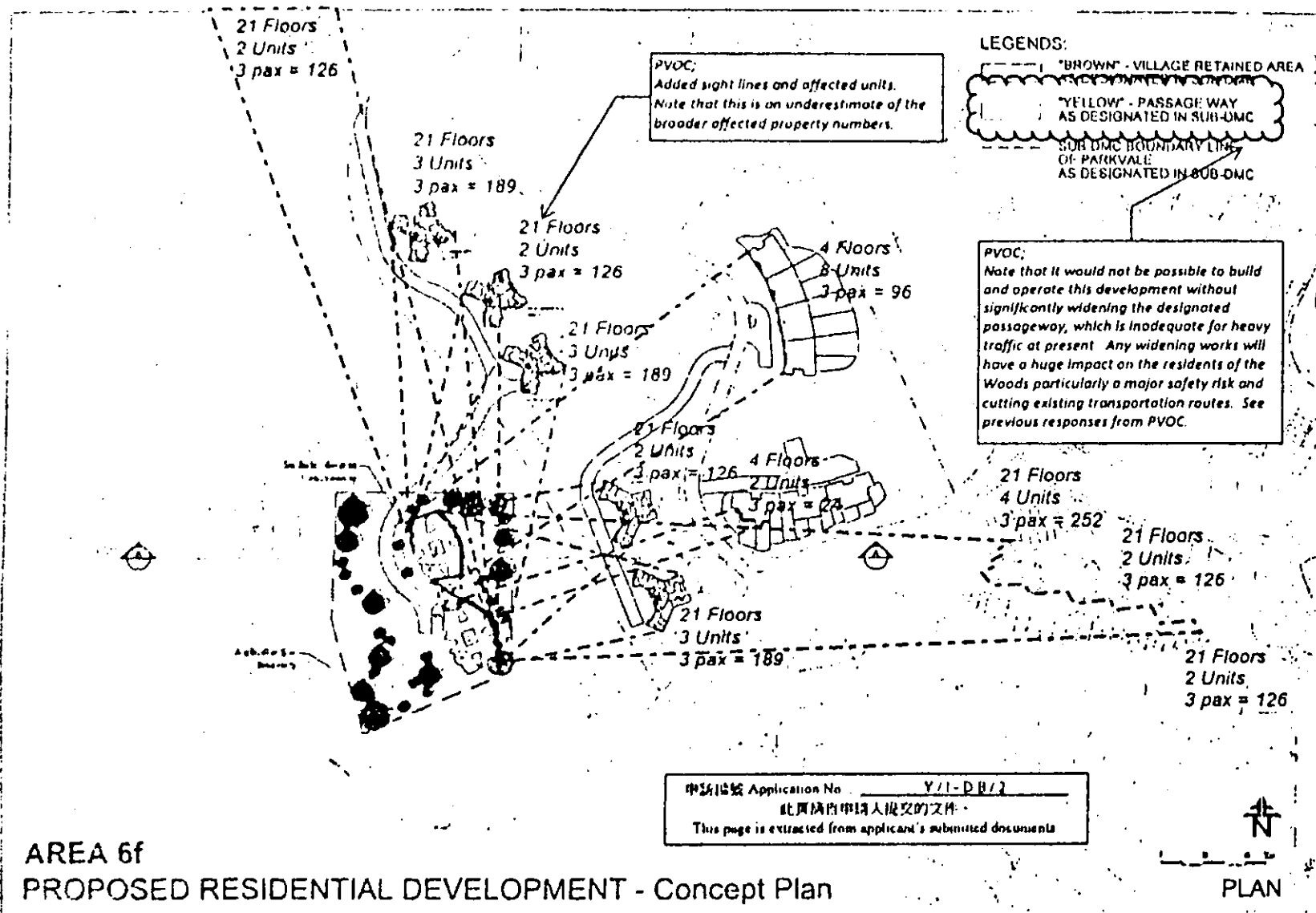
PVOC;

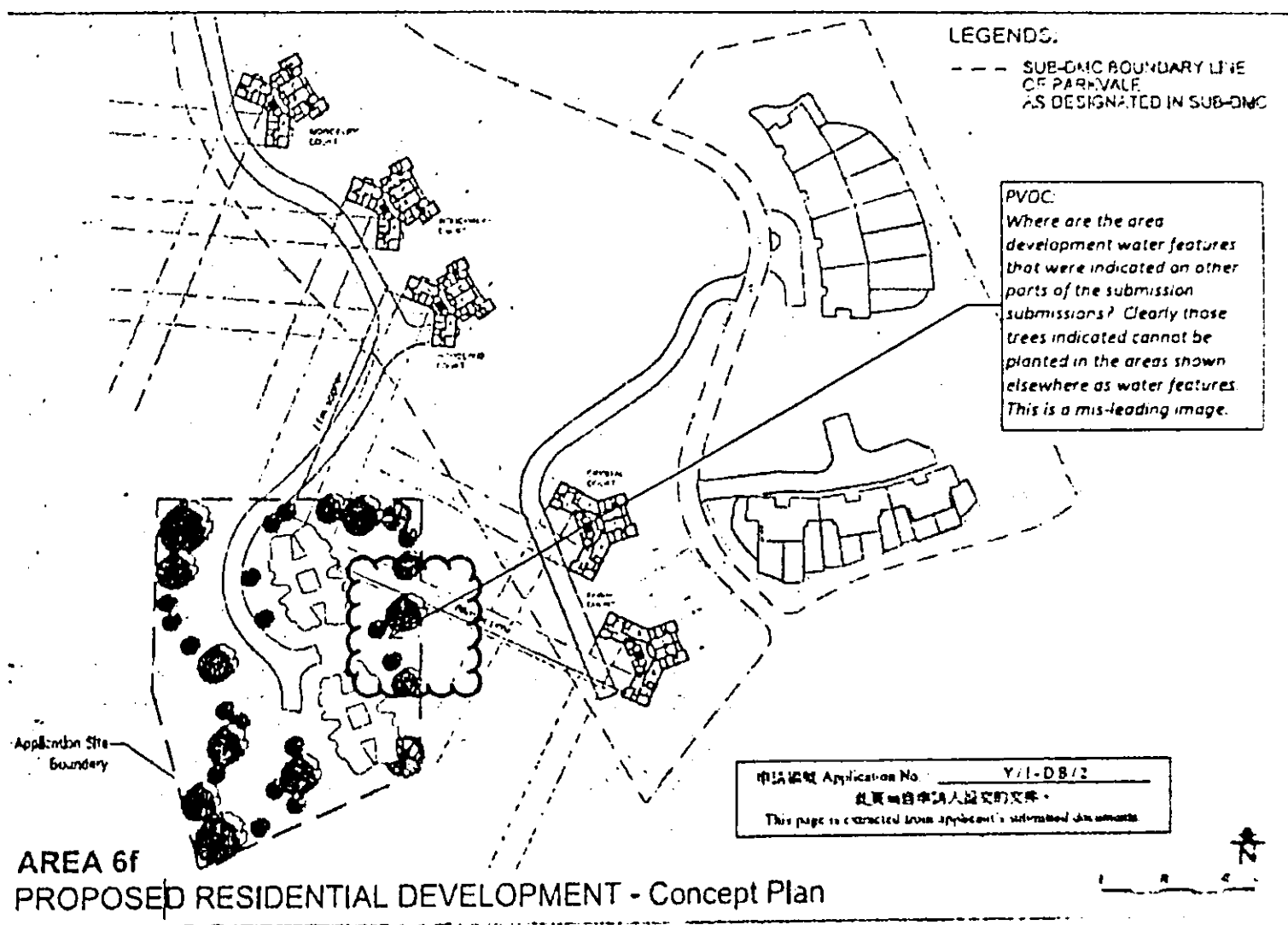
This existing ground condition is incorrect. It does not match the HK Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court.



AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

SECTION A-A

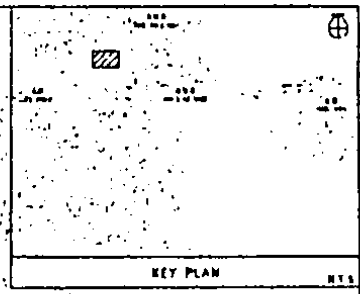




申請編號 Application No : Y/11-D8/2
 此頁係自申請人提交的文件。
 This page is extracted from applicant's submitted documents.



PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.

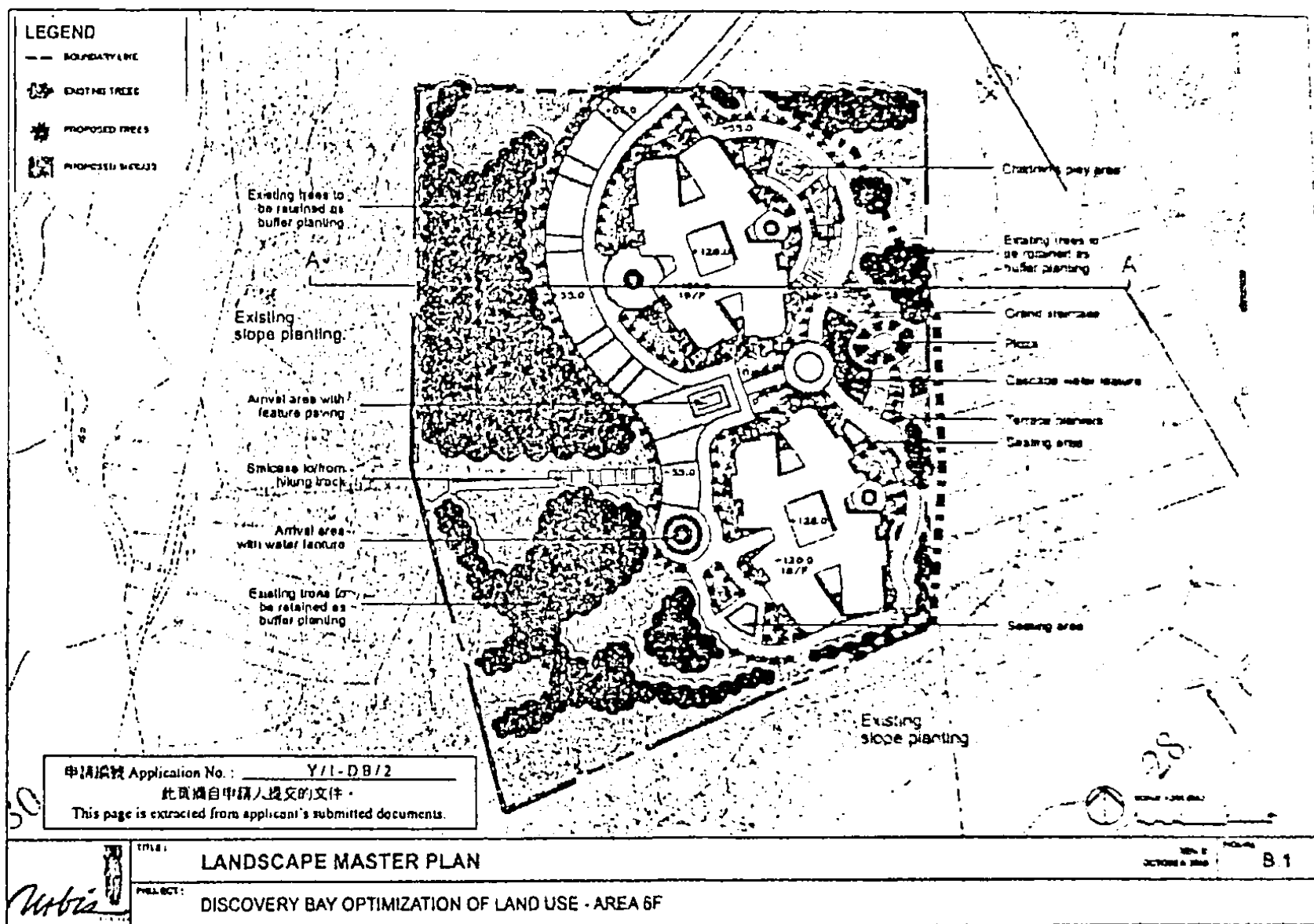


- LEGEND
- EXISTING TREE GROUPS TO BE RETAINED
 - EXISTING TREE GROUPS TO BE REMOVED
 - EXISTING TREE TO BE REMOVED
 - PROPOSED DEVELOPMENT LAYOUT

PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

23/11/08-09 GENERAL DEPT.				DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F				Drawing No. PT30/W/P/1507	
TREE TREATMENT PLAN				Scale 1:1000 (A3)		Date 11/08/08			
Drawn by	Checked by	Approved by	Drawn by	Checked by	Approved by	Drawn by	Checked by	Approved by	

Wetia



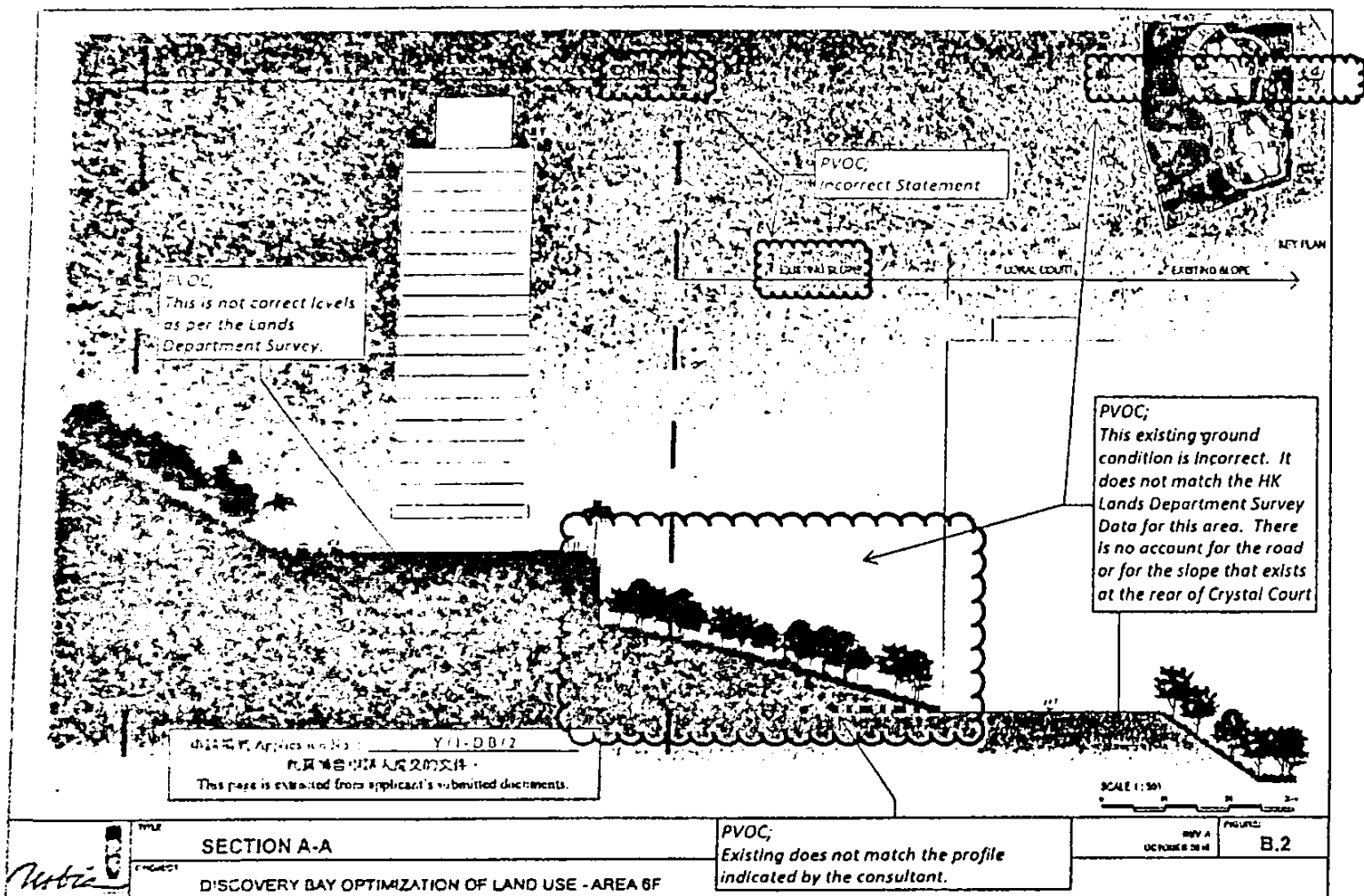
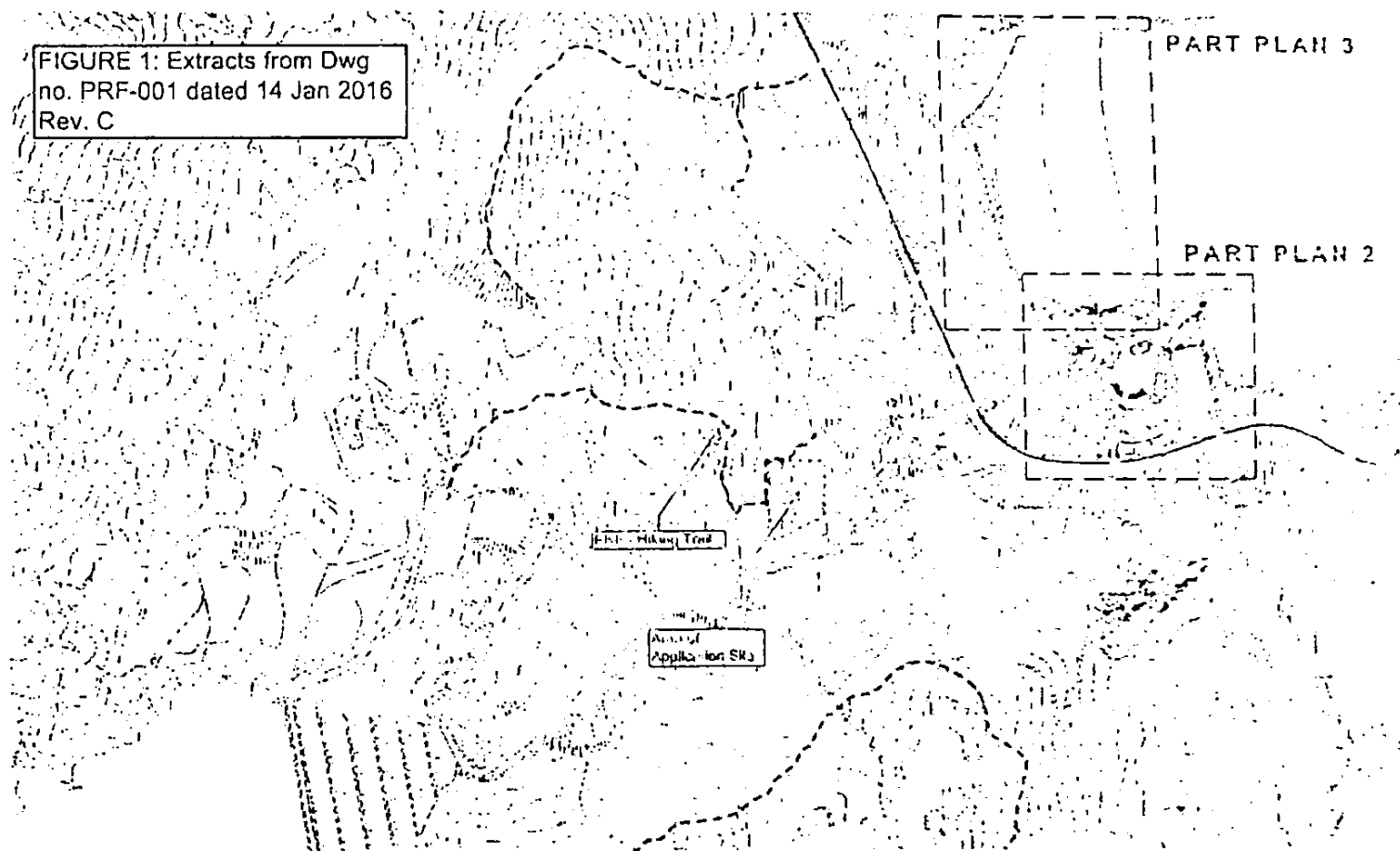
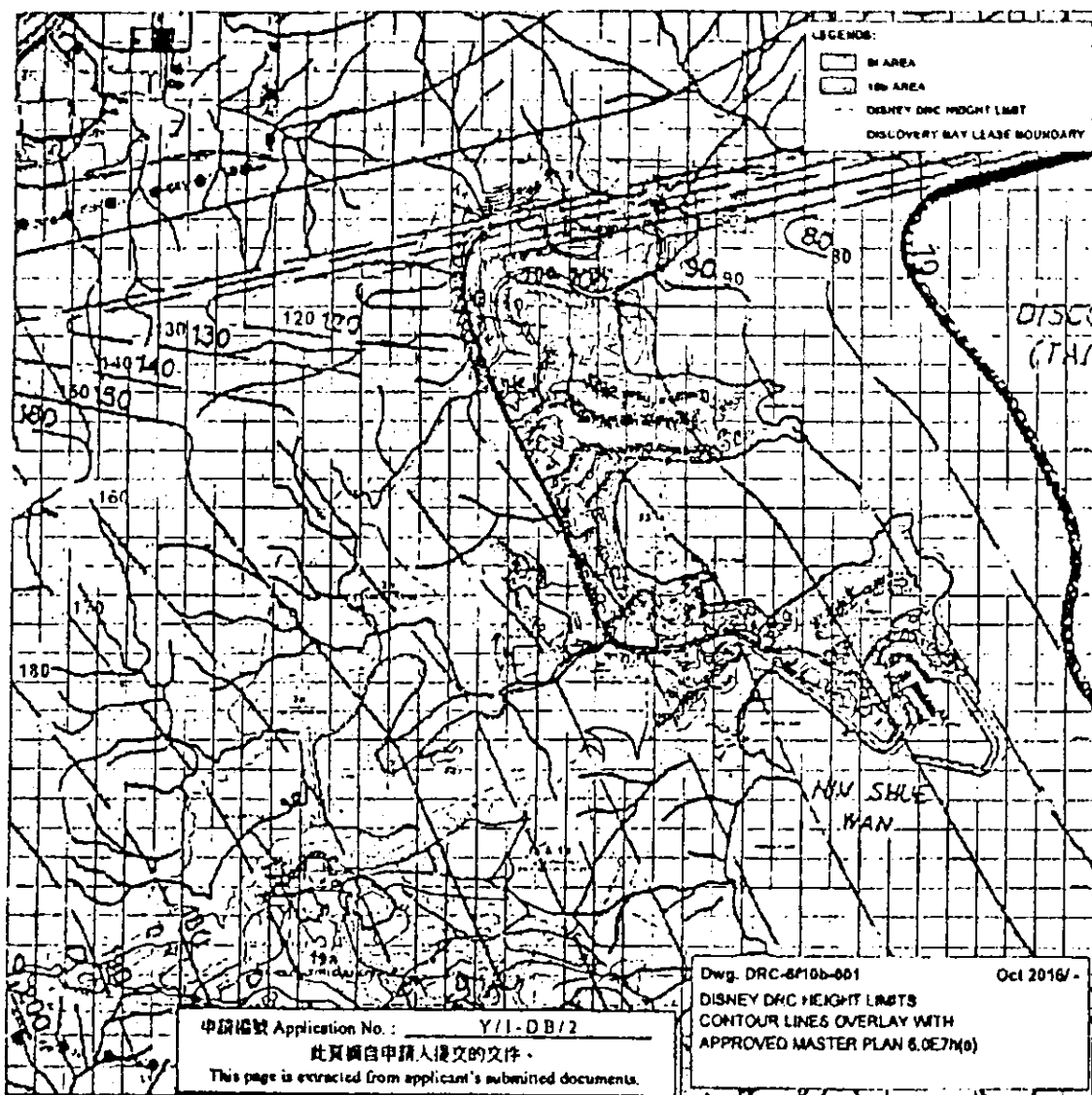


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



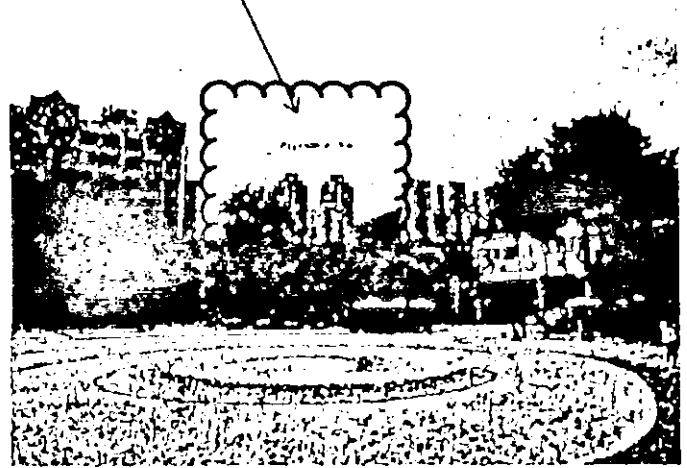
申請編號 Application No.: Y/I-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached.




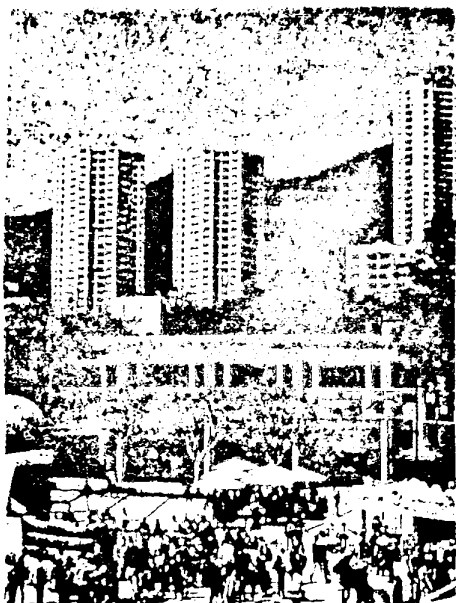
VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

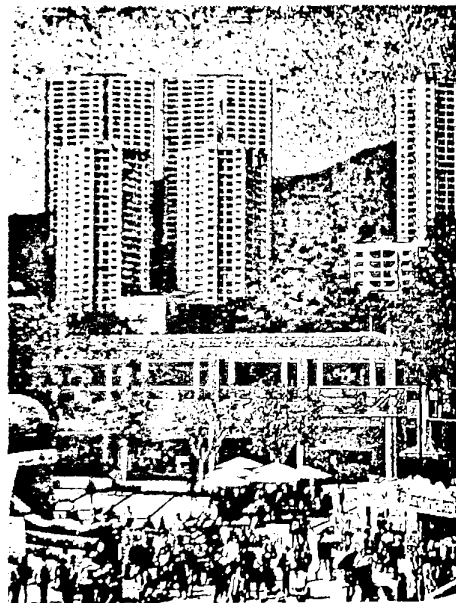
申請編號 Application No. : Y/1-D B/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

	TITLE PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	OCTOBER 2010 PAGE B.9
	PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	



BEFORE

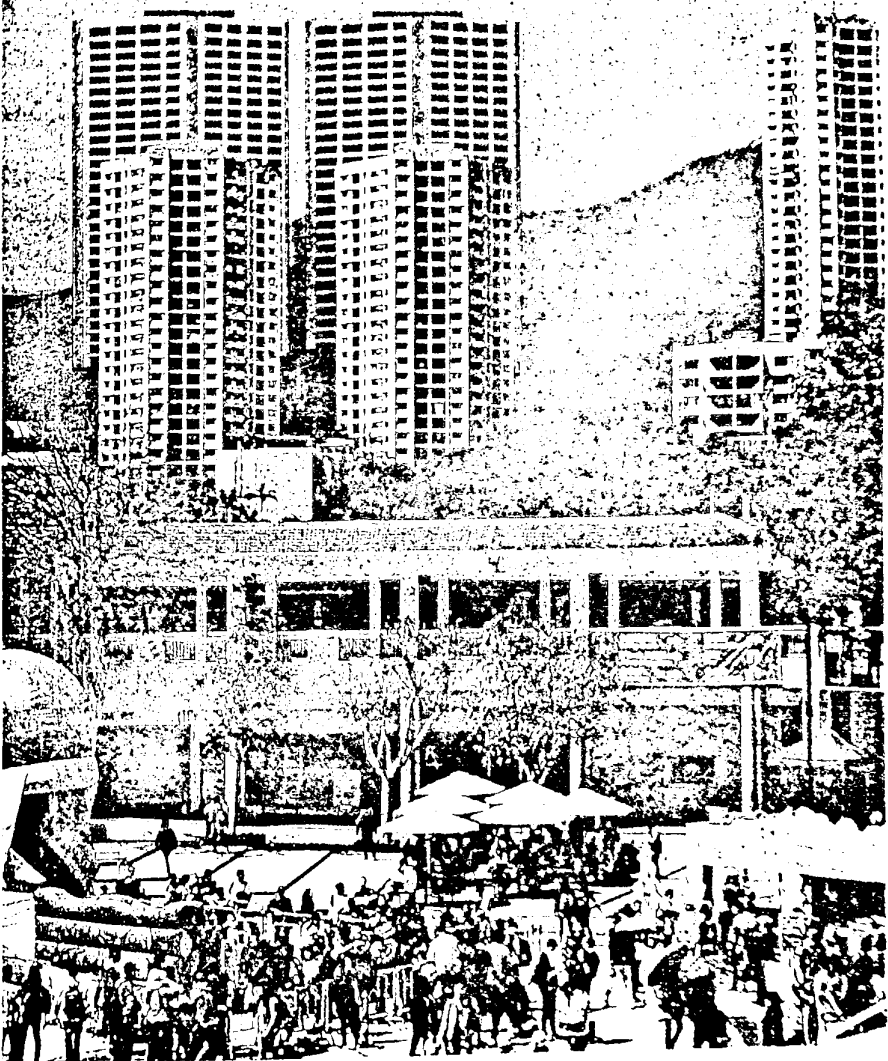
VOC comments on



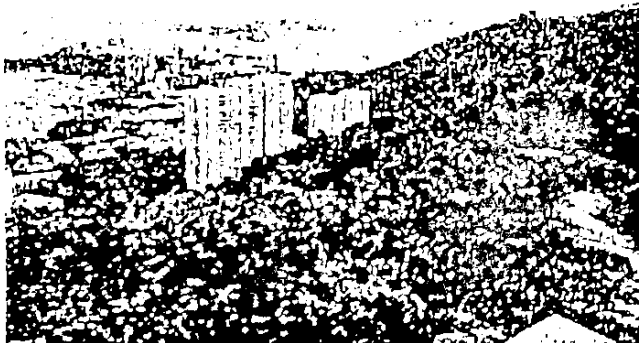
AFTER

HKRs of Planning Proposal

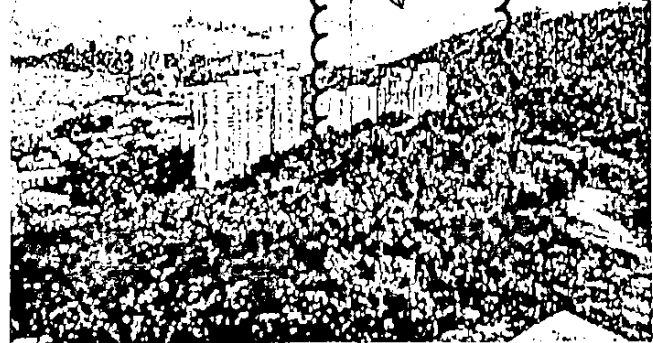
Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.

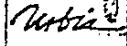


VP5 - View South-East towards Application Site from Lo Fu Tau Pergola/Lookout (Existing Condition)

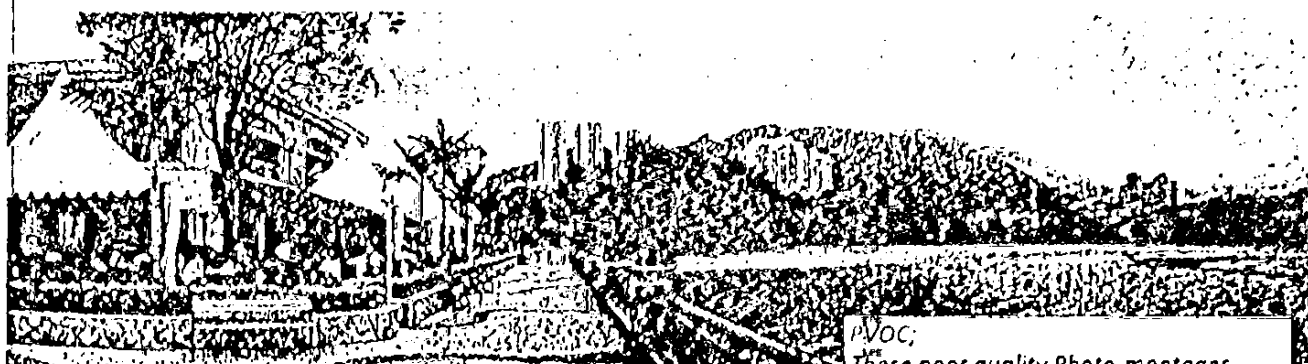


VP5 - View South-East towards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

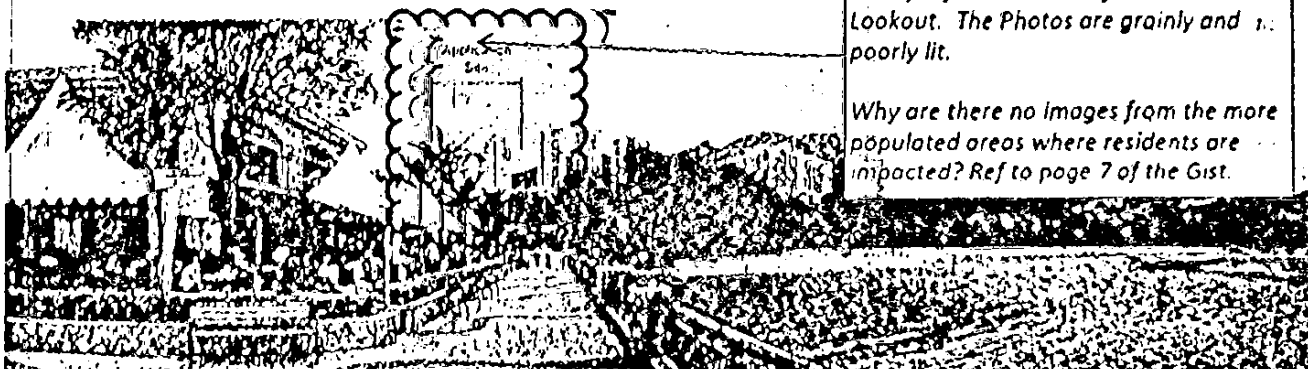
申請編號 Application No. : Y/I-DB/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

	TITLE PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT	FIGURE B.10
PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F	

OCTOBER 2014




VP12: View West towards Application Site from D-Deck (Existing Condition)



VP12: View West towards Application Site from D-Deck with Proposed Development

PVOC:
These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.

Why are there no images from the more populated areas where residents are impacted? Ref to page 7 of the Gist.

	TITLE: PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK	DATE: OCTOBER 2014	DRAWN BY: B.14
	PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F		

申請編號 Application No : **Y/L-DB/2**
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents

PVOC

These poor quality
photo montages hardly
reflect the views from the
lookout. The photos are
grainy and poorly lit



These poor quality
photo montages hardly
reflect the views from the
lookout. The photos are
grainy and poorly lit

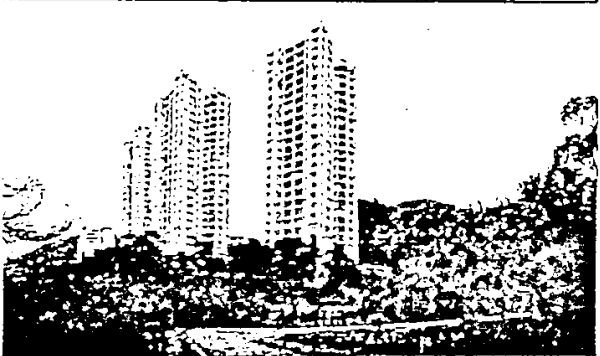
These poor quality
photo montages hardly
reflect the views from the
lookout. The photos are
grainy and poorly lit

VOC COMMENTS ON
HARRIS PLANNING PROPOSAL

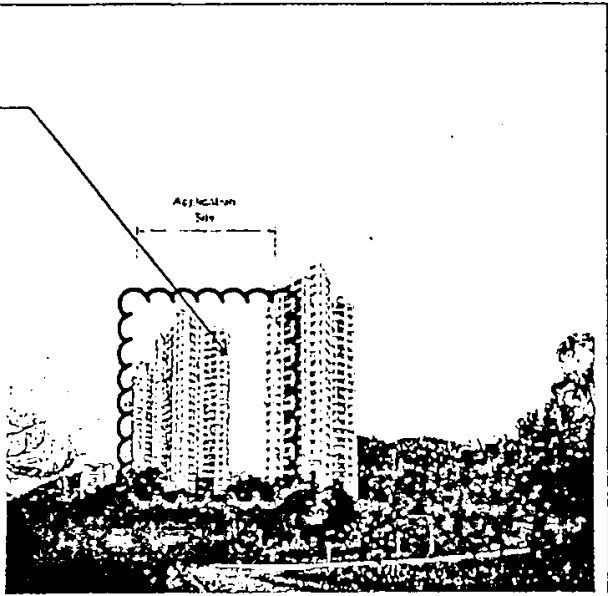
FIG. 3.2.1 AFTER IMPRESSION FROM DISCONTINUED BAY AREA



PVOC;
 Why is this Photo-montage used - there are very few residents at this location who would be affected.
 Why are there no images from the more populated areas where residents are impacted - see page 7?
 These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15: View West towards Application Site from Middle Lane (Existing Condition)



VP16: View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No.: Y/I-D0/2
 此頁源自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐
☒

樓宇位置圖 Block plan(s)

☐

MISSING

樓宇平面圖 Floor plan(s)

☐

MISSING

截視圖 Sectional plan(s)

☐
☒

立視圖 Elevation(s)

☐

MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐
☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐
☒

PVOC;

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

ify)

☐
☒

摘錄圖則 Extract Plans of Public

an and Deed of Restrictive Covenant

規劃研究 Planning studies

☐
☒

環境影響評估 (噪音、空氣及／或水的污染)

☐
☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐

MISSING

就行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐

MISSING

視覺影響評估 Visual impact assessment

☐

MISSING

景觀影響評估 Landscape impact assessment

☐

MISSING

樹木調查 Tree Survey

☐

MISSING

土力影響評估 Geotechnical impact assessment

☐

MISSING

排水影響評估 Drainage impact assessment

☐

MISSING

排污影響評估 Sewerage impact assessment

☐

MISSING

風險評估 Risk Assessment

☐

MISSING

其他 (請註明) Others (please specify)

☐
☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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5385

tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

gong yuyao [REDACTED]
09月12月2016年 星期五 22:36
tpbpd@pland.gov.hk
Objection to Section 12A Application No. Y/I-DB/2 - Area 6f, Lot 385 RP & Ext (Part) in D.D.352, Discovery Bay
Objection Letter to Section 12A Application No. Y-I - DB-2 (1).jpg; Objection Letter to Section 12A Application No. Y-I - DB-2 (2).jpg

5386

Dear Sir/Madam,

I am a Discovery Bay resident and please see attached my objection letter to the Section 12A Application No. Y/I-DB/2 for Area 6f, Lot 385 RP & Ext (Part) in D.D.352, Discovery Bay.

Thank you.

Kind regards,
Yuyao



The Secretariat

Town Planning Board

154 North Point Government Offices

33 Java Road, North Point

(Email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over, and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.

The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.

There is a major change to the development concept of the Lot and a fundamental deviation from the land use of the original approved Master Plans or the approved Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arisen out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature: 

Date: 08/12/16

Name of Discovery Bay Owner / Resident:

GONG YUYAO

Address:

[Redacted address information]

tpbpd

寄件者: Keld Sorensen [REDACTED]
寄件日期: 09日12月2016年 星期五 22:34
收件者: tpbpd@pland.gov.hk
主旨: Section 12A Application No. Y/I-DB/2
附件: Area 6f (Behind Parkvale) - Objection Letter to TPB.docx

5387

pls refer to attached

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
Via email: tpbpd@pland.gov.hk

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.
7. The Applicant has not addressed questions raised in previous submissions other than those raised by Government Agencies. I fully expect the Town Planning Board to request the Applicant to address those questions before the Submission can be considered.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Keld Soerensen, [REDACTED]

December 9, 2016

10-1
10-2
10-3
10-4
10-5

TOP SECRET

5006

CLASSIFICATION AND CONTROL

1. PURPOSE

2. SCOPE

3. REFERENCES

4. DEFINITIONS

5. PROCEDURES

6. APPENDICES

7. NOTES

8. DISTRIBUTION



Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information. Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the

Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive for ownership of land and buildings. The information provided should be used to keep the information from being used by the public. The information provided by the applicant must be clear and concise. The information must be public and comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale Village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it, width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another, potential lack of emergency access to Parkvale Drive in the event of an accident, safety, as the proposed access to the site is a pedestrian area used by residents and the public, and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal "is considered not an efficient sewage planning strategy".
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.

M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex

1. Comments on HKR's diagrams and photomontages

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. Many Plans, Drawings and Reports are missing. The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing





together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that "*on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments*" This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is "*commercially sensitive information*". In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an **ongoing police investigation** into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not



been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAO implications of the proposed development*". (i.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. EPD and Waste Management - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. EPD and Sewage Infrastructure - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. EPD and Air Quality - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.
10. Lands Department's comments:
- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
 - b. Specific 4 - HKR recognizes that its application does not conform to the approved MP6.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
 - c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
 - d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information



HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.



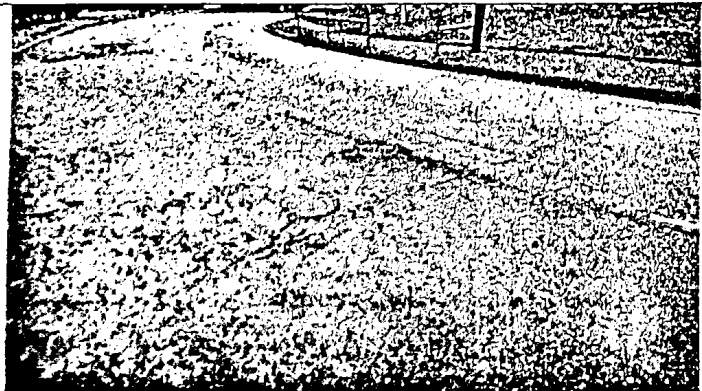
Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.
4. Parkvale Drive comprises three sections, being:

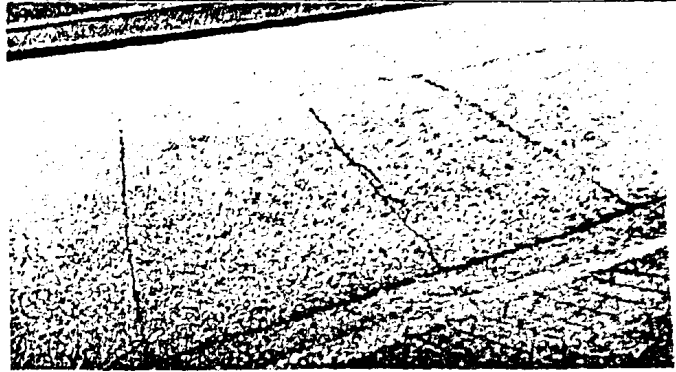
Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.

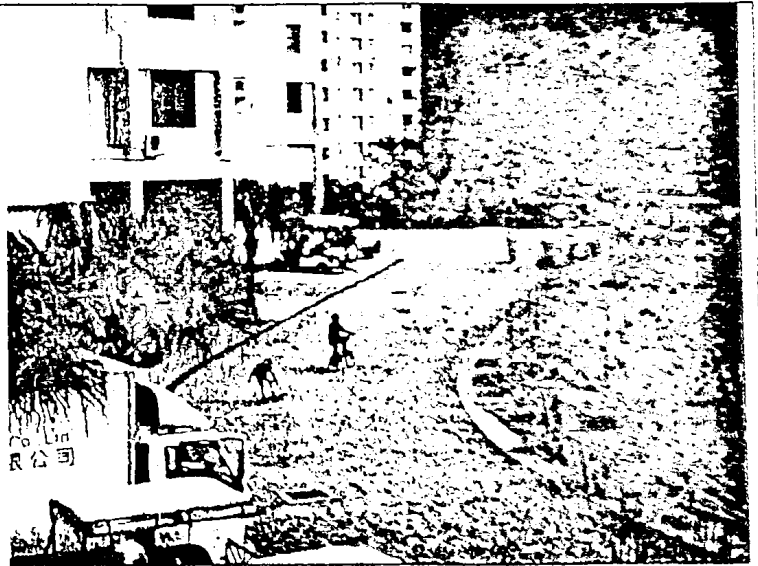
Settlement cracking evident in asphalt surface on Section 2 of Parkvale Drive.



Section 3 – the “*Passageway*”, as defined in the Parkvale Village Sub-DMC, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.

Section 3 of Parkvale Drive.

The far end of the pedestrian pavement is from where the proposed extension of Parkvale Drive will start.



5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

Section 3 of Parkvale Drive.

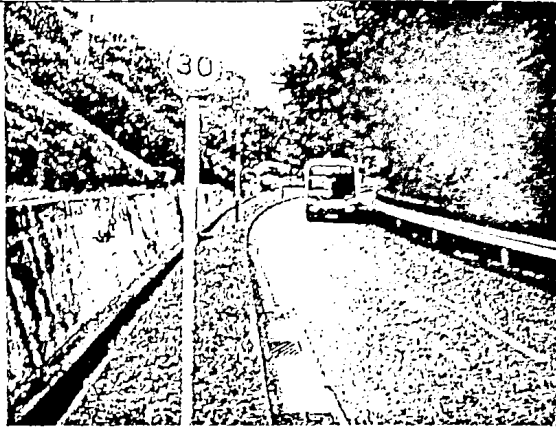
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. **We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.**
10. **Width Constraints** - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.

Section 1 of
Parkvale Drive.

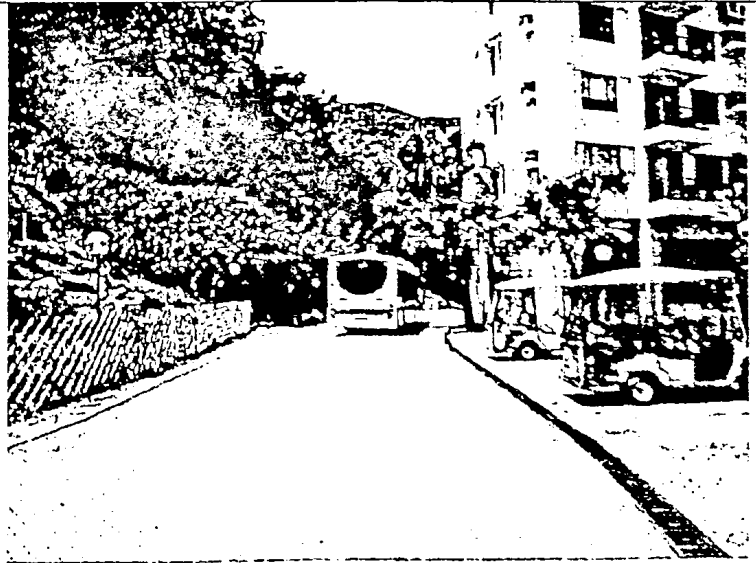
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this constricted area, if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

Section 3 of
Parkvale Drive.

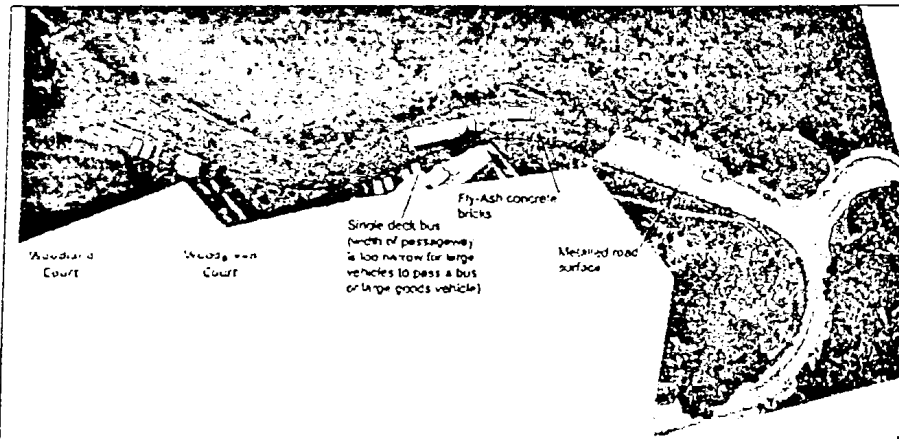
View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



13. The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are travelling in opposite directions along Parkvale Drive.



14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



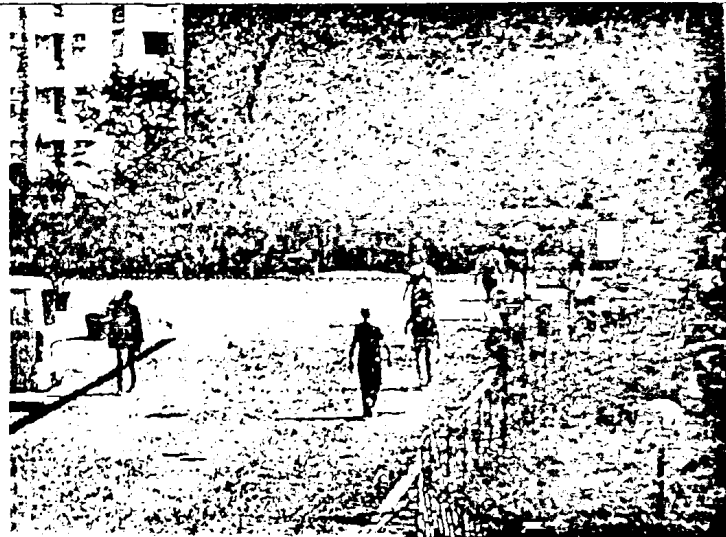
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. **This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.**

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of
Parkvale Drive.

View of the
pedestrian
pavement
leading to the
start of the
proposed
extension of
Parkvale Drive
to Area 6f,
illustrating that
it is primarily a
pedestrian
thoroughfare.

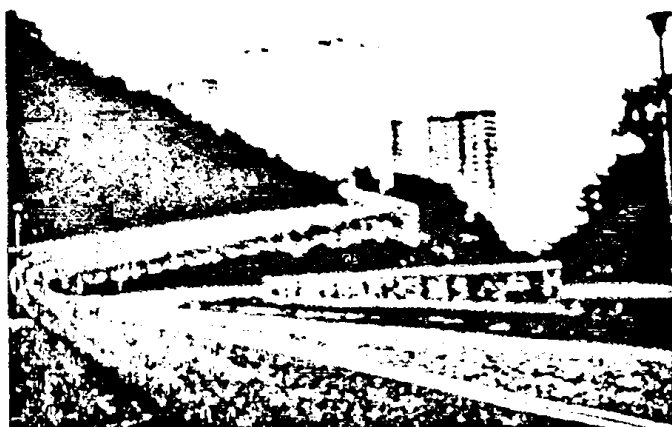


18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:
19. *"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".*
20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will be the Parkvale Drive access. We consider this as totally unrealistic.

21. Furthermore, no Government Department has decided to HKR's proposed alternative access, despite the concerns regarding using Parkvale Drive as the only vehicle access to Area 6f and the alternative access which we expressed in our comments in the original application and in our comments on the HKR's application for a planning permission.
22. The alternative access from Discovery Valley Road will be better than the current access of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.

Alternative access to Area 6f from Discovery Valley Road.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is

- environmentally unacceptable and will encourage toxic red tides as well as other nuisances.
4. It is noted that HKR is still saying, as it did in its second submission, that discharging effluent from a STW into an open nullah is still an option to be considered at the Design Stage. This nullah is parallel to Discovery Valley Road and proceeds directly into the sea for sewage outfall. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 250 apartments in this village. This option would appear to be a better one than building a gravity sewage pipe and it is considered that HKR will adopt this option which is a step forward from the TPR, EPD, etc. that it will build a gravity pipe, which presumably would have sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modeling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. in paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*

only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. **HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the**

gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

J. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.

Existing platform in Area 6f.



6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR'S RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.



1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete them.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. Finally, the fifth step is to evaluate the results of the project. This involves assessing the outcomes against the objectives and goals to determine the effectiveness of the intervention.

- 22

HKR has requested its consent to the proposed developments in Areas 1 and 2. HKR has also requested that the proposed developments in Areas 1 and 2 be developed together with other areas in Discovery Bay being developed by a joint venture consisting of the approved developer, a majority of which is owned by the Government, and the Government. HKR has also requested that the proposed developments in Areas 1 and 2 be developed together with other areas in Discovery Bay being developed by a joint venture consisting of the approved developer, a majority of which is owned by the Government, and the Government.

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- 10 The allocation of undivided shares and management units is an issue which HKR is well aware of from the efforts it has made over the last two years. This issue has been the subject of much discussion between the owner, HKR and Lands Department and presentations to various committees, including the COC. Furthermore, this subject is covered in comment number 4442 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 1. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
- 11 The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
- 12 Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
- 13 The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
- 14 Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The DIAGRAMS (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. **Annex A to the Further Information "Revised Concept Plan":**
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

- a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.
- b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.

5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. I.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.
6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.
 - a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.
 - b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.
 - c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.
 - d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.





- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

關於申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範
 Broad Development Parameters of the Indicative
Development Proposal in Respect of Application No. Y/I-DB/2
 因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範
 Revised broad development parameters in view of
 the further information received on 27.10.2016

(a) 申請編號 Application no	Y/I-DB/2		
(b) 位置/地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay		
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²		
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4		
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"		
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"		
(g) 總樓面面積 及/或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio
	住用 Domestic	約 About 21,600	約 About 2.83
	非住用 Non-domestic	-	-
(h) 幢數 No. of block	住用 Domestic	2	
	非住用 Non-domestic	-	
	綜合用途 Composite	-	
(i) 建築物高度(以最高 實用樓面空間計算) / 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)	
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
	綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
		- 米 m	
		- 米(主水平基準以上)mPD	
		- 層 storey(s)	
(j) 上蓋面積 Site coverage	約 About 30 %		
(k) 單位數目 No. of units	476 住宅單位 Flats		
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平 方米 m ²	
	公眾 Public		
(m) 停車位及上落 客貨車位數目 No. of parking spaces and loading/ unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)		

* 有關資料是為方便市民參考而提供。對於所載資料在使用上的問題及意義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



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申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photo-montages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

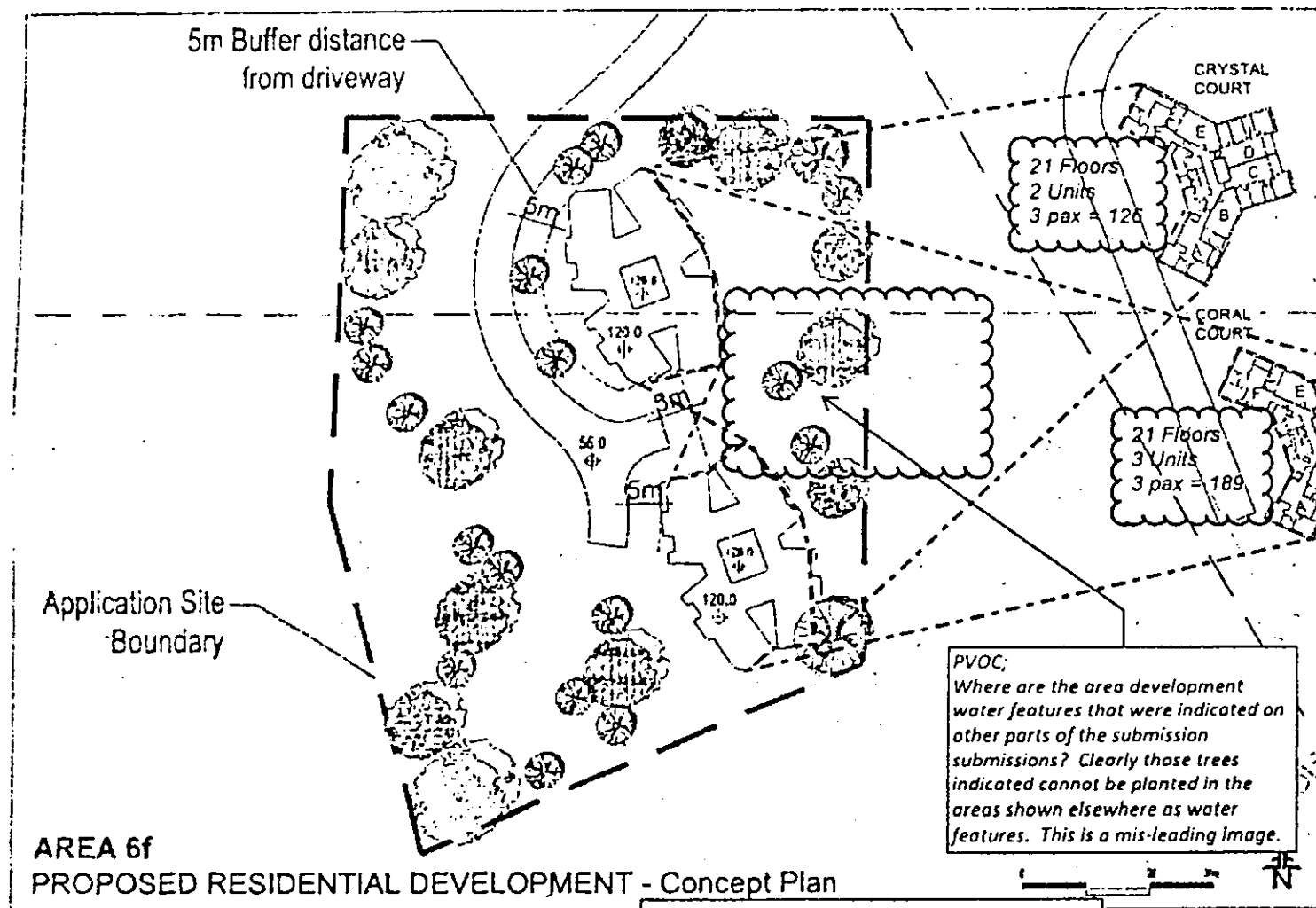
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, that's potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供，對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

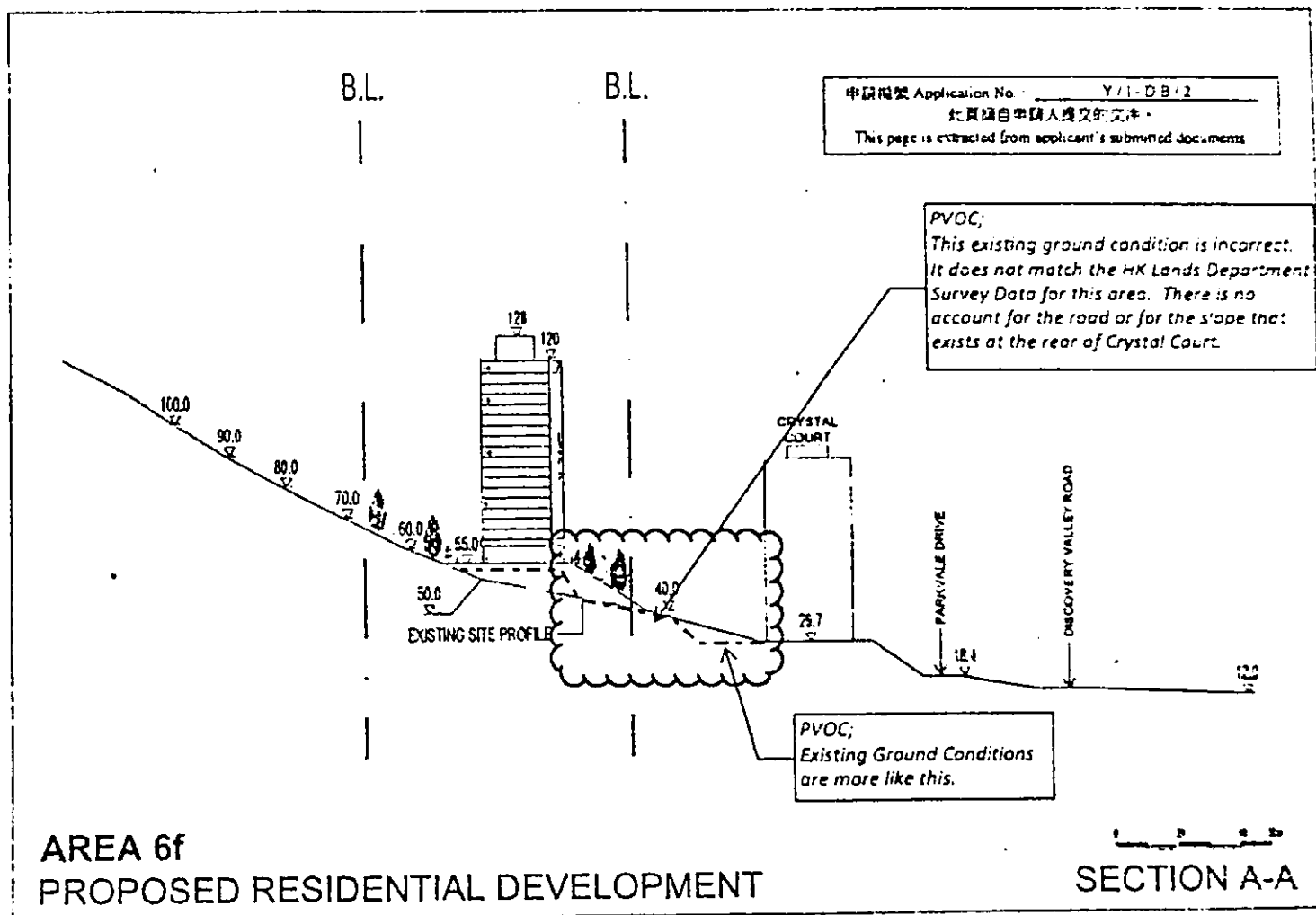
The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant

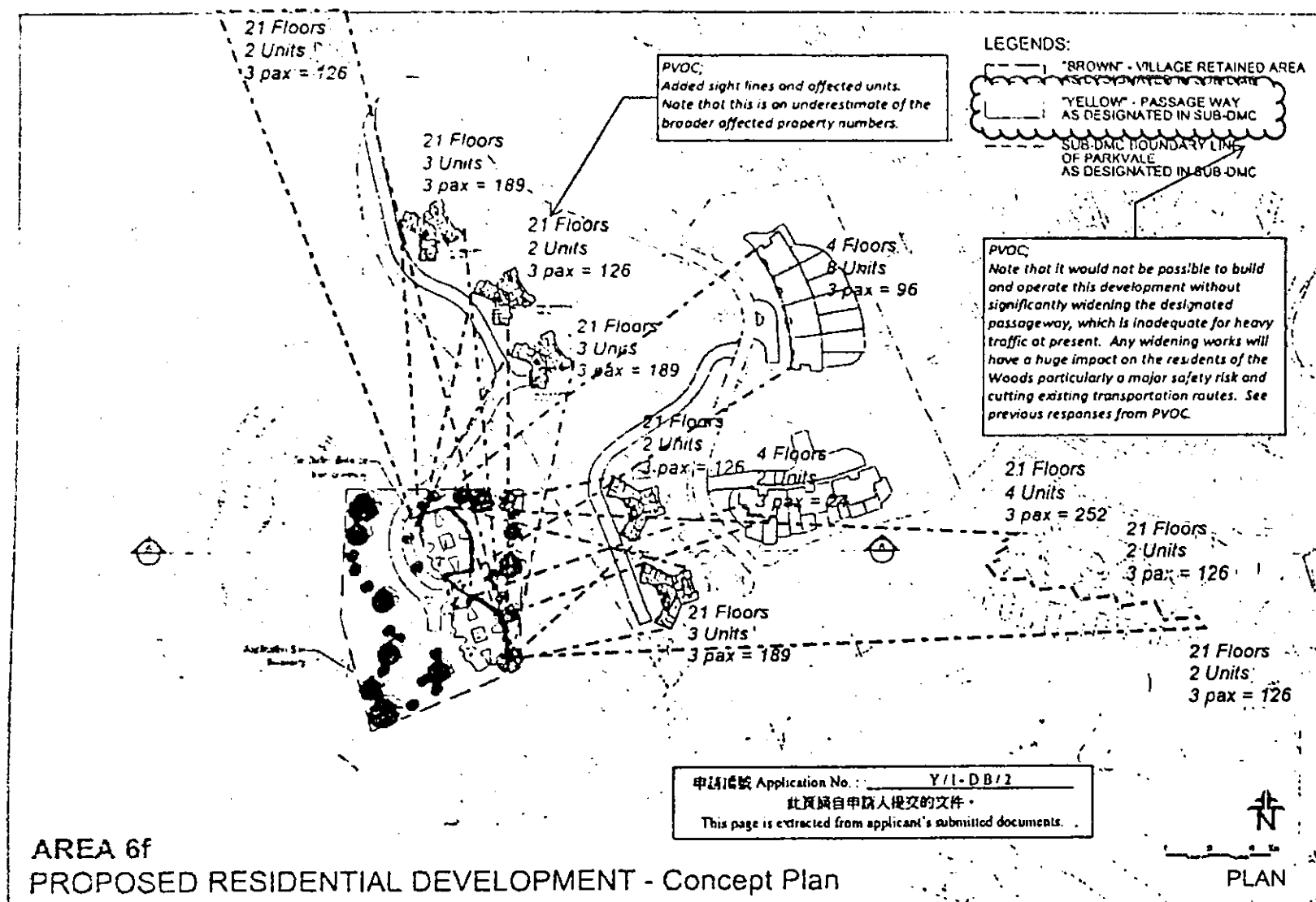


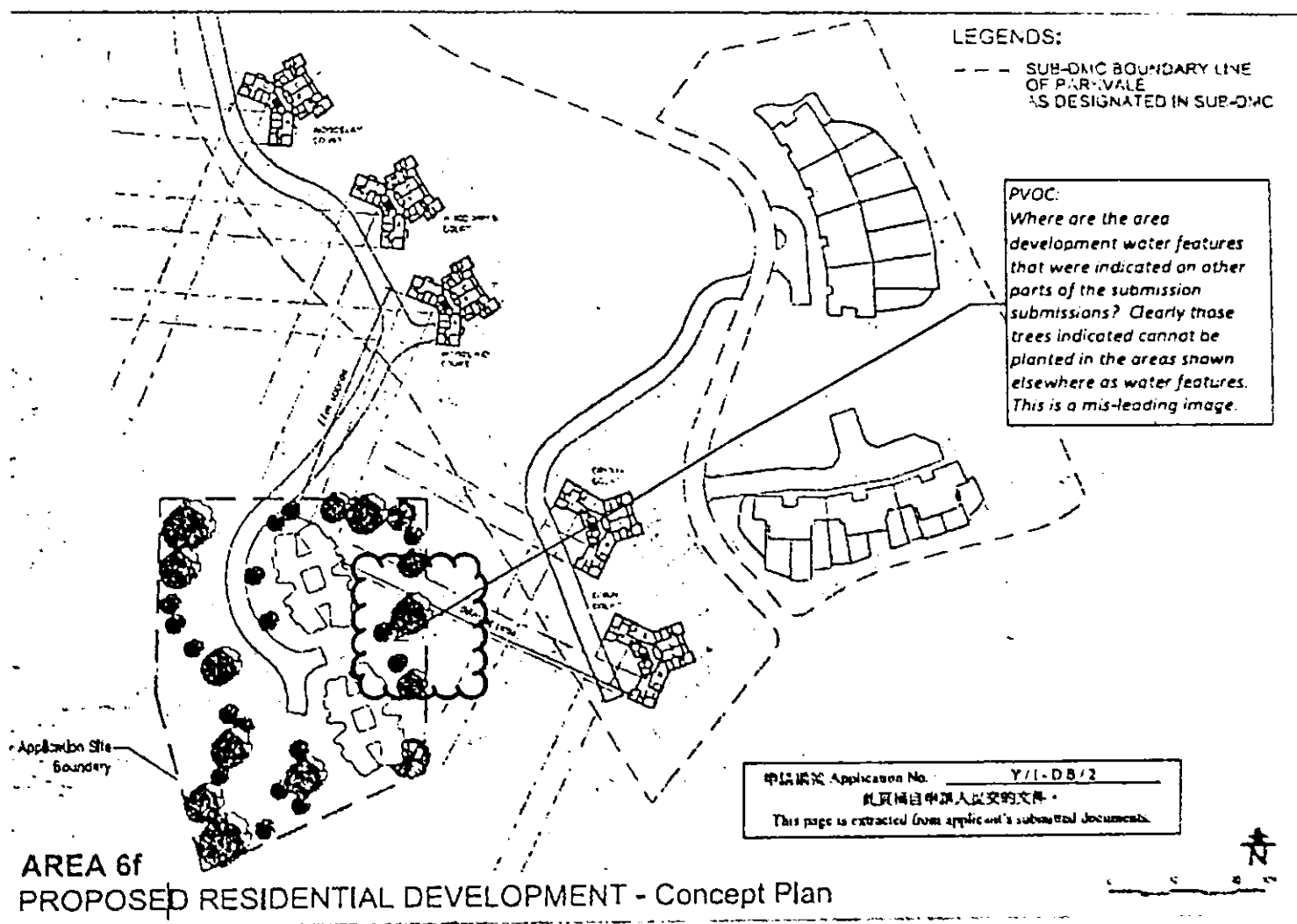
申請編號 Application No. : Y/1-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.







申請編號 Application No. Y/1-DB/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.



PVOC
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.

KEY PLAN

LEGEND

EXISTING TREE GROUPS
 TO BE MAINTAINED

EXISTING TREE GROUPS
 TO BE REMOVED

EXISTING TREE TO BE MAINTAINED

EXISTING TREE TO BE REMOVED

PROPOSED DEVELOPMENT LAYOUT

PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

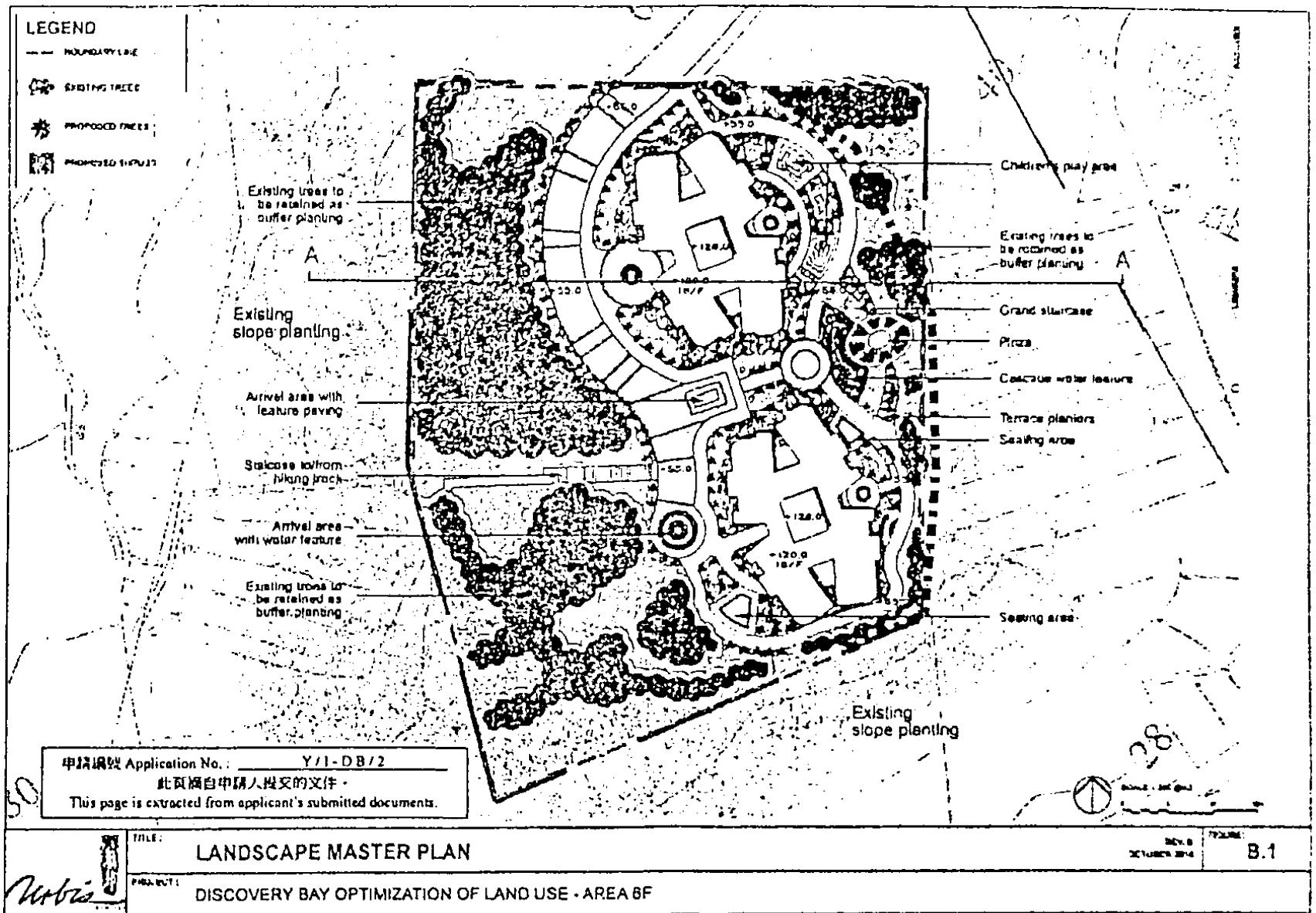
DISCOVERY BAY OPTIMIZATION OF LAND USE -
 REFINEMENT OF AREA 5F

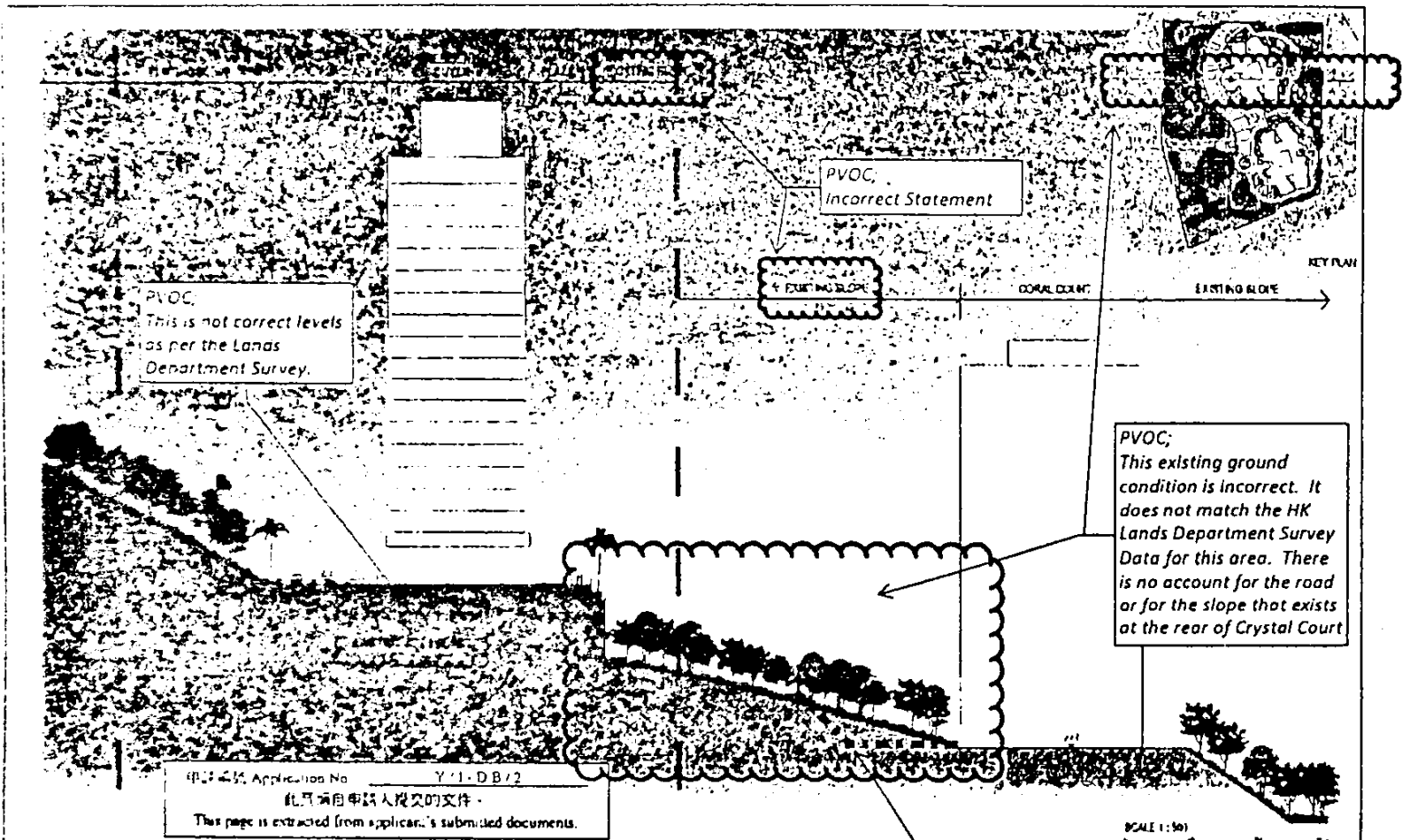
TREE TREATMENT PLAN

Scale 1:1000 (A3)

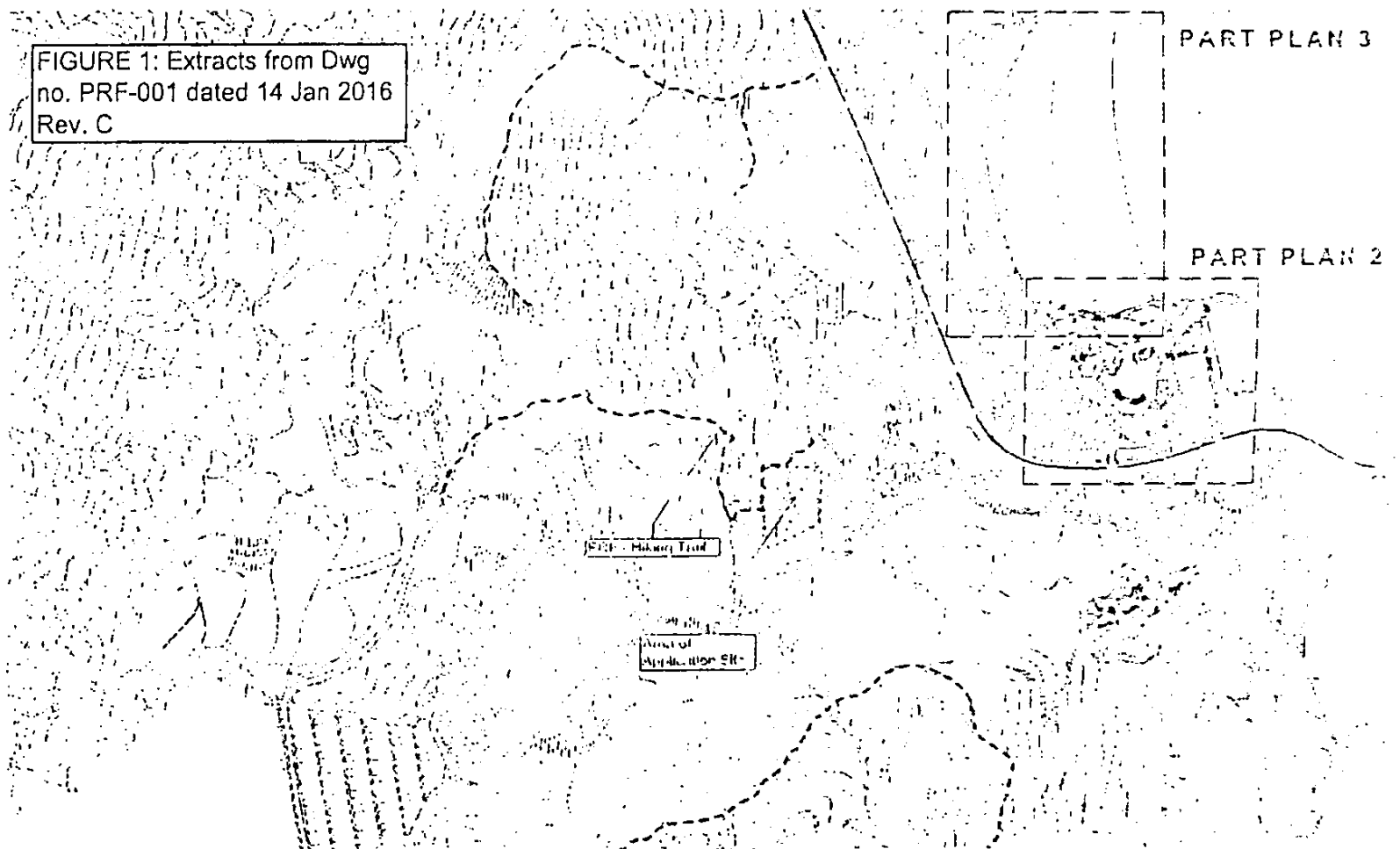
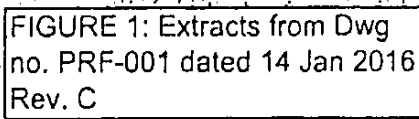
W. H. H. H.

1	2015-05-05	REVISION	01	01	01
2	2015-05-05	REVISION	02	02	02
3	2015-05-05	REVISION	03	03	03
4	2015-05-05	REVISION	04	04	04
5	2015-05-05	REVISION	05	05	05
6	2015-05-05	REVISION	06	06	06
7	2015-05-05	REVISION	07	07	07
8	2015-05-05	REVISION	08	08	08
9	2015-05-05	REVISION	09	09	09
10	2015-05-05	REVISION	10	10	10

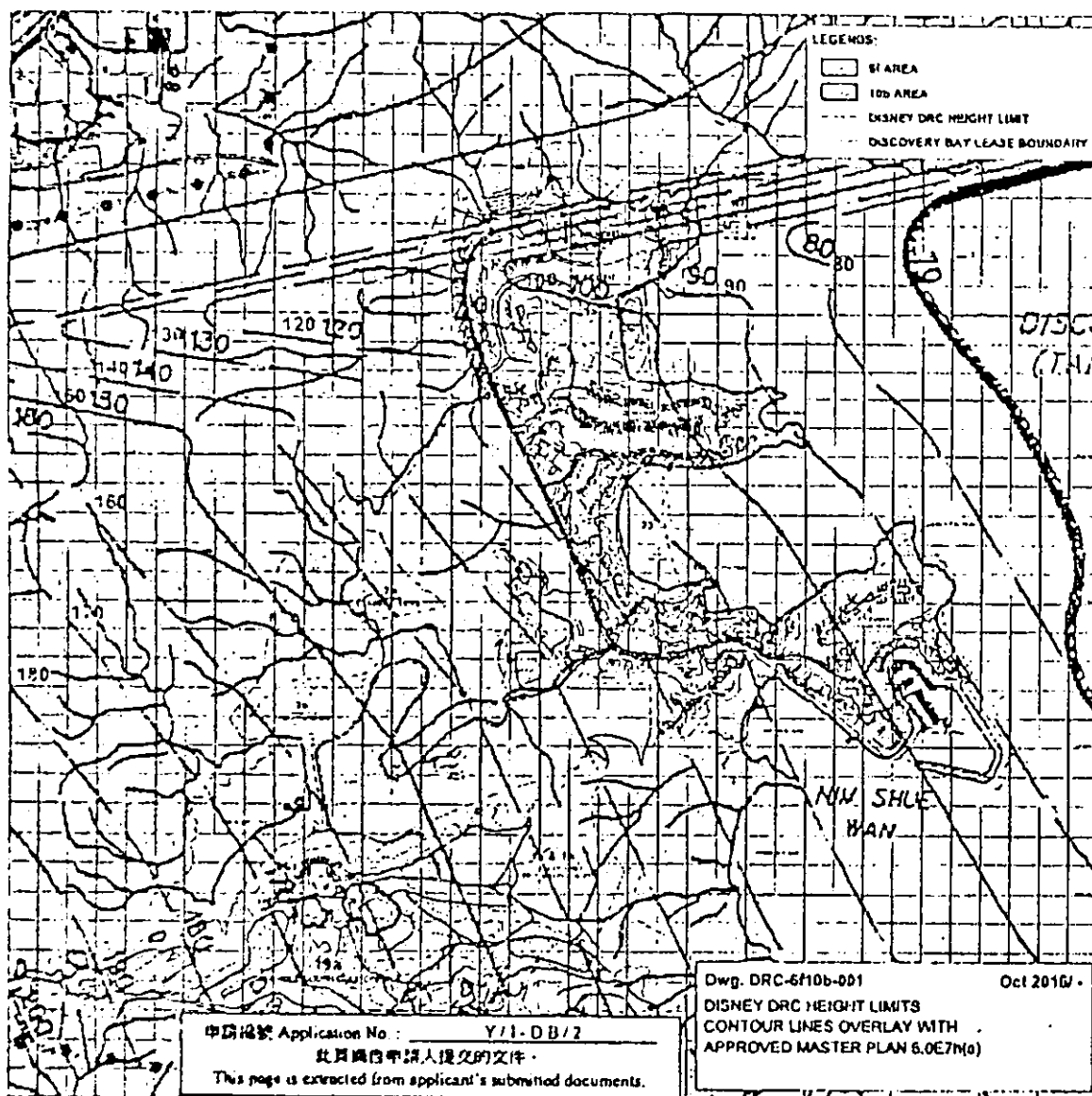




	<p>SECTION A-A</p> <p>DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F</p>	<p>PVOC; Existing does not match the profile indicated by the consultant.</p>	<p>FIGURE: B.2</p>
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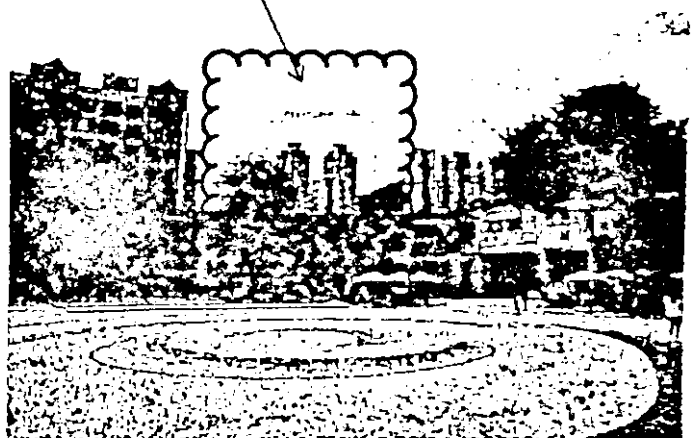
申請編號 Application No.: Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



PVOC;
*These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached*

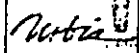


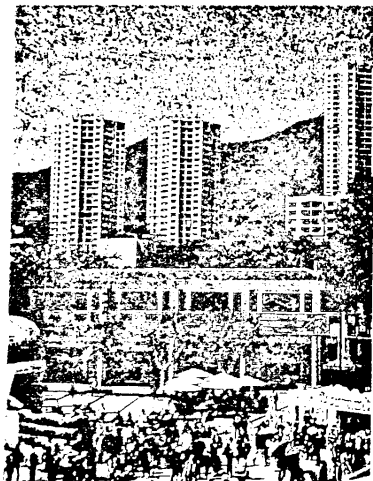
VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

申請編號 Application No.: Y / 1 - D B / 2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

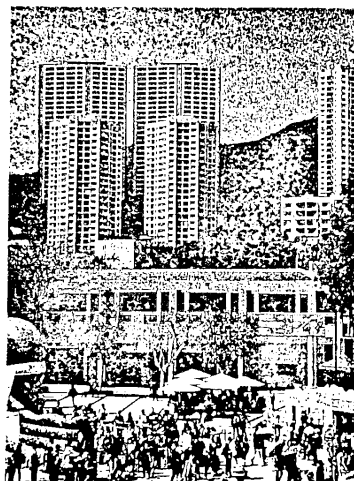
	TITLE PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	OCTOBER 2018 B.9
	PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	



BEFORE

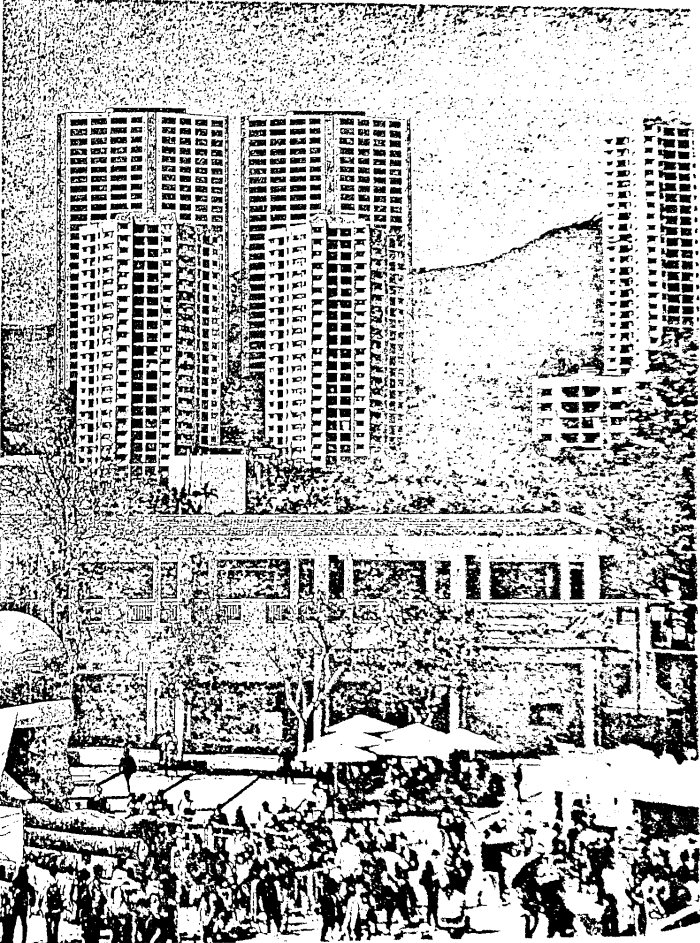
VOC comments on

HKRs 6f Planning Proposal

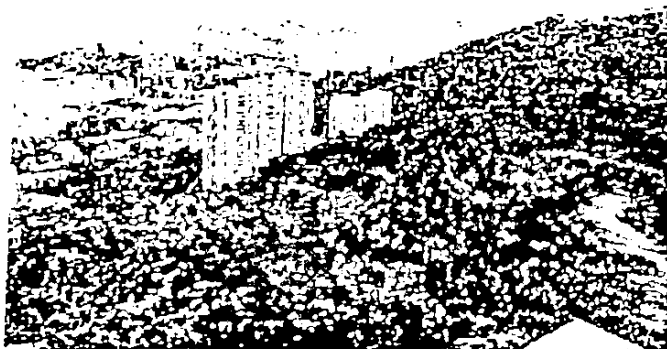


AFTER

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit.



VP5 View South-East towards Application Site from Lo Fu Tau Pergola/Lookout (Existing Condition)



VP5 View South-East towards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

申請編號 Application No.: Y/I-DB/2
此頁摘自申請人提交的文件。
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PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT

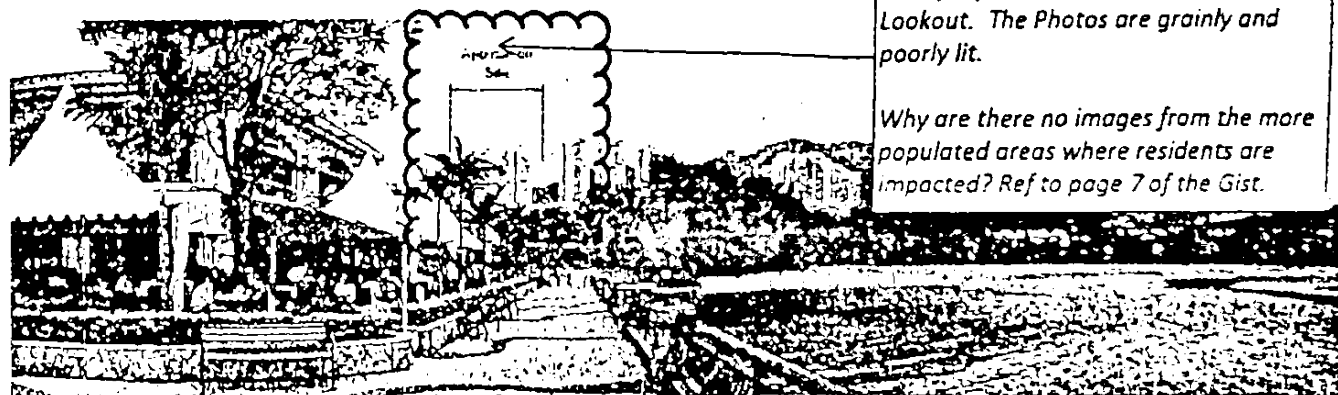
OCTOBER 2014
FIGURE B.10

PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F



VP12: View West towards Application Site from D-Deck (Existing Condition)

PVOC;
These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP12: View West towards Application Site from D-Deck with Proposed Development

Why are there no images from the more populated areas where residents are impacted? Ref to page 7 of the Gist.

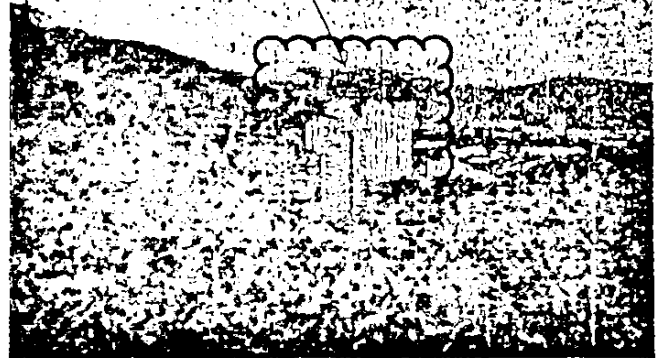
	TITLE PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK	ADDRESS B.14
PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF	

申請編號 Application No.: Y/1-DB/2
此頁源自申請人提交的文件。
This page is extracted from applicant's submitted documents.

PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit.



VP2 View Northwards of Applicant's Proposed Hiking Trail South of the Dam (Existing Condition)

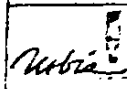


VP8 View Northwards Applicant Site from Hiking Trail South of the Dam with Proposed Development

申請編號 Application No. : Y/1-DB/2

此頁係自申請人提交的文件。

This page is extracted from applicant's submitted documents.



TITLE PHOTOMONTAGE - VP8 (VSR REC7) FROM HIKING TRAIL SOUTH OF DISCOVERY VALLEY

DISCOVERY

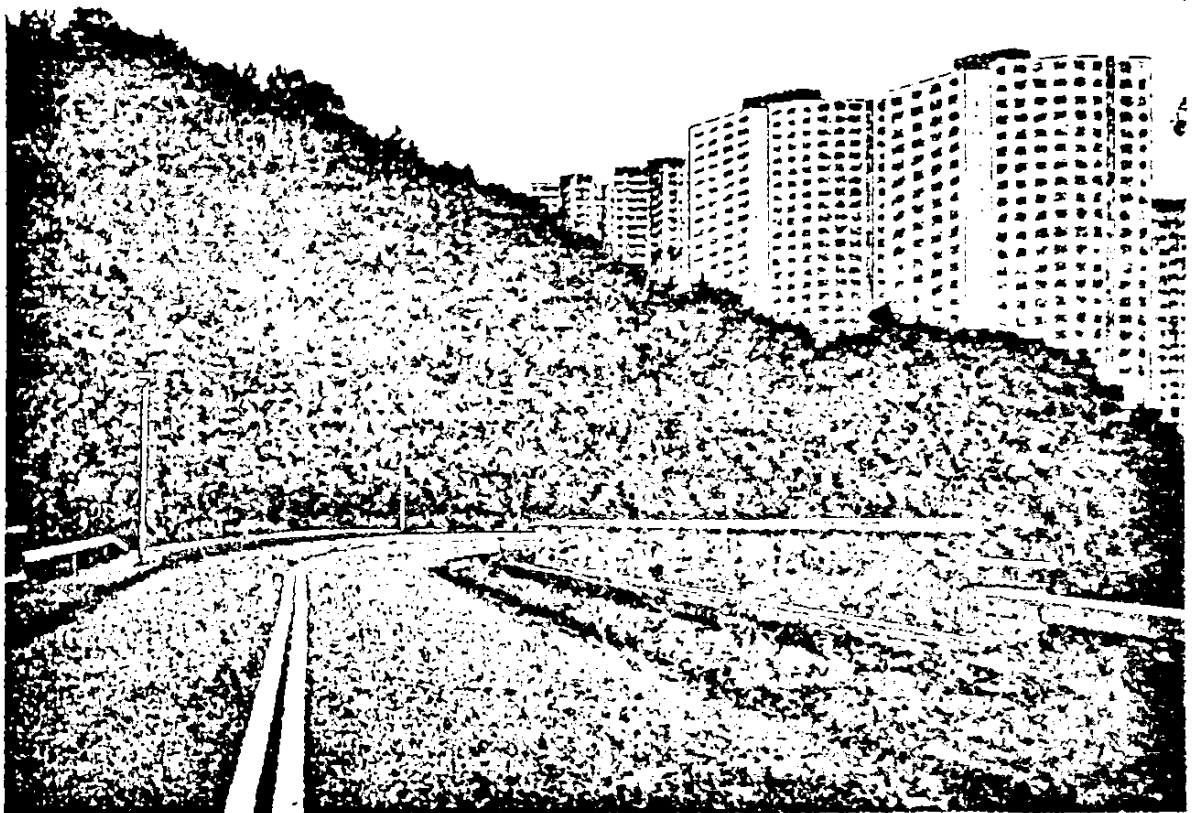
FIGURE B.12

PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F



VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVDC;

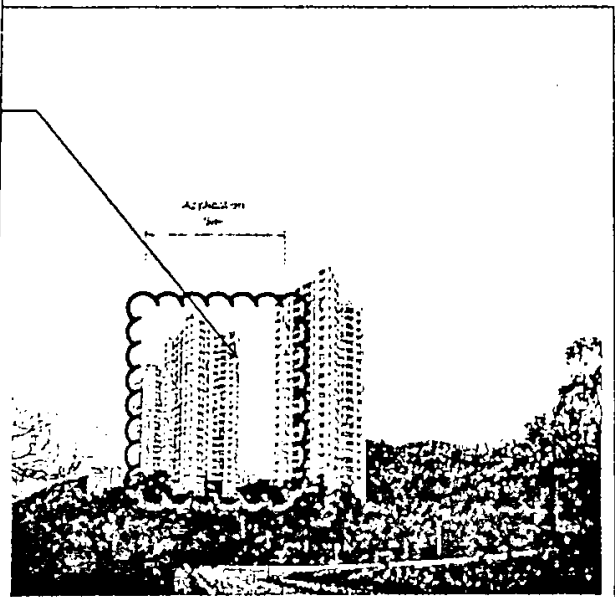
Why is this Photo-montage used - there are very few residents at this location who would be affected.

Why are there no images from the more populated areas where residents are impacted - see page 7?

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15. View West towards Application Site from Middle Lane (Existing Conditions)




VP16. View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No.: Y/J-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

	<p>FILE: PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE</p> <p>PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F</p>	<p>APPROVED: OCTOBER 2016 B.17</p>
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申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐

☒

樓宇位置圖 Block plan(s)

☐

☐ MISSING

樓宇平面圖 Floor plan(s)

☐

☐ MISSING

截視圖 Sectional plan(s)

☐

☒

立視圖 Elevation(s)

☐

☐ MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐

☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐

☒

PVOC;

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

ify)

摘錄圖則 Extract Plans of Public

an and Deed of Restrictive Covenant

☐

☒

規劃研究 Planning studies

☐

☒

環境影響評估 (噪音、空氣及／或水的污染)

☐

☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐

☐ MISSING

對行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐

☐ MISSING

視覺影響評估 Visual impact assessment

☐

☐ MISSING

景觀影響評估 Landscape impact assessment

☐

☐ MISSING

樹木調查 Tree Survey

☐

☐ MISSING

土力影響評估 Geotechnical impact assessment

☐

☐ MISSING

排水影響評估 Drainage impact assessment

☐

☐ MISSING

排污影響評估 Sewerage impact assessment

☐

☐ MISSING

風險評估 Risk Assessment

☐

☐ MISSING

其他 (請註明) Others (please specify)

☐

☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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5388

tpbpd

寄件者: John Terenzini [REDACTED]
寄件日期: 09日12月2016年星期五 21:19
收件者: tpbpd@pland.gov.hk
主旨: Application No. Y/I-DB/2 Area 6f OBJECTION
附件: PVOC Third Comments on the Section 12A Application further information (1).pdf

5389

Dear Sir/Madam,

Application No. Y/I-DB/2 Area 6f

I have read the attached submission from the
PARKVALE OWNERS COMMITTEE for 6f, and
I wish to register my **objection** with the TPB accordingly.

Regards,

John Terenzini
[REDACTED]





Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. **It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information.** Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the



Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal *"is considered not an efficient sewage planning strategy"*.
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. **Many Plans, Drawings and Reports are missing.** The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing



together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an **ongoing police investigation** into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not

been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAC implications of the proposed development*". (i.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. EPD and Waste Management - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. EPD and Sewage Infrastructure - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. EPD and Air Quality - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.
10. Lands Department's comments:
- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
 - b. Specific 4 - HKR recognizes that its application does not conform to the approved MP5.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
 - c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
 - d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information



HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.



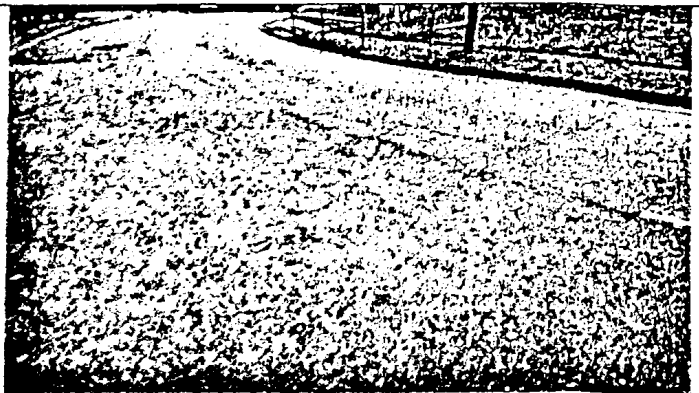
Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development Intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.
4. Parkvale Drive comprises three sections, being:

Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive

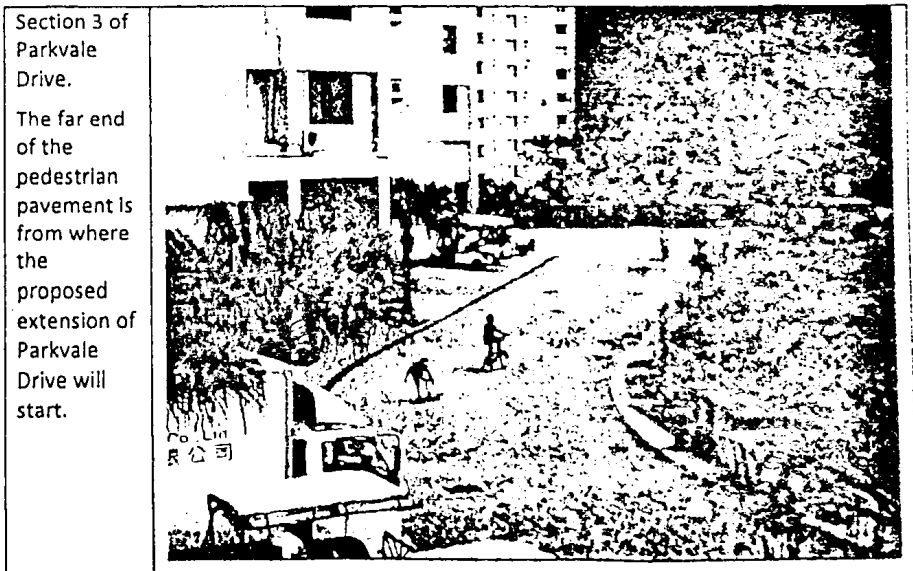




Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.



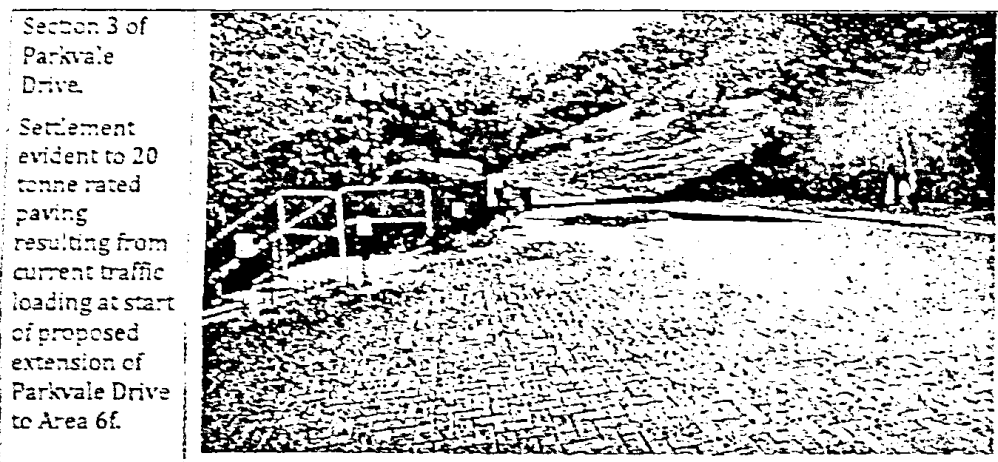
Section 3 – the “*Passageway*”, as defined in the Parkvale Village Sub-DMC, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.



5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.

7. **State of Repair** - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.



8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.
10. **Width Constraints** - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.

Section 1 of
Parkvale Drive.

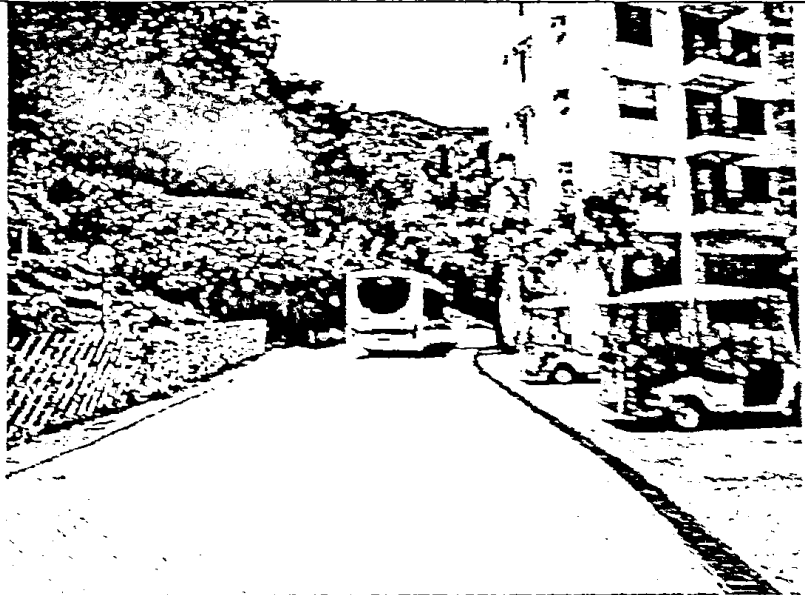
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this constrained area, if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

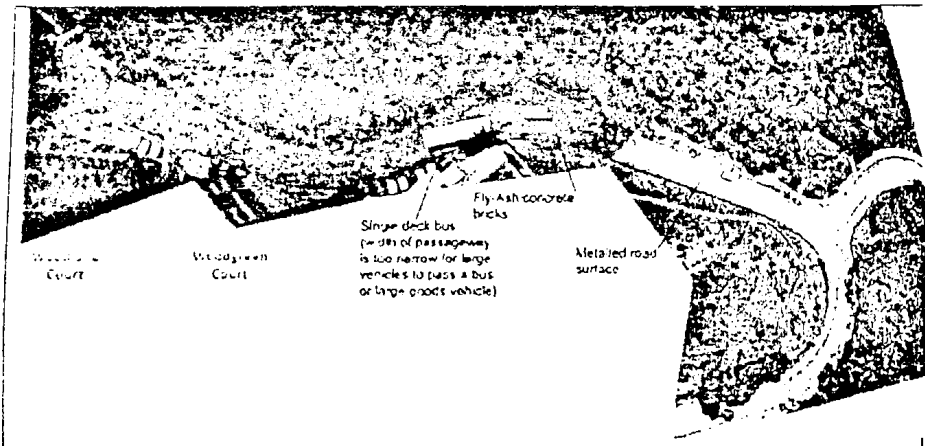
Section 3 of
Parkvale Drive.

View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



13. The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are travelling in opposite directions along Parkvale Drive.

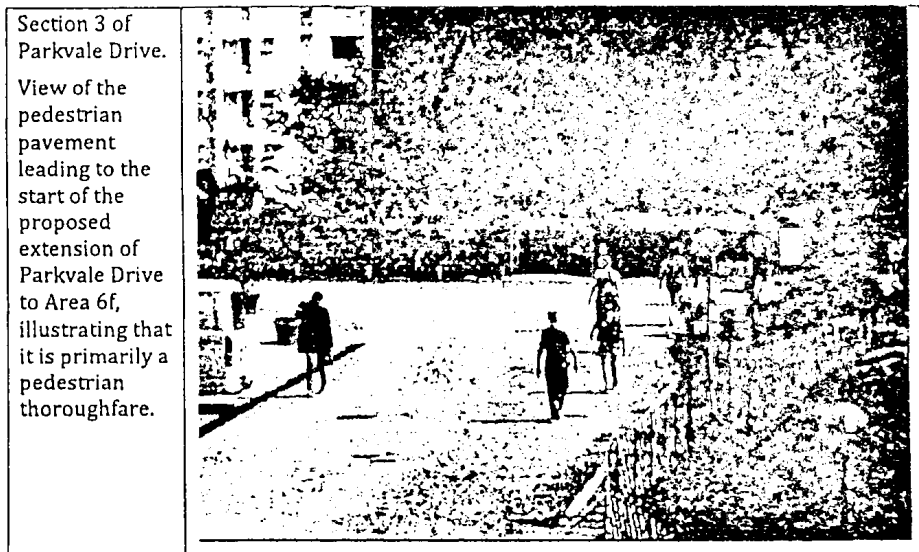
14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. **This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.**

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.



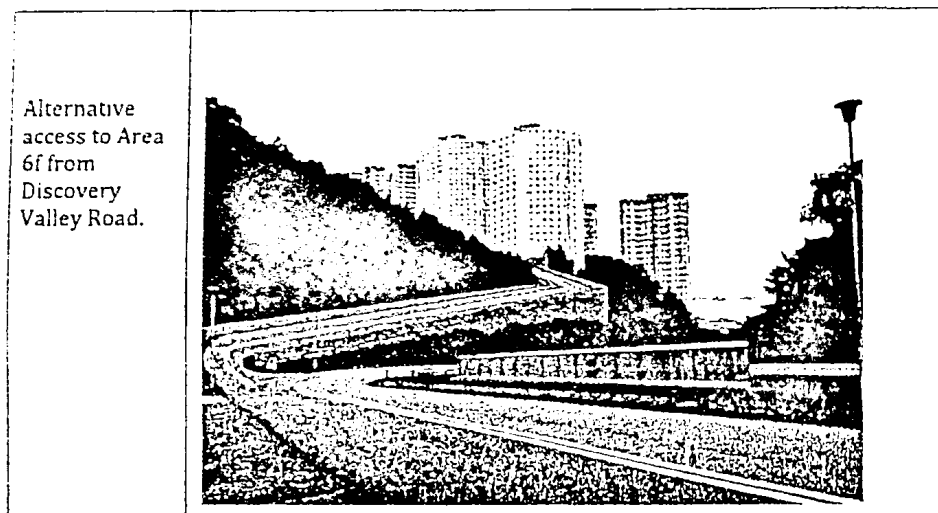
18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:

19. *"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".*

20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is

environmentally unacceptable and will encourage toxic red tides as well as concentrations of *E. coli*.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. in paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*





only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the

gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.
- J. SLOPE SAFETY AND BUILDING CONCEPT
 1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
 2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
 3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.



6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR'S RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F**
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.





1. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to population, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m2 under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m2.
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.



8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. **The allocation of undivided shares and management units** is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. **HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.**
11. **The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".**
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The **DIAGRAMS** (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. **Annex A to the Further Information "Revised Concept Plan":**
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

- a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.
 - b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.
5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. I.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.
6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.
- a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.
 - b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.
 - c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.
 - d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.



- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

關於申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範
Broad Development Parameters of the Indicative
Development Proposal in Respect of Application No. Y/I-DB/2
因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範
Revised broad development parameters in view of
the further information received on 27.10.2016

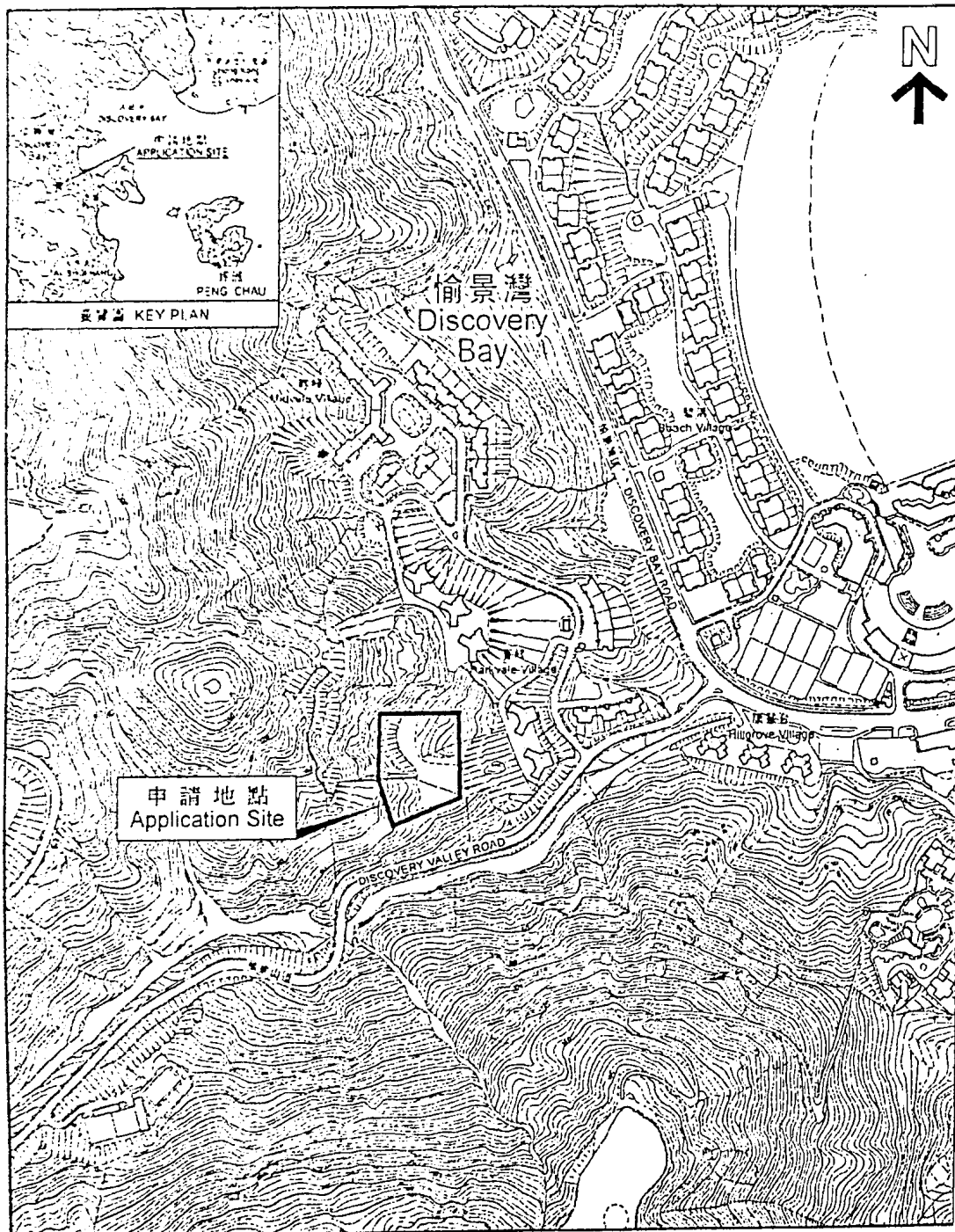
(a) 申請編號 Application no.	Y/I-DB/2		
(b) 位置／地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay		
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²		
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4		
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"		
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"		
(g) 總樓面面積 及／或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio
	住用 Domestic	約 About 21,600	約 About 2.83
	非住用 Non-domestic	-	-
(h) 幢數 No. of block	住用 Domestic	2	
	非住用 Non-domestic	-	
	綜合用途 Composite	-	
(i) 建築物高度(以最高 實用樓面空間計算) ／ 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m	
		120 米(主水平基準以上)mPD	
		18 層 storey(s)	
	非住用 Non-domestic	- 米 m	
		- 米(主水平基準以上)mPD	
		- 層 storey(s)	
	綜合用途 Composite	- 米 m	
		- 米(主水平基準以上)mPD	
		- 層 storey(s)	
(j) 上蓋面積 Site coverage	約 About 30 %		
(k) 單位數目 No. of units	476 住宅單位 Flats		
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平方米 m ²	
	- 公眾 Public		
(m) 停車位及上落客貨車位數目 No. of parking spaces and loading/unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)		

* 有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧義，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

Y/I-DB/2



申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

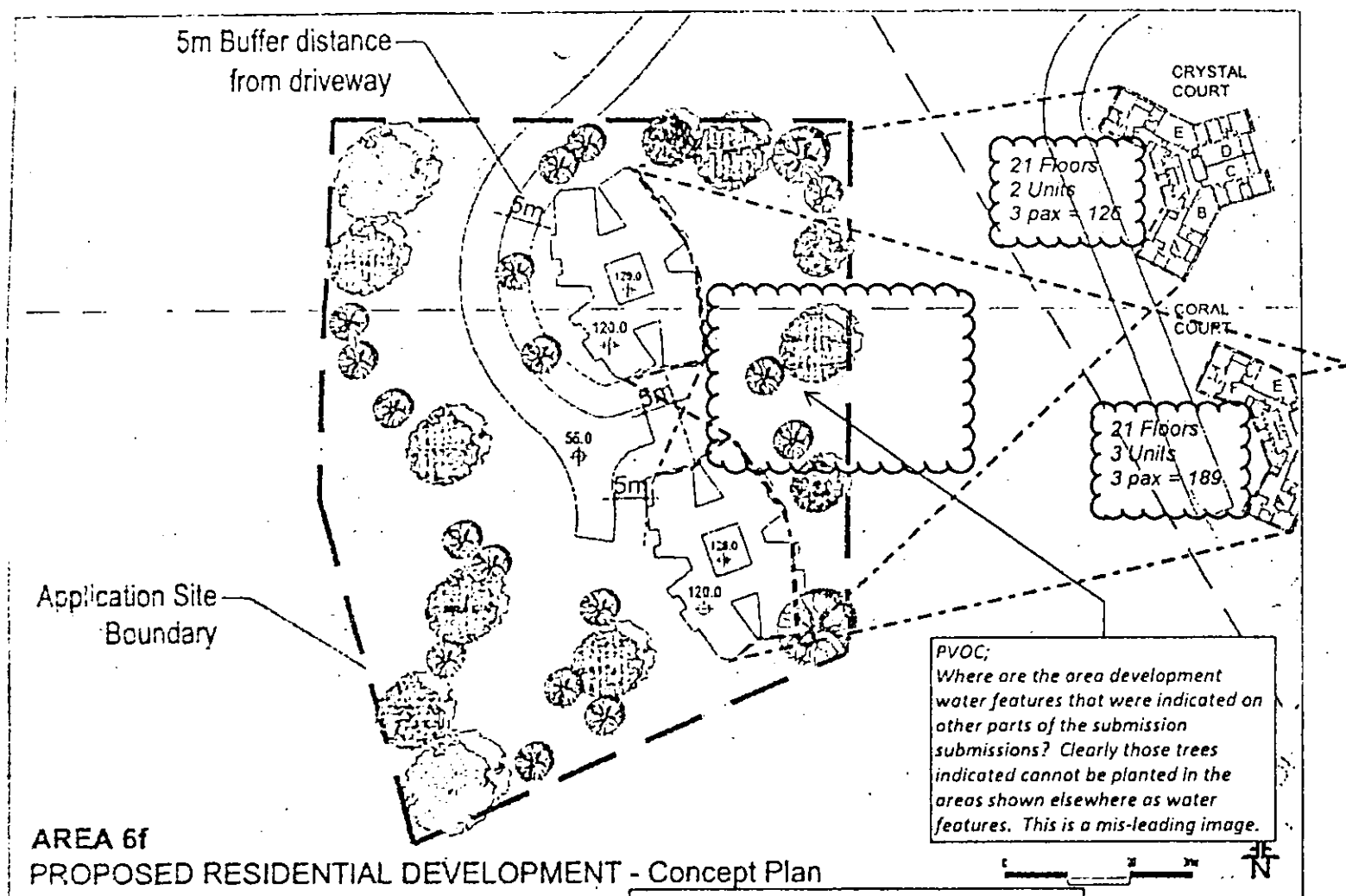
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, thats potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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B.L.

B.L.

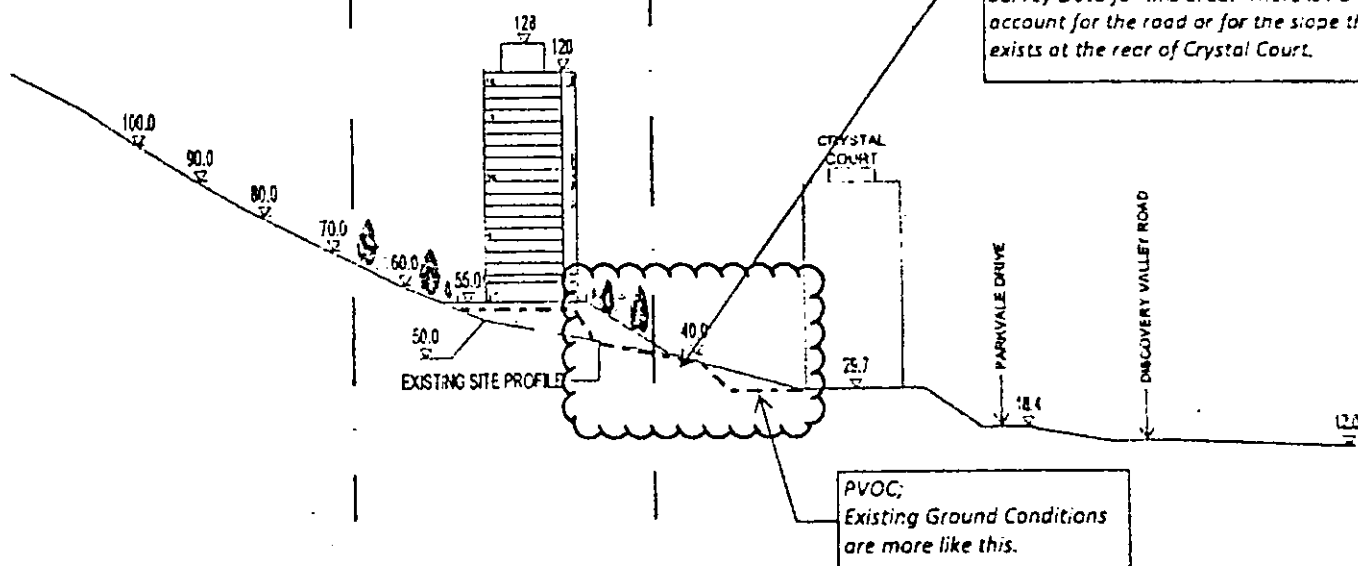
申請編號 Application No. : Y/1-DB/2

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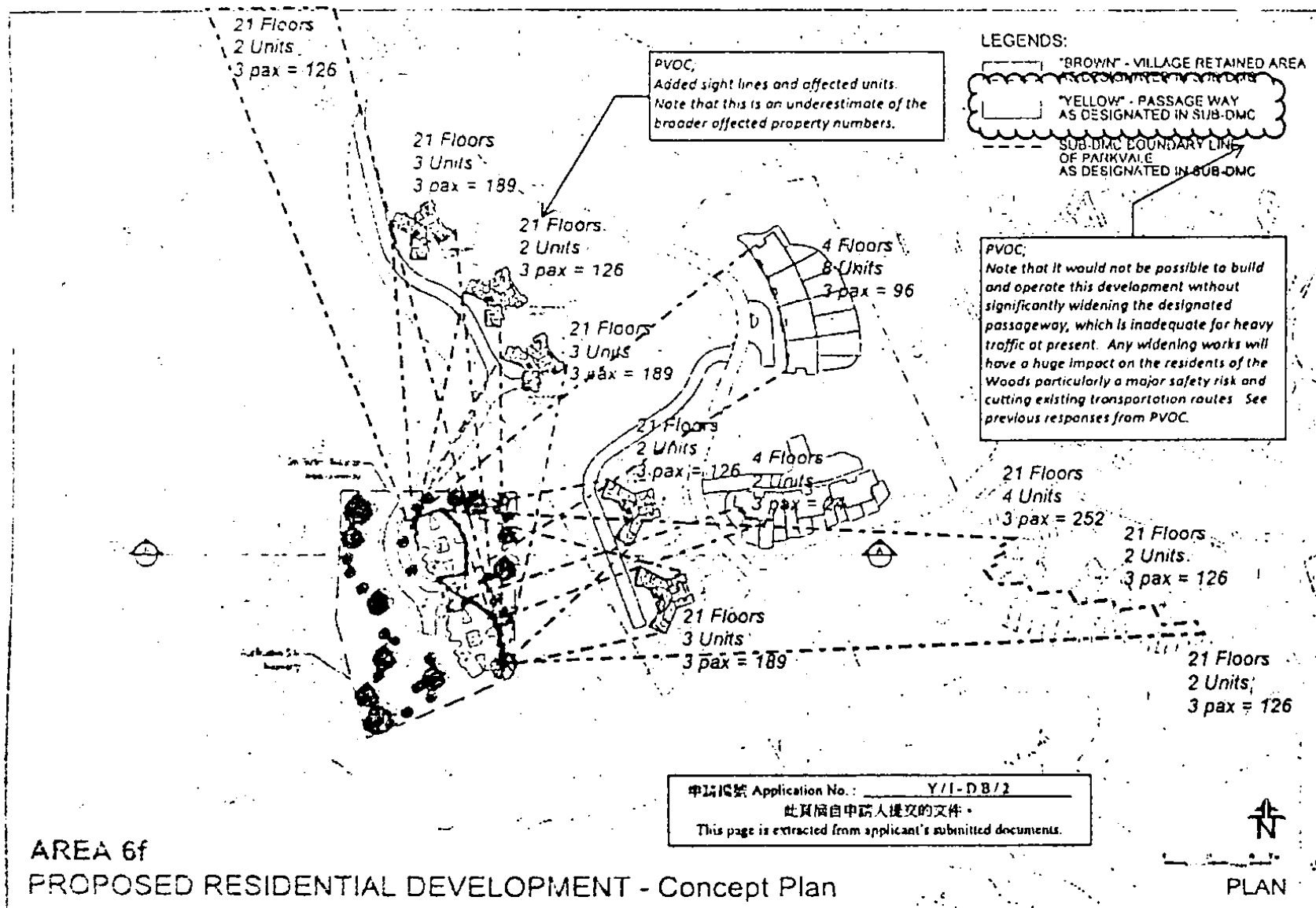
PVOC;

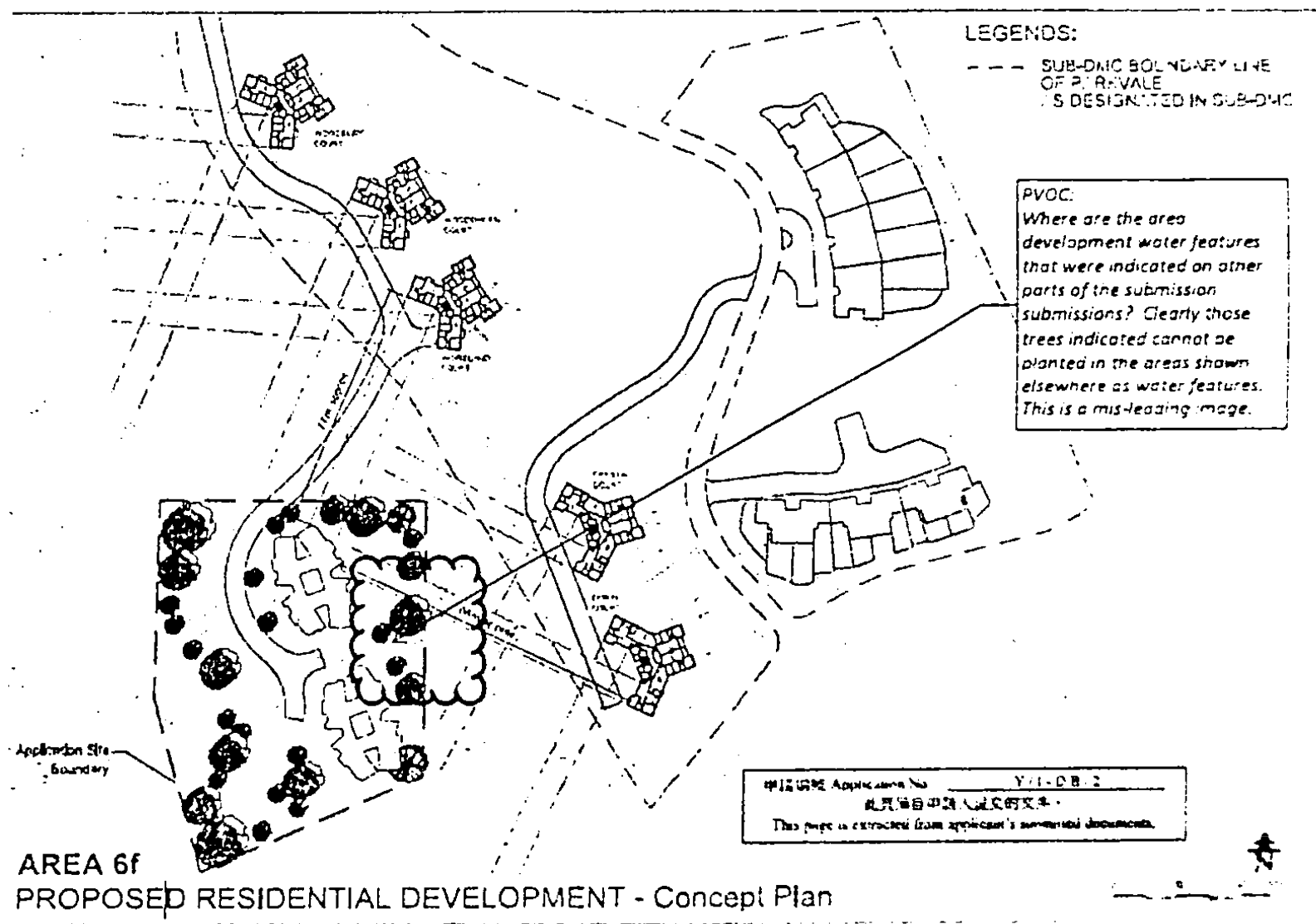
This existing ground condition is incorrect. It does not match the HK Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court.



AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

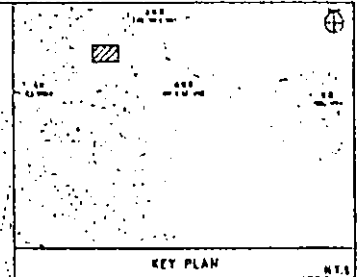
SECTION A-A



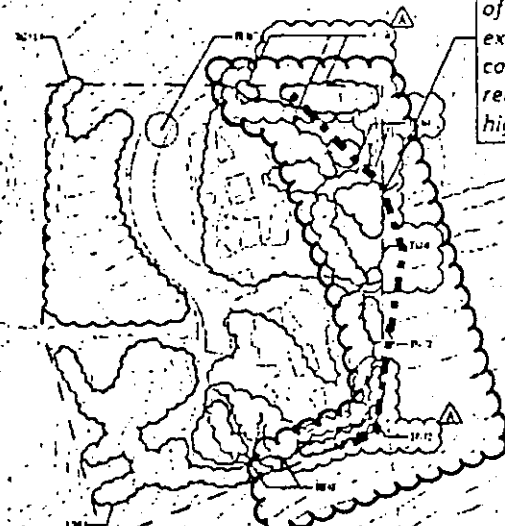


AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

申請編號 Application No. Y/I-DB/2
 此頁係由申請人提交的文件。
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PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.



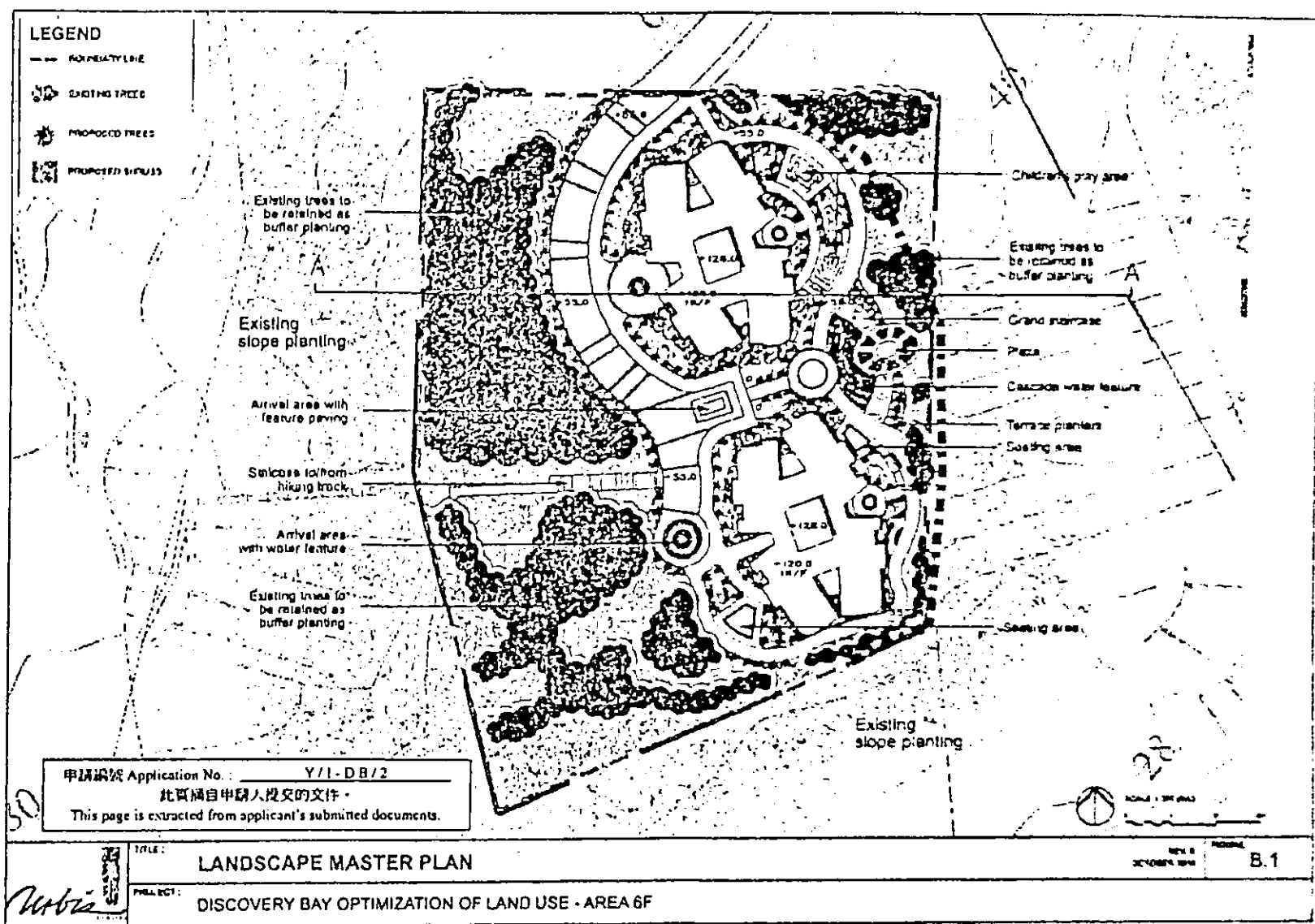
- LEGEND
- EXISTING TREE GROUPS TO BE RETAINED
 - EXISTING TREE GROUPS TO BE REMOVED
 - EXISTING TREE TO BE RETAINED
 - EXISTING TREE TO BE REMOVED
 - PROPOSED DEVELOPMENT LAYOUT

PVOC:
 This statement is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Also, simple construction logistics would mean this would be very improbable.

JOB TITLE DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F				SHEET NO. PT30/4F/P/TS02	
DRAWING TITLE TREE TREATMENT PLAN				SCALE 1:1000 (A3)	
DATE 23/01/17	BY JH	CHECKED BY JH	APPROVED BY JH	DATE 23/01/17	BY JH

Wetia

Printed by 100% Recycled Paper, 100% Recycled Ink, 100% Recycled Binding. 100% Recycled Paper, 100% Recycled Ink, 100% Recycled Binding.



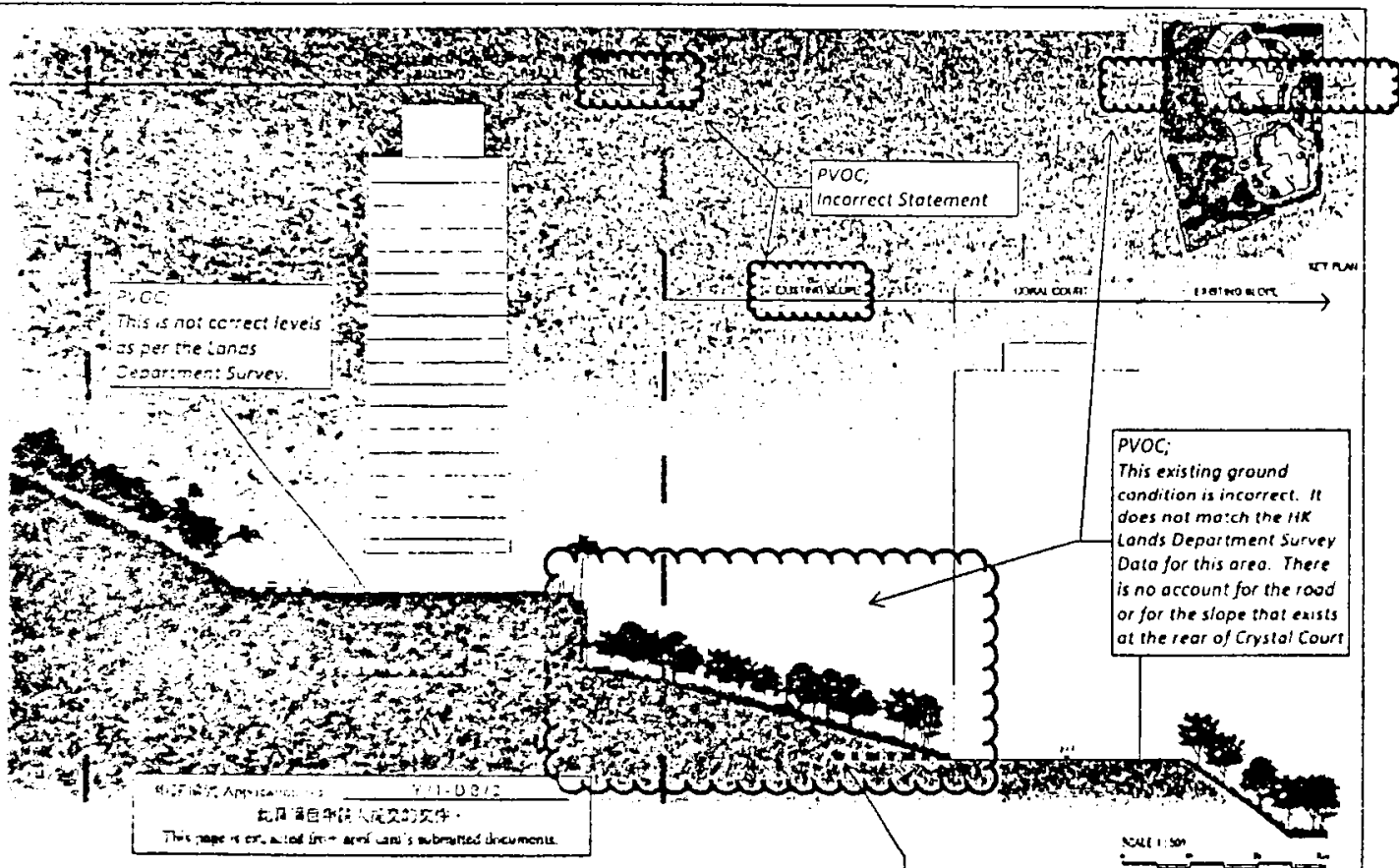
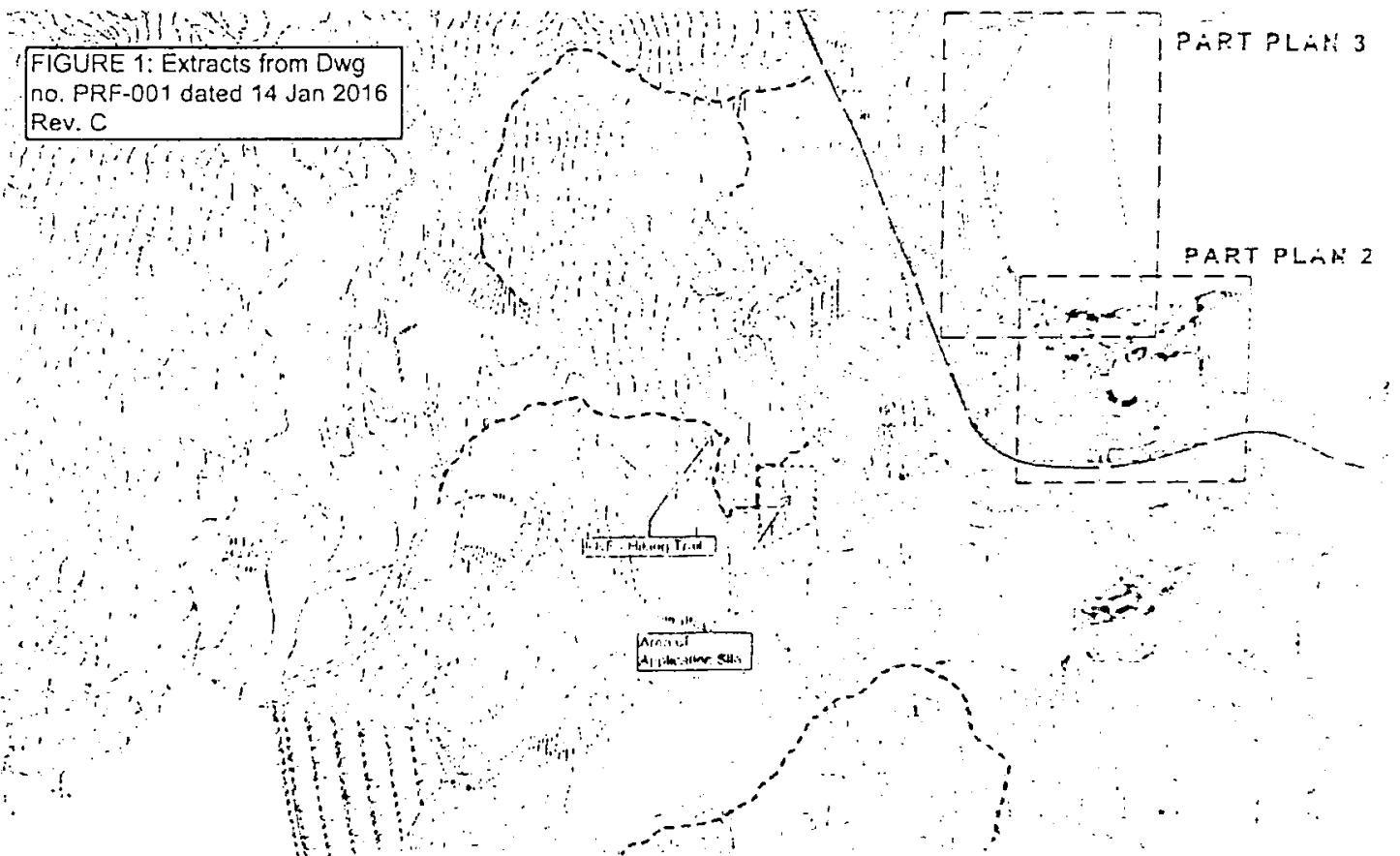
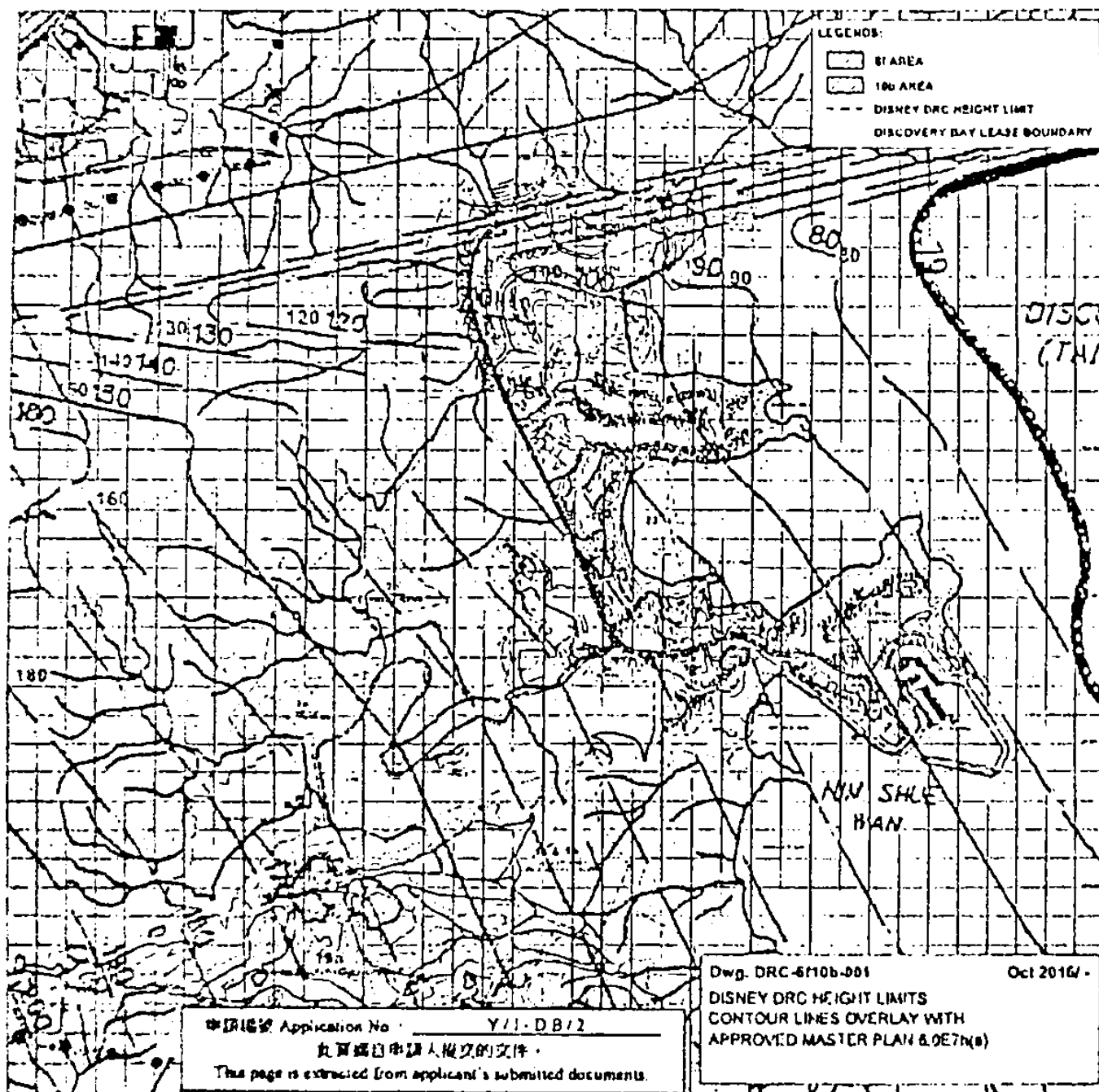




FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



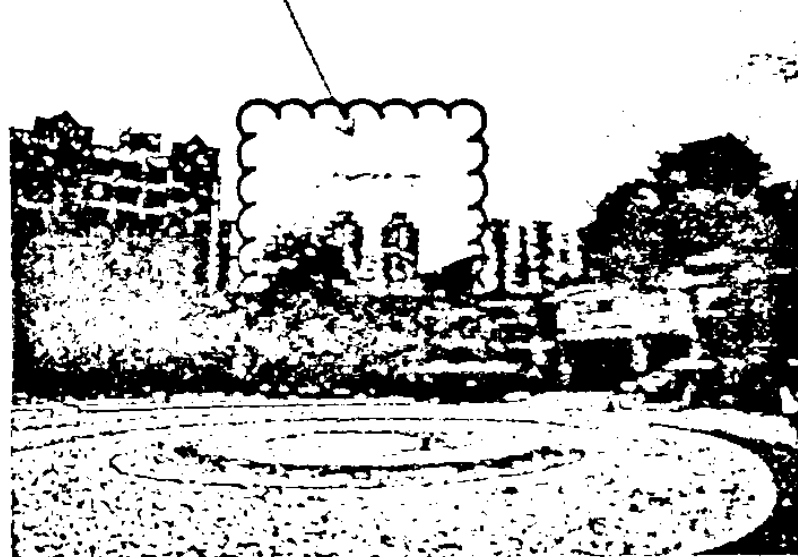
申請編號 Application No. Y/1-D8/2
此頁源自申請人提交的文件。
This page is extracted from applicant's submitted documents.



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached.




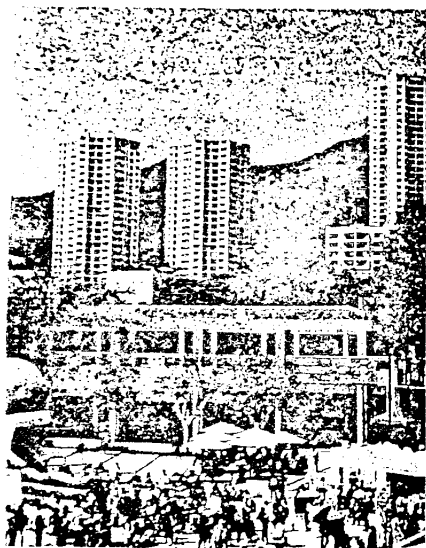
VP1 View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1 View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

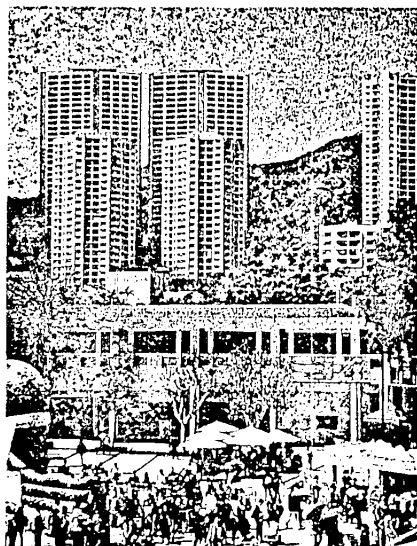
申請編號 Application No.: Y/1-DB/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

	TITLE PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	Figure B.9
	PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F	



BEFORE

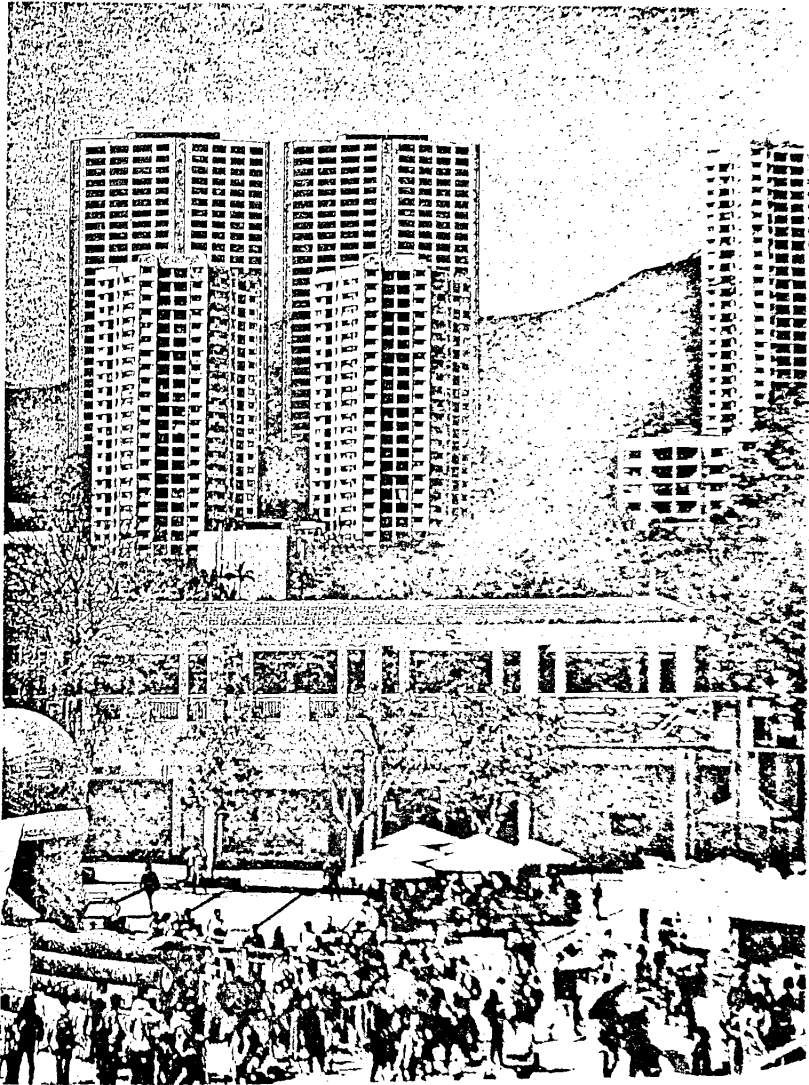
VOC comments on



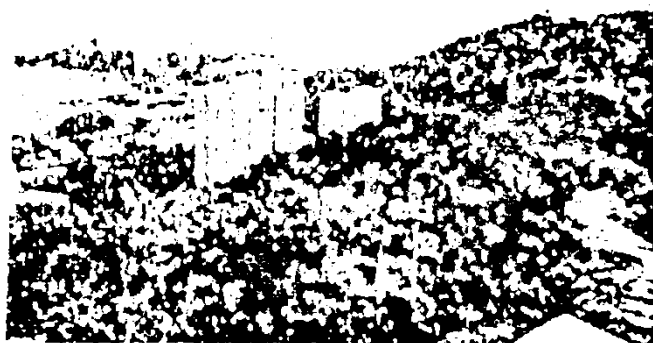
AFTER

HKRs 6f Planning Proposal

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC,
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit



VP5 Viewpoint East of the Highway and the Hillside of Lo Fu Tau Pergola/lookout (Existing Condition)



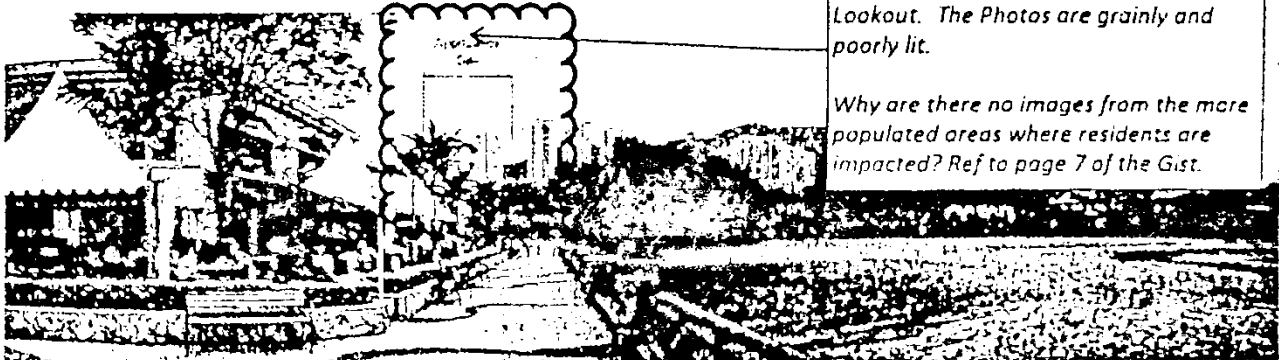
VP5 Viewpoint East of the Highway and the Hillside of Lo Fu Tau Pergola/lookout with Proposed Development

申請編號 Application No. : Y-1-D8/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents

	<p>NAME PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT</p> <p>PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF</p>	<p>DATE OCT 10 2018</p> <p>FIGURE B.10</p>
--	--	--



VP12: View West towards Application Site from D-Deck (Existing Condition)



VP12: View West towards Application Site from D-Deck with Proposed Development

PVOC;
These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.

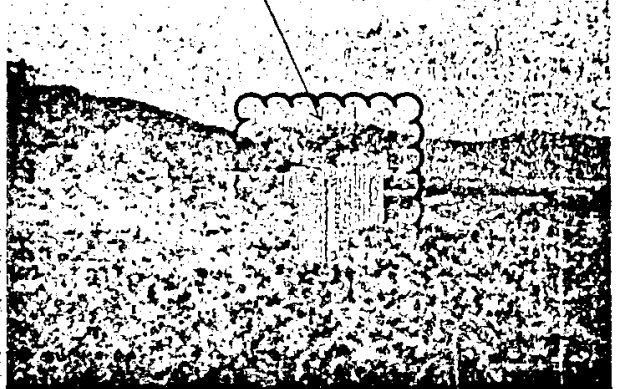
Why are there no images from the more populated areas where residents are impacted? Ref to page 7 of the Gist.



PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit.



VP8, View north towards Application Site from Hiking Trail South of the Dam (Existing Condition)



VP8, View north towards Application Site from Hiking Trail South of the Dam with Proposed Development

申請編號 Application No.: Y/I-DB/2
此頁源自申請人提交的文件。
This page is extracted from applicant's submitted documents.

VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC;

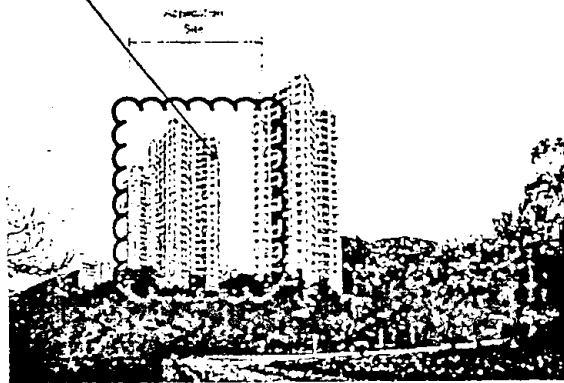
Why is this Photo-montage used - there are very few residents at this location who would be affected.

Why are there no images from the more populated areas where residents are impacted - see page 7?

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15. View West towards Application Site from Middle Lane (Existing Condition)



VP16. View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No.: Y/1-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

Wotia

TITLE PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE
PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F

OCTOBER 2016

NUMBER

B.17

申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供，對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.



申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐ ☒

樓宇位置圖 Block plan(s)

☐ ☐ MISSING

樓宇平面圖 Floor plan(s)

☐ ☐ MISSING

截視圖 Sectional plan(s)

☐ ☒

立視圖 Elevation(s)

☐ ☐ MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐ ☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐ ☒

PVOC;
There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

if)
摘錄圖則 Extract Plans of Public
an-and Deed of Restrictive Covenant

☐ ☒

規劃研究 Planning studies

☐ ☒

環境影響評估 (噪音、空氣及／或水的污染)

☐ ☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐ ☐ MISSING

對行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐ ☐ MISSING

視覺影響評估 Visual impact assessment

☐ ☐ MISSING

景觀影響評估 Landscape impact assessment

☐ ☐ MISSING

樹木調查 Tree Survey

☐ ☐ MISSING

土力影響評估 Geotechnical impact assessment

☐ ☐ MISSING

排水影響評估 Drainage impact assessment

☐ ☐ MISSING

排污影響評估 Sewerage impact assessment

☐ ☐ MISSING

風險評估 Risk Assessment

☐ ☐ MISSING

其他 (請註明) Others (please specify)

☐ ☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response-

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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5389

寄件者: David Larson
寄件日期: 09/11/2016 年 星期四 19:57
收件者: tpbpd@pland.gov.hk
副本: Connie Larson
主题: Section 12A Application No. Y/I-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay Objection to the Submission by the Applicant on 27.10.2016

5390

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

I thank you in advance for your time and attention to this matter. Please note that I strongly object to the above mentioned submission.

1. As the ownership of the land is in question, HKR's claim that they are the sole owner is dubious and does not merit plans to develop said land. Such a crucial matter must be firmly resolved before the Submission can be considered.

2. My wife and I chose to live in Woodland Court, an apartment building adjacent to the proposed construction site, five years ago and have made long terms plans to stay here because it is relatively quiet, safe, and clean. We left our long-established home and jobs in Shanghai to escape noise, unsafe conditions, and pollution that exacerbated our daughter's environmental asthma. That HKR wishes to turn this area into a construction zone is anathema to our desires and needs as a family. The proposed construction will mean years of heavy trucks on an inadequately small driveway, robbing children of a safe area to play and bicycle, continual noise of blasting, digging, and construction, and untold amounts of dust, heavy machinery exhaust, and construction emissions. This would be an unhealthy environment and radically change the landscape and atmosphere of the area in negative, irreversible ways.

3. The Submission does not adequately address the reduction of quality of life to Discovery Bay residents and owners. The felling of mature trees, combined with the increase in foot and vehicle traffic, noise, and waste, combined with the added strain on the existing infrastructure is a major deviation from HKR's previous published vision for the Discovery Bay. As such, HKR must do much more to work with the residents and owners who have supported the development of Discovery Bay over the years if they desire continued support, financial and otherwise, to address the needs of the community that presently comprises Discovery Bay, particularly those affected by the plans outlined in the Submission.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Name of Discovery Bay Owner / Resident: Richard David Larson, Jr.

Address: [REDACTED]

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

5300

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay
Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.


I thank you in advance for your time and attention to this matter. Please note that I strongly object **D** the above mentioned submission.

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3. The Submission does not adequately address the reduction of quality of life to Discovery Bay residents and owners. The felling of mature trees, combined with the increase in foot and vehicle traffic, noise, and waste, combined with the added strain on the existing infrastructure is a major deviation from HKR's previous published vision for the Discovery Bay. As such, HKR must do much more to work with the residents and owners who have supported the development of Discovery Bay over the years if they desire continued support, financial and otherwise, to address the needs of the community that presently comprises Discovery Bay, particularly those affected by the plans outlined in the Submission.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature:  Date: 9 Dec 2016

Name of Discovery Bay Owner / Resident: Richard David Larson, Jr.

Address: [REDACTED]

trb00d

寄件者: Andrew Burns
寄件日期: 09/11/2016 星期五 18:44
收件者: tpbpl@pland.gov.hk
副本: dlors@landsd.gov.hk; sesis2@landsd.gov.hk; esis2@landsd.gov.hk
主题: Application No. Y/I-DB/2. Area 6f, Discovery Bay -- Undivided Shares
附件: TPB Y/I-DB/2 Area 6f R3 Undivided Shares.pdf

5391

To: Secretary, Town Planning Board

Date: 9 December, 2016

Dear Sirs,

Re: Application No. Y/I-DB/2. Area 6f, Discovery Bay -- Undivided Shares

I take pleasure in forwarding the attached submission to the Town Planning Board in respect of the subject Application.

Yours sincerely,
Andrew Burns

To: Secretary, Town Planning Board
cc: District Lands Office, Islands; LACO
Date: 9 December, 2016

Dear Sirs,

Re: Application No. Y/I-DB/2, Area 6f, Discovery Bay – Undivided Shares

I refer to the "Response to Comments" dated October 2016 on the Section 12A Application No. Y/I-DB/2, submitted by Masterplan Limited on behalf of the Applicant, Hong Kong Resort Company Limited (HKR).

According to the submission, Lands Department stated (Paragraph 6):

The Principal Deed of Mutual Covenant ("PDMC") dated 30.9.1982 has notionally divided the Lot into 250,000 undivided shares. The Applicant shall prove that there are sufficient undivided shares retained by them for allocation to the proposed development.

And Masterplan replied:

This is commercially sensitive information. The applicant has responded to District Lands Office directly via HKR's letter to DLO dated 3 Aug 2016.

The refusal to release essential information to the Town Planning Board under the guise that the information is "commercially sensitive" is unacceptable. HKR are making an application to amend the existing Outline Zoning Plan. A proper reckoning of the number of undivided shares still held by HKR for allocation to new developments is basic information. If HKR have insufficient undivided shares in hand to allocate to new developments, there is no point to consider the application further.

As Lands Department correctly highlighted, the lot is held under a Deed of Mutual Covenant (DMC). According to the DMC, undivided shares shall be allocated in sub-DMCs as the lot is developed. A review of all existing sub-DMCs for Discovery Bay shows that HKR has misallocated undivided shares to units at Discovery Bay over many years. A non-comprehensive list of the misallocation of undivided shares at Discovery Bay by HKR is provided at the Appendix.

Undivided Share Regime in Discovery Bay

The following background information will help members of the Town Planning Board to understand the unique nature of the undivided share regime at Discovery Bay.

At Page 7 of the DMC, the lot is notionally divided into 250,000 undivided shares. However, the DMC goes one step further. It immediately allocates these undivided shares to various uses. These uses correspond to the uses permitted under the Discovery Bay Master Plan, which is described at Special Condition 6 of the New Grant for Discovery Bay dated 10 September, 1976 (IS 6122 in the Land Registry).

Referring to Page 7 of the DMC, we see that 56,500 undivided shares were allocated to the Residential Development (as defined in the DMC); 4,850 undivided shares to the Commercial Development; etc. As the lot is developed, it is the intention of the DMC that these defined undivided shares will be allocated to the appropriate units (Residential Development undivided shares allocated to Residential Units, etc).

At Section III of the DMC, it is stated clearly that the undivided shares allocated to a particular use may not be reallocated to other uses, except that any surplus undivided shares not required for a given use may be deemed to be Common Area and Facilities undivided shares.

Therefore, for any extension to the Residential Development, including that proposed under the current application, HKR must show that they have sufficient Residential Development undivided shares to allocate to new Residential Units.

However, a review of the sub-DMCs for Discovery Bay up to and including Neo Horizon Village shows that HKR had allocated all 56,500 Residential Development undivided shares to Residential Units in Discovery Bay upon the completion of Neo Horizon Village in 2000.

As such, the origin of the undivided shares allocated to the Residential Units completed after the year 2000, including those at Siena One, Siena Two B, Chianti and Amalfi villages and Siena Two A sub-village, is unclear. The relevant sub-DMCs and sub-sub-DMCs do not shed any light on this matter. While Reserve Undivided Shares may be allocated under certain conditions, there is no record available of the number of Reserve Undivided Shares used or remaining.

Lands Department is not a party to the DMC. Further, Lands Department does not approve the allocation of undivided shares, but only follows the submission of the Authorized Person. It is the co-owners of the lot who suffer the consequences of misallocation of undivided shares.

HKR must "prove" (to use Lands Department's language) that they have not breached / will not breach the undivided share regime under the DMC if they are allowed to proceed with the proposed new developments.

To protect the interests of all existing and future owners of the lot under the DMC, that proof must be available to all owners to allow them to review and comment for consideration by the Town Planning Board before approval of the application, if any.

Yours sincerely,

Andrew Burns
Owner and resident, Discovery Bay

AppendixNon-Exhaustive List of the Misallocation of Undivided Shares at Discovery Bay

Village	Year	Detail
Parkridge	1987	A sub-sub-DMC is issued for Parkland Drive 1-7 (IS 136799), allocating undivided shares from the Parkridge Village Sub-DMC (IS 112092). However, no Residential Development undivided shares remain under the sub-DMC, as all had already been allocated to the Parkridge tower blocks. HKR allocate undivided shares without having any undivided shares to allocate.
Greenvale	1994	A sub-sub-DMC is issued for Greenvale 7C2 (IS 213300). However, there are insufficient Residential Development undivided shares remaining under the Greenvale Village Sub-DMC (IS 164194) to allocate to all Residential Units in the sub-phase. HKR allocate one less undivided share than management units to all Residential Units.
Peninsula	1996	A sub-sub-DMC is issued for Coastline (IS 231338). However, there are insufficient Residential Development undivided shares remaining under the Peninsula Village Sub-DMC (IS 162615) to allocate to all the Residential Units in the sub-phase. HKR spread the shortfall among all Residential Units and allocate fractional undivided shares to each unit.
Greenvale	2003	A sub-sub-DMC is issued for Siena Two A (IS 314645), allocating undivided shares from the Greenvale Village Sub-DMC (IS 164194). However, insufficient Residential Development undivided shares remain under the sub-DMC, as most had already been allocated to the Greenvale tower blocks. HKR allocate undivided shares without having any undivided shares to allocate.
Post 2000	2000->	HKR exhausted all of their Residential Development undivided shares with the completion of Neo Horizon Village in 2000. While the DMC allows HKR to substitute Reserve Undivided Shares when shares of a given use are depleted, there is no public record of the use of Reserve Undivided Shares or how many HKR still hold.
Post 2000	2000->	A review of the AP Certificates for all developments from 2000 onward shows that undivided shares have been allocated on the basis of Gross Floor Area, which is the net floor area after deductions allowed by the Building Authority. Under the DMC, undivided shares must be allocated on the basis of GBA. GBA is defined in the DMC. It is the floor area before any deductions allowed by the Building Authority. Hence, fewer undivided shares than stipulated by the DMC have been allocated to all Residential Units built since 2000. This has allowed HKR to retain more Undivided Shares than permitted under the DMC.

tpbpd

寄件者: Soshima Safaya [REDACTED]
寄件日期: 09/11/2016 4:31 PM / 18:24
收件者: tpbpd@pland.gov.hk
主题: Application No. Y/I-DB/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application further information (1).pdf

5392

Dear Sir/Madam,

Application No. Y/I-DB/2 Area 6f

I have read the attached submission from the

PARKVALE OWNERS COMMITTEE for 6f, and

I wish to register my objection with the TPB accordingly.

Regards,

Soshima Safaya

[REDACTED]

[REDACTED]

[REDACTED]

Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information. Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the



Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal "*is considered not an efficient sewage planning strategy*".
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. Many Plans, Drawings and Reports are missing. The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing





together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not

been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.
- E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS
 1. The Table in HKR's Further Information *"Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016"* cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
 2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
 3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
 4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only *"most of the pollution concentrations would comply with relevant criteria"*. What about the ones which do not?
 5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a *"preliminary water quality assessment"*, which concludes that the proposed STW *"could meet"* relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that *"there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAO implications of the proposed development"*. (i.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most". What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. EPD and Waste Management - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. EPD and Sewage Infrastructure - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. EPD and Air Quality - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.

10. Lands Department's comments:

- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
- b. Specific 4 - HKR recognizes that its application does not conform to the approved MP5.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
- c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
- d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information

HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. The proposed access to the site is by an extension to Parkvale Drive. In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.



Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.

4. Parkvale Drive comprises three sections, being:

Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

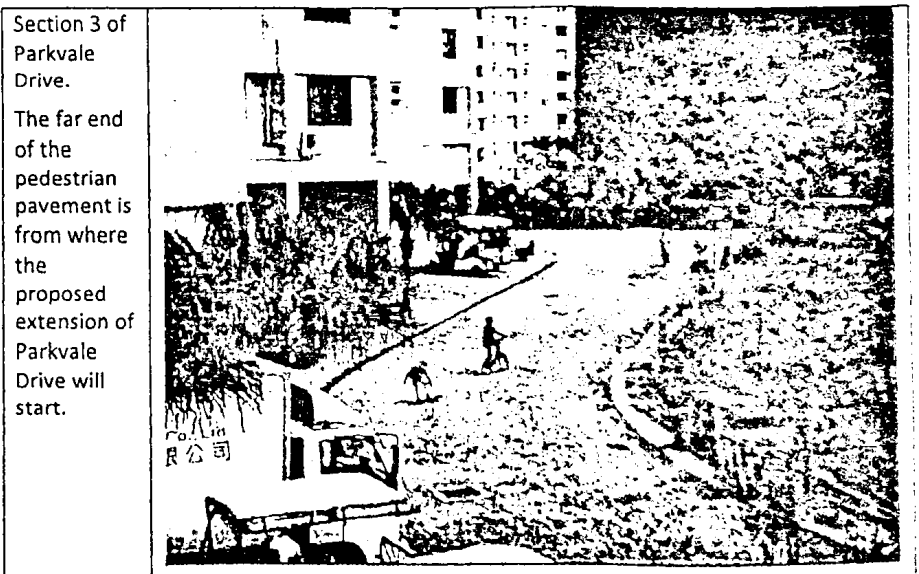
Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.



Section 3 – the “*Passageway*”, as defined in the Parkvale Village Sub-DMC, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.



- We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. State of Repair - As the photographs above show, the state of repair of Parkvale Drive is already poor. Furthermore, no section of Parkvale Drive was constructed to support heavy usage. In particular, Section 3 is designed as a pedestrian pavement under BD regulations, and therefore is only currently designed to cater for 20 tonne FS and operational loading. There is significant concern over the existing and visible damage and settlement that has resulted from the current usage of all three sections of Parkvale Drive, especially of Section 3, the pedestrian pavement section. The surface was not built to be able to sustain usage by heavy construction traffic, nor the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats, being almost twice that of the existing Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

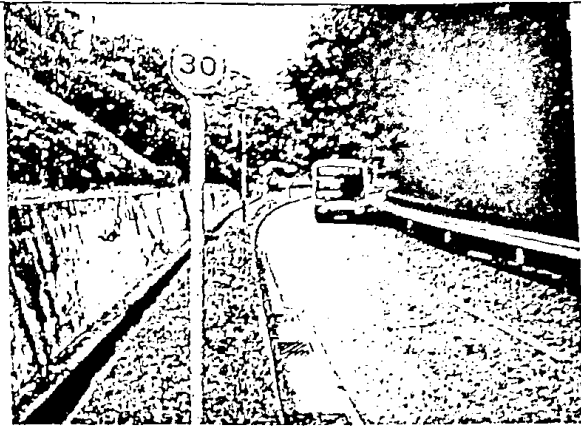
Section 3 of Parkvale Drive.
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads in Discovery Bay. However, all the costs of maintaining Sections 2 and 3 of Parkvale Drive are born by the owners of Parkvale Village as these sections only serve Parkvale Village. We are extremely concerned that the additional construction and operational traffic will cause serious damage and ongoing maintenance costs to the owners in Parkvale Village.
10. Width Constraints - As well as the surface of Parkvale Drive not being built to support heavy traffic, its width does not support usage by large vehicles. When residential shuttle buses negotiate the sharp bends on Parkvale Drive, other small vans or delivery vehicles need to give way to them.

Section 1 of Parkvale Drive.

The view looking up the hill, illustrating the difficulty large vehicles have in passing one another.

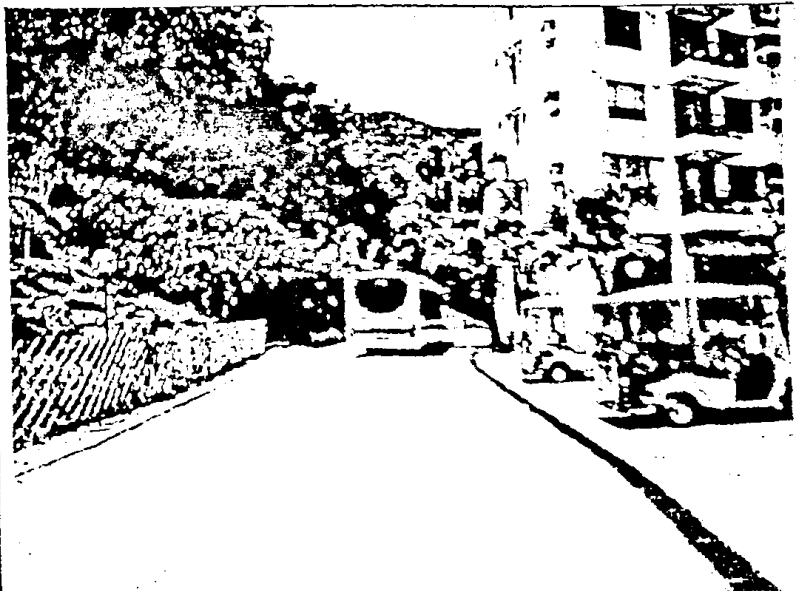


11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.

12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It seems unlikely that large equipment, such as earthmoving equipment, piling gear or tower crane segments, could safely transit this constricted area, if at all. In any event, there would be no safe place for pedestrians with such heavy equipment or construction vehicles passing.

Section 3 of Parkvale Drive.

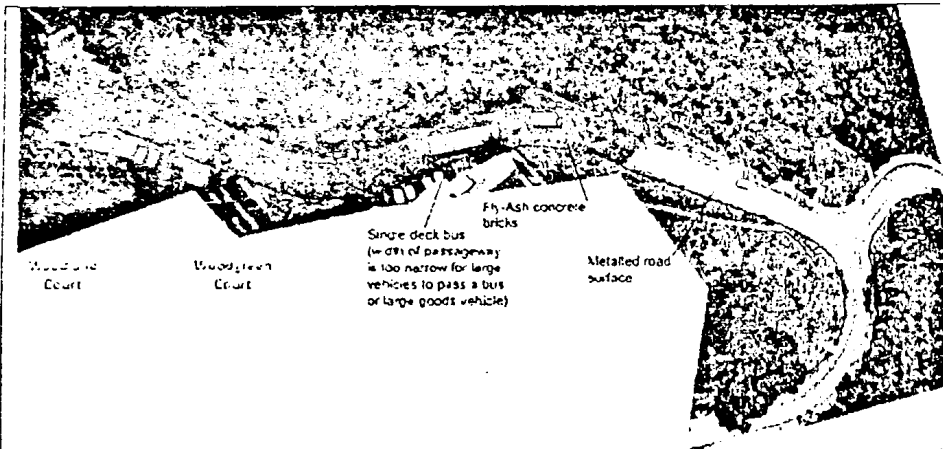
View of the rear of Woodbury Court, illustrating the narrowness of the pedestrian pavement, its lack of a carriageway to separate vehicles from pedestrians and the inability of vehicles to pass one another.



13. The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are travelling in opposite directions along Parkvale Drive.



14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



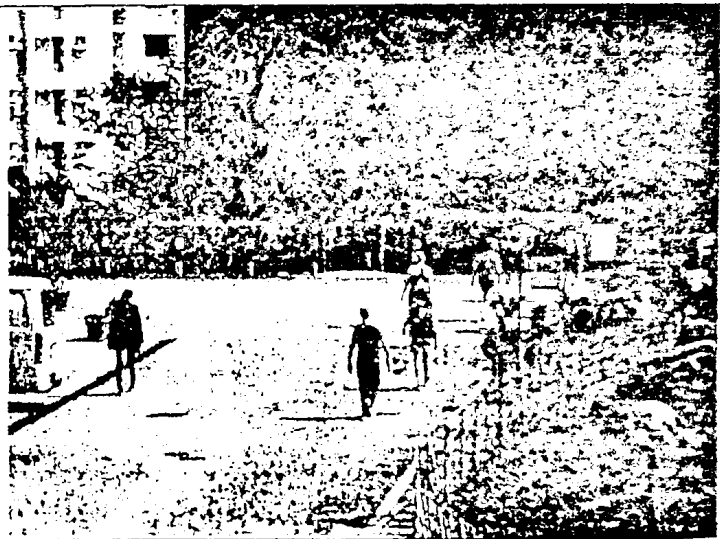
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.

17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of Parkvale Drive.

View of the pedestrian pavement leading to the start of the proposed extension of Parkvale Drive to Area 6f, illustrating that it is primarily a pedestrian thoroughfare.

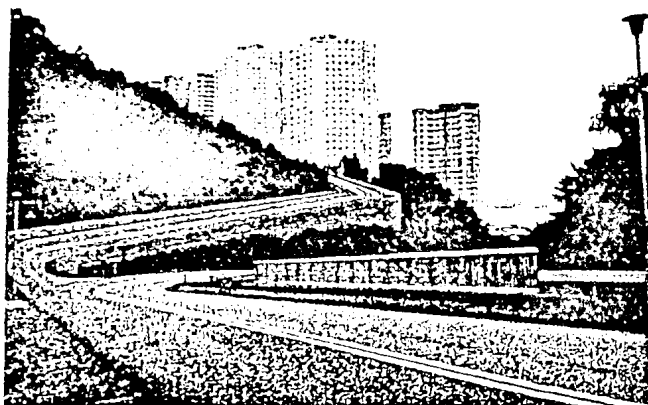


18. Alternative Access to Area 6f - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:
 19. *"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road"*.
 20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.

Alternative access to Area 6f from Discovery Valley Road.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is



environmentally unacceptable and will encourage toxic red tides as well as concentrations of *E. coli*.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. in paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10b. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewerage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*



only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

8. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the



gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

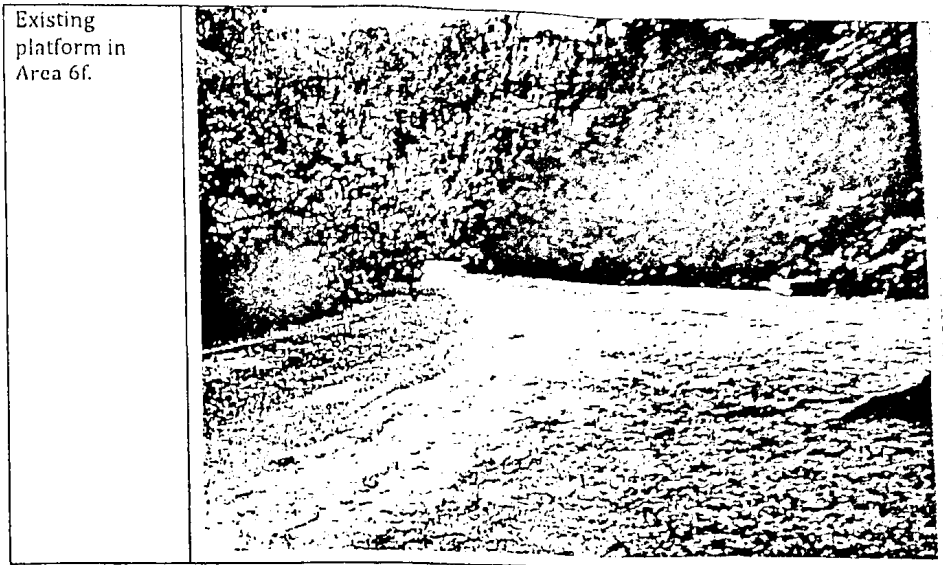
1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSD and FSD reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.
- J. SLOPE SAFETY AND BUILDING CONCEPT
 1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
 2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
 3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. HKR should be asked to undertake a geotechnical review and submit a GPRR.
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.





6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR'S RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.



L. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to population, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m2 under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m2.
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.

8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. The allocation of undivided shares and management units is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
11. The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PD/MC) contains this unique share-regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The DIAGRAMS (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. Annex A to the Further Information "Revised Concept Plan":
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.

b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.

5. In its covering letter Masterplan Limited says that the Updated **PHOTOMONTAGES** for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. I.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.

6. The **UPDATED PHOTOMONTAGES** (including comments) are included in Annex 1 to this submission. Our comments are set out below.

a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.

b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.

c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.

d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.



- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNTPC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

實于申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範

**Broad Development Parameters of the Indicative
Development Proposal in Respect of Application No. Y/I-DB/2**

因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範

Revised broad development parameters in view of
the further information received on 27.10.2016

(a) 申請編號 Application no.	Y/I-DB/2		
(b) 位置/地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay		
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²		
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4		
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"		
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"		
(g) 總樓面面積 及/或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio
	住用 Domestic	約 About 21,600	約 About 2.83
	非住用 Non-domestic	-	-
(h) 幢數 No. of block	住用 Domestic	2	
	非住用 Non-domestic	-	
	綜合用途 Composite	-	
(i) 建築物高度(以最高 實用樓面空間計算) / 層數 Building height (measured to the highest usable floor space)/ No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)	
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
	綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
(j) 上蓋面積 Site coverage	約 About 30 %		
(k) 單位數目 No. of units	476 住宅單位 Flats		
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平方 米 m ²	
(m) 停車位及上落 客貨車位數目 No. of parking spaces and loading/ unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)		

* 有關資料是為方便市民人士參考而提供。對於所載資料在使用上的問題及又義上的歧義，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

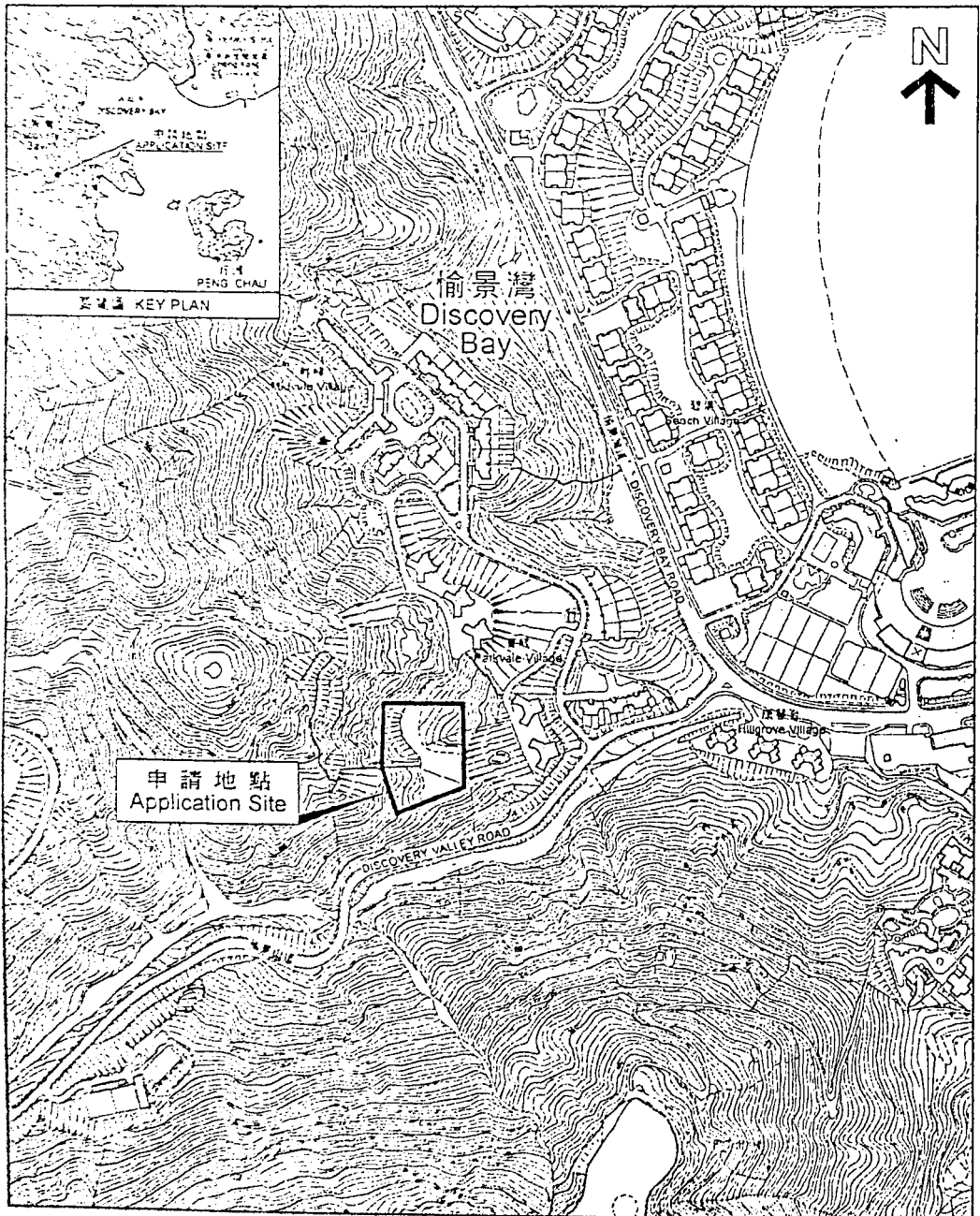


The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.





Y/I-DB/2



申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的發展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

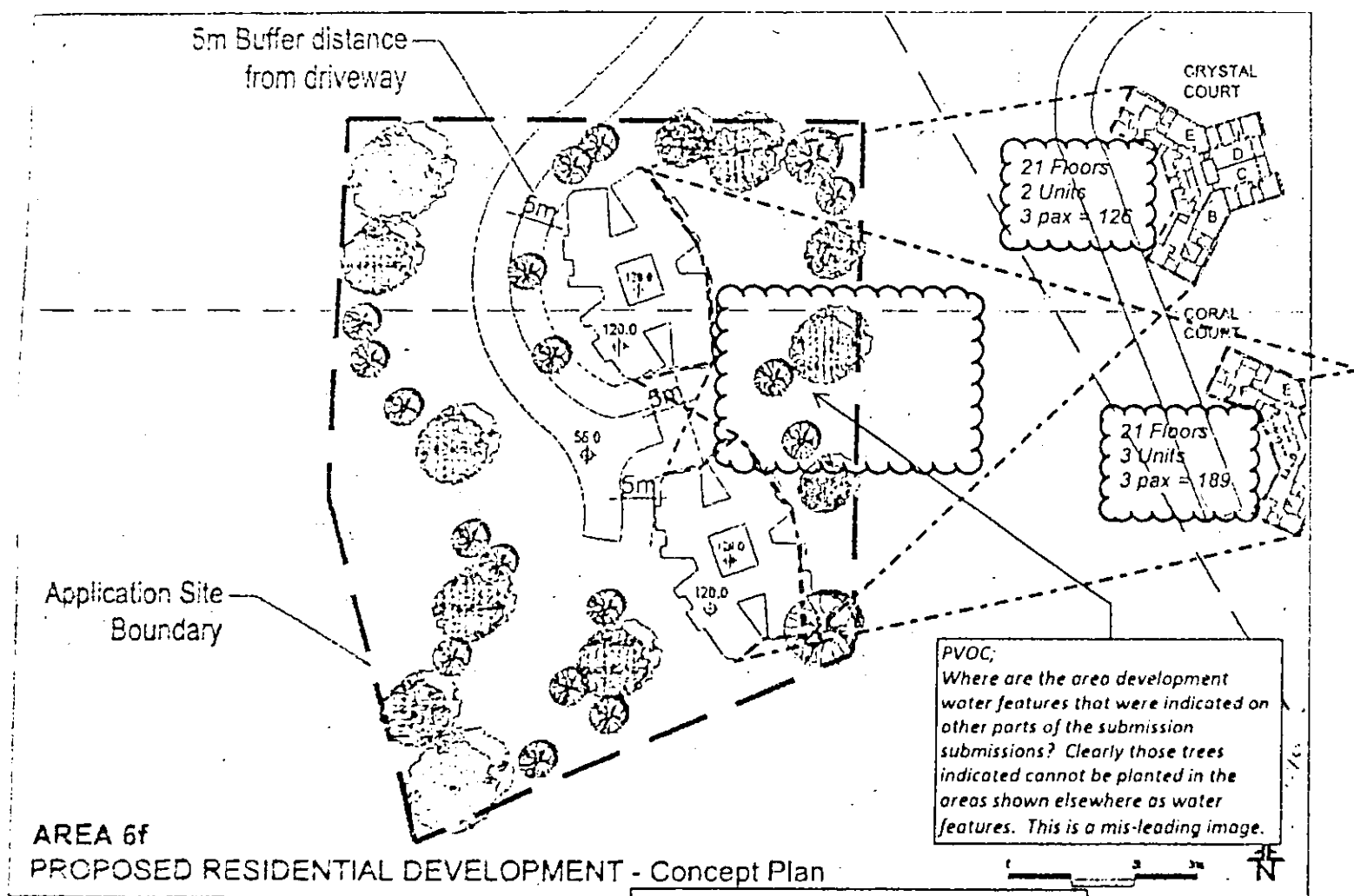
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, thats potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

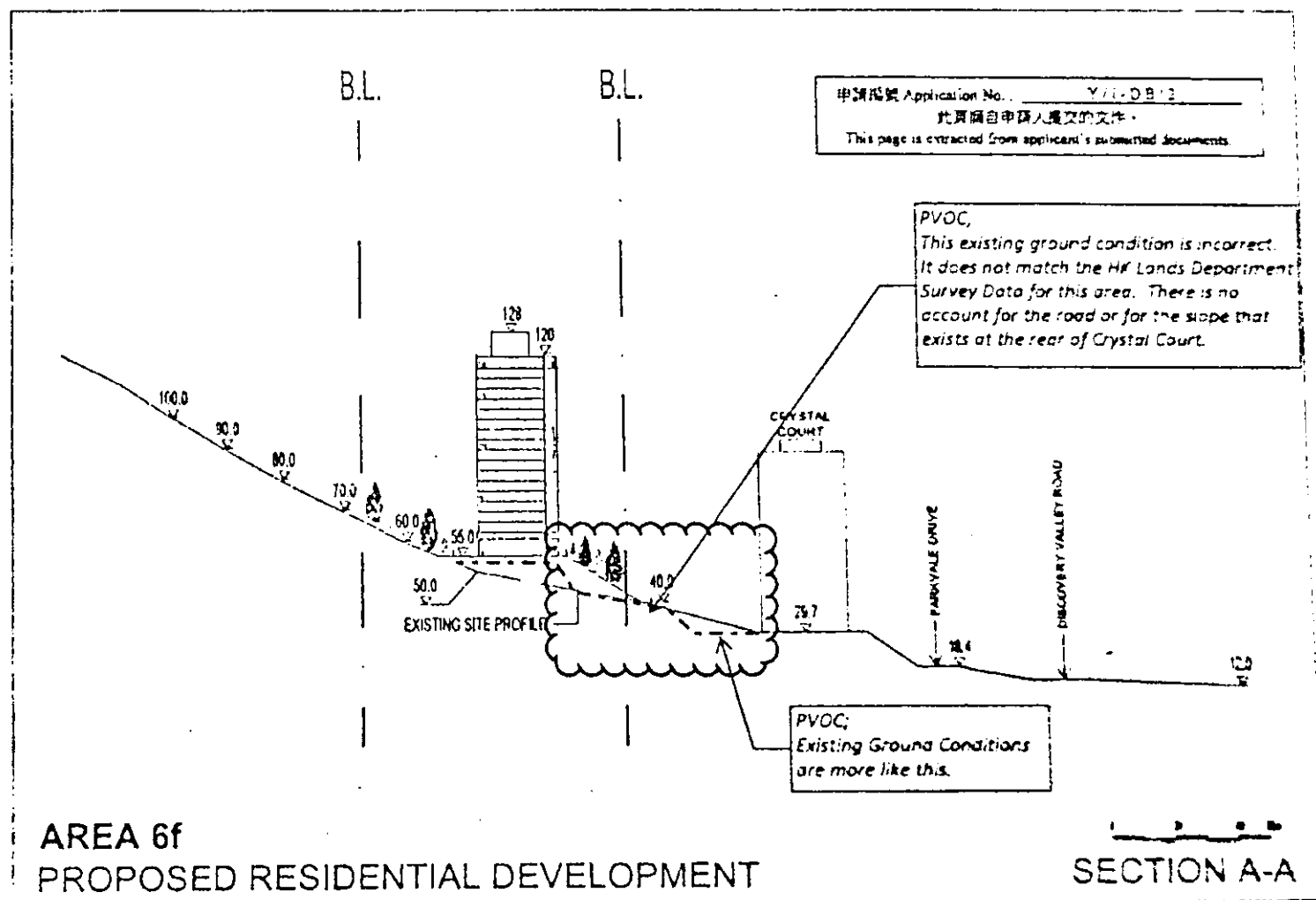
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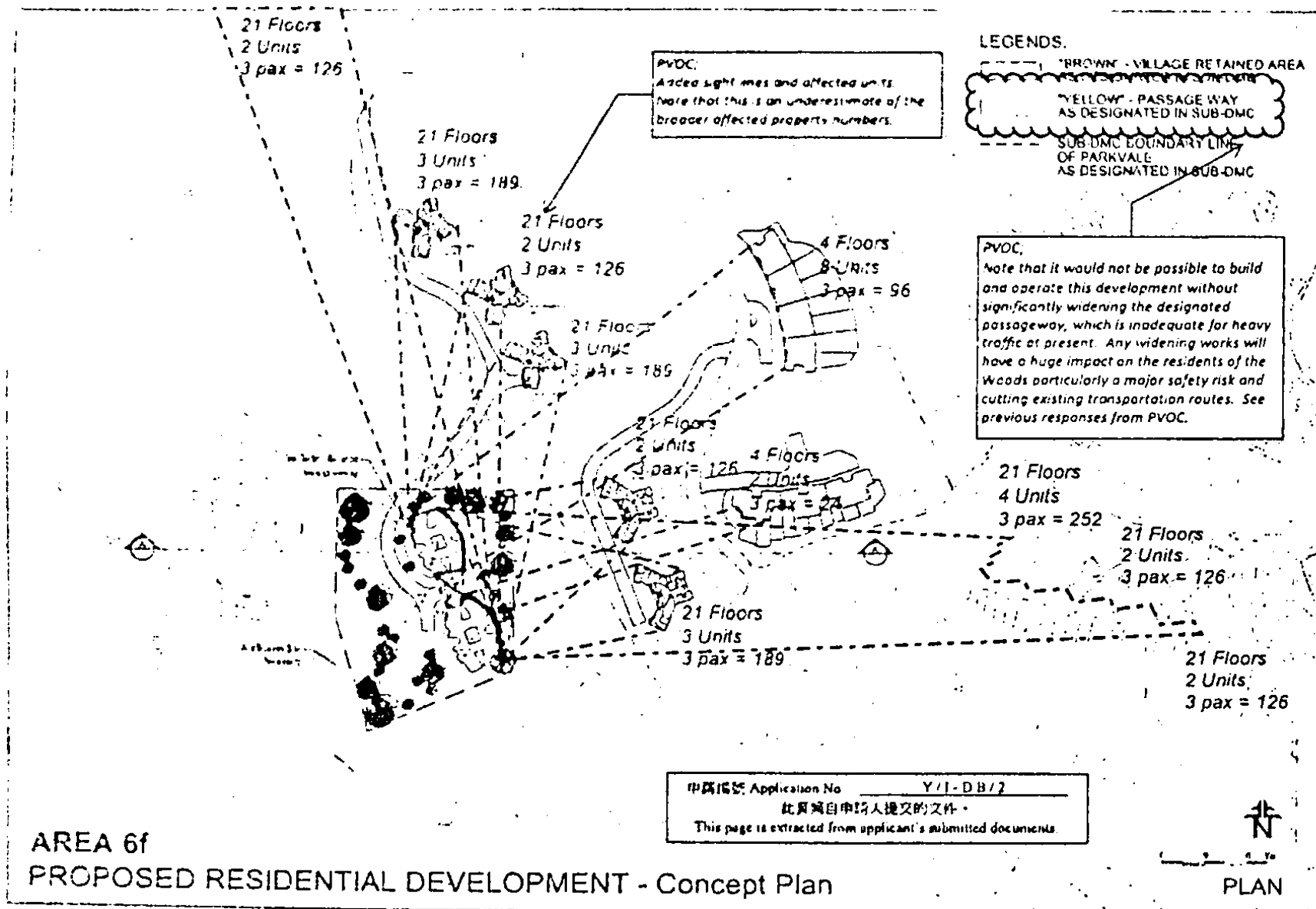


申請編號 Application No.: Y/I-DB/2

此頁係自申請人提交的文件。

This page is extracted from applicant's submitted documents.





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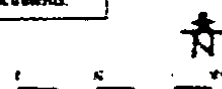
--- SUB-CMC BOUNDARY LINE
OF PARKVALE
AS DESIGNATED IN SUB-CMC

PVOC:
Where are the area
development water features
that were indicated on other
parts of the submission
submissions? Clearly those
trees indicated cannot be
planted in the areas shown
elsewhere as water features
This is a mis-leading image.

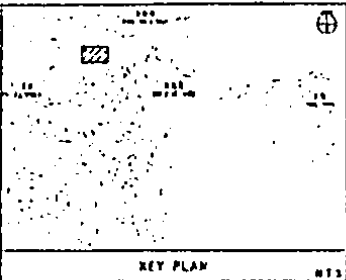
Application Site
Boundary

申請編號 Application No. Y/1-DB/2
此頁源自申請人提交的文件。
This page is extracted from applicant's submitted documents.

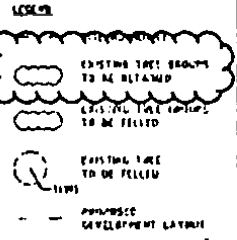
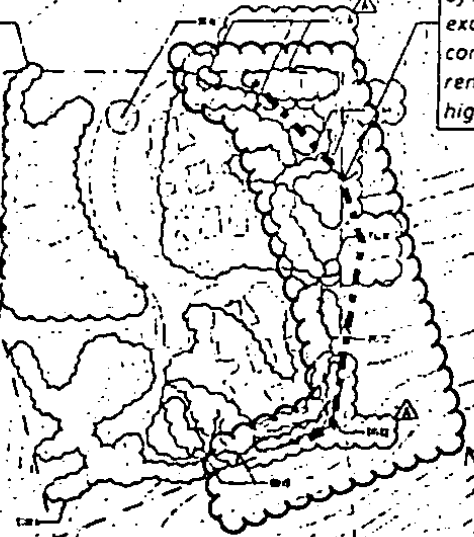
AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan



申請編號 Application No. Y-1-DB/2
 此頁係由申請人提交的文件。
 This page is extracted from applicant's submitted documents.

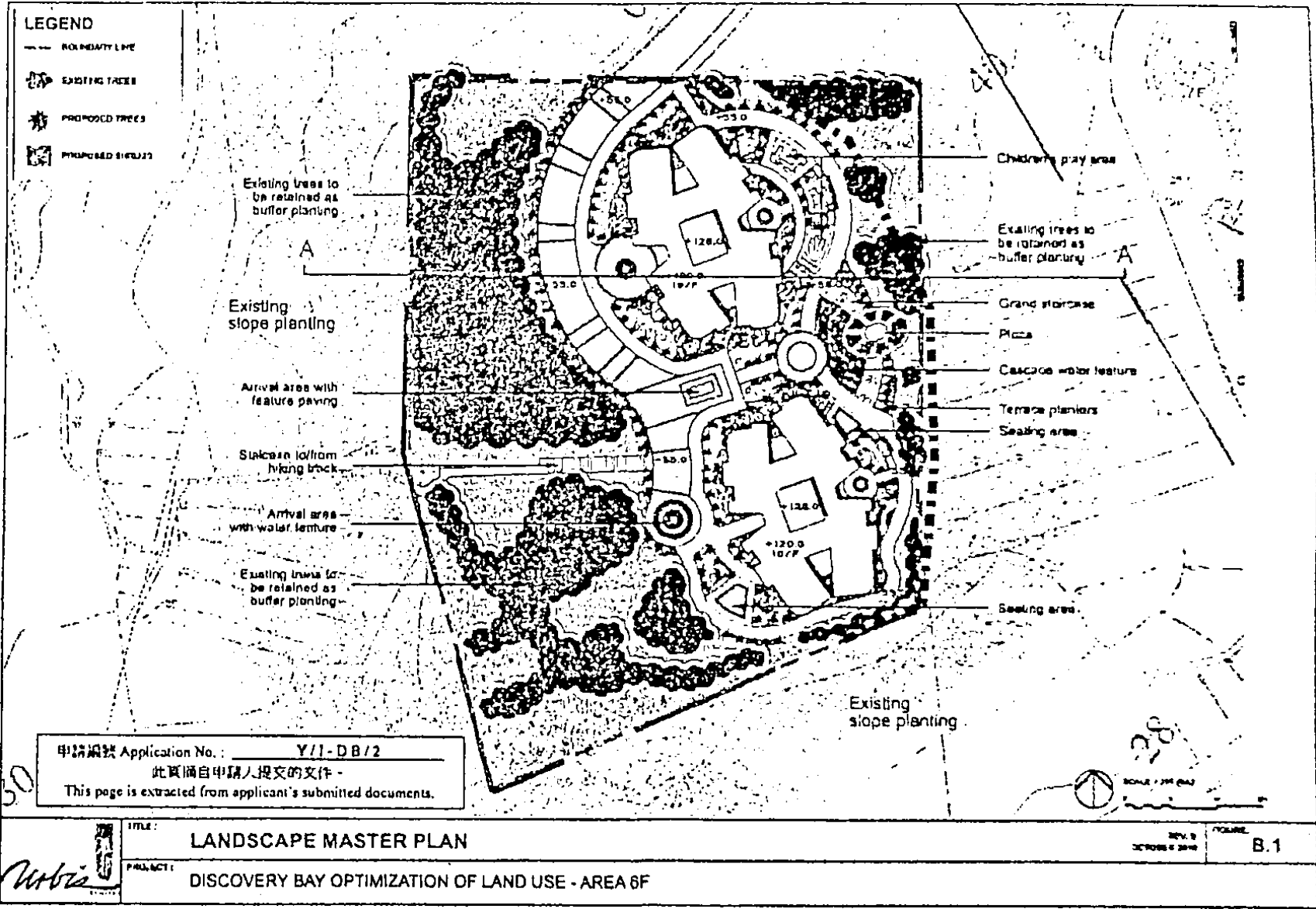


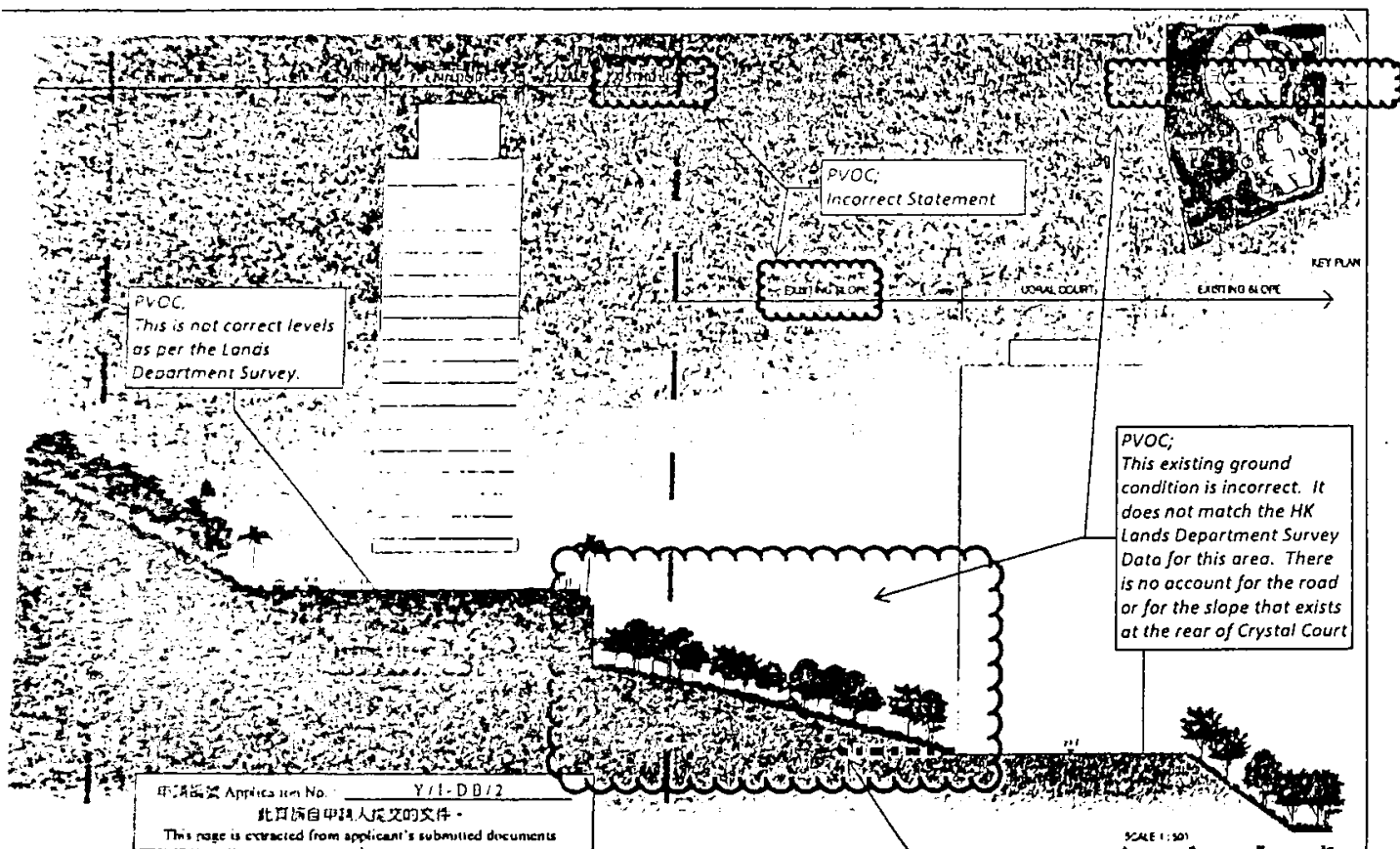
PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.



PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F										Drawing No. P130/4/P/1502
TREE TREATMENT PLAN										Scale 1:1000 (A3)
Prepared by: [Signature] Checked by: [Signature] Approved by: [Signature] Date: [Date]										



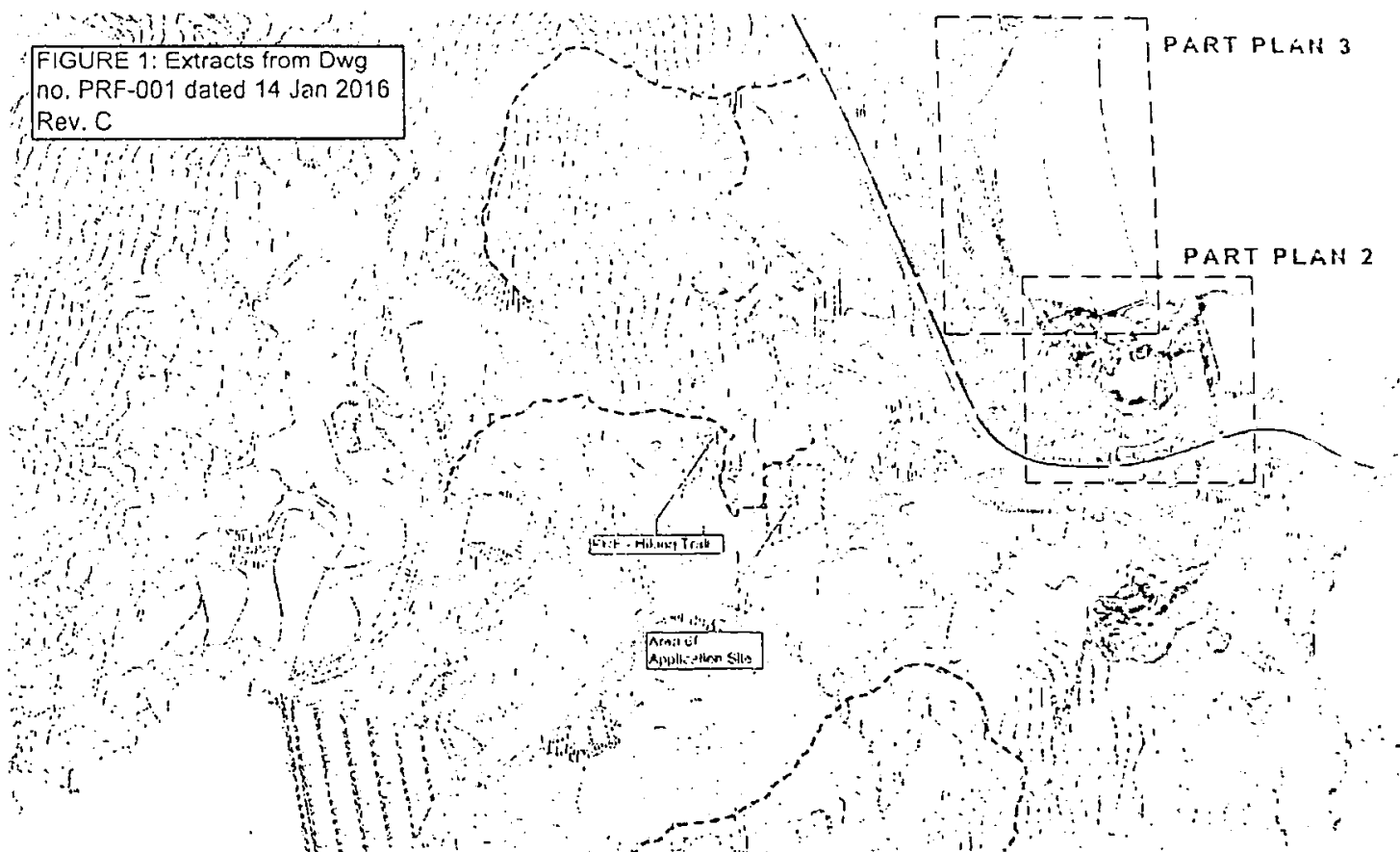


SECTION A-A

DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

PVOC;
Existing does not match the profile
indicated by the consultant.

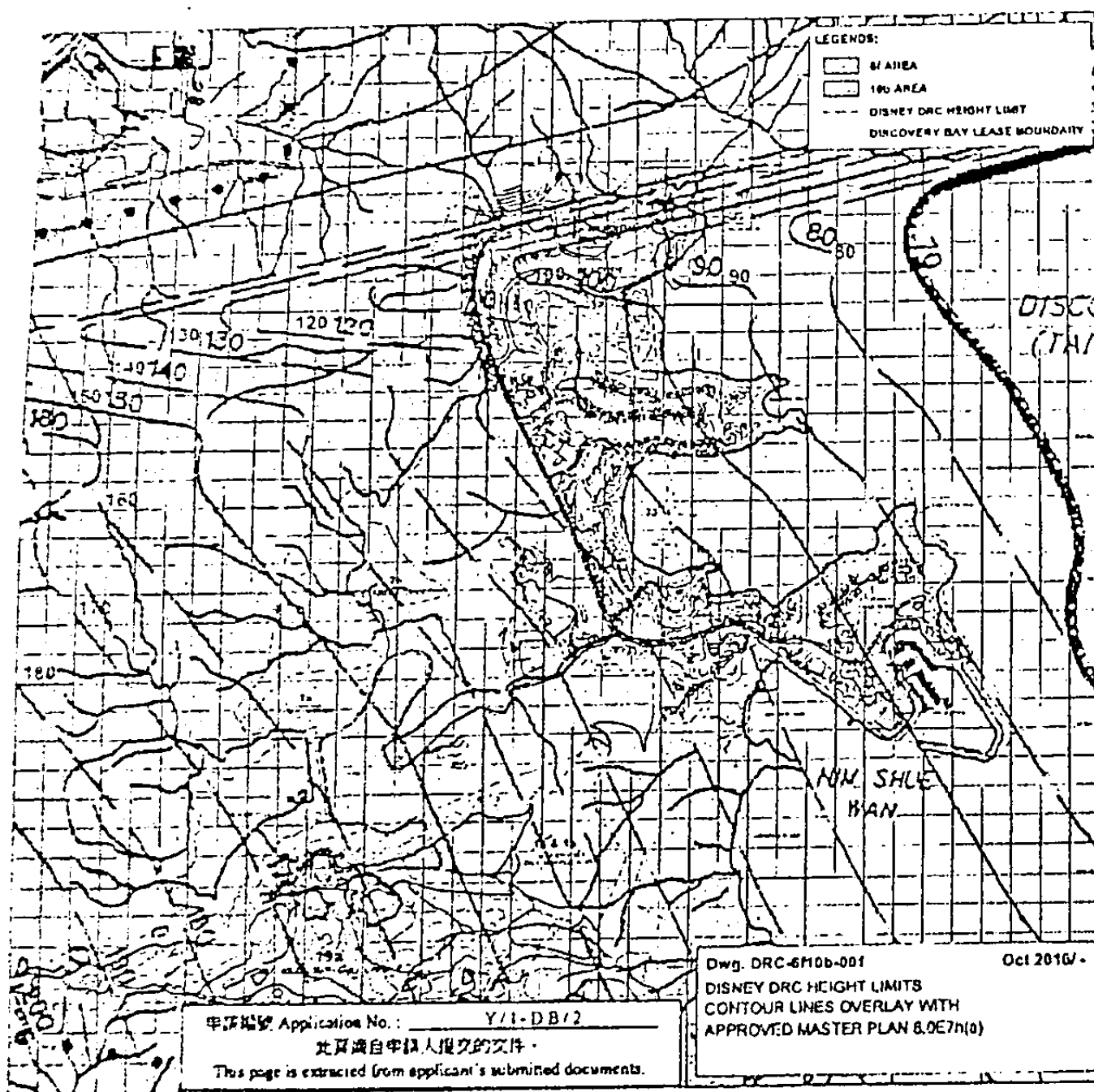
FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



申請編號 Application No. : Y/1-DB/2

此頁源自申請人提交的文件

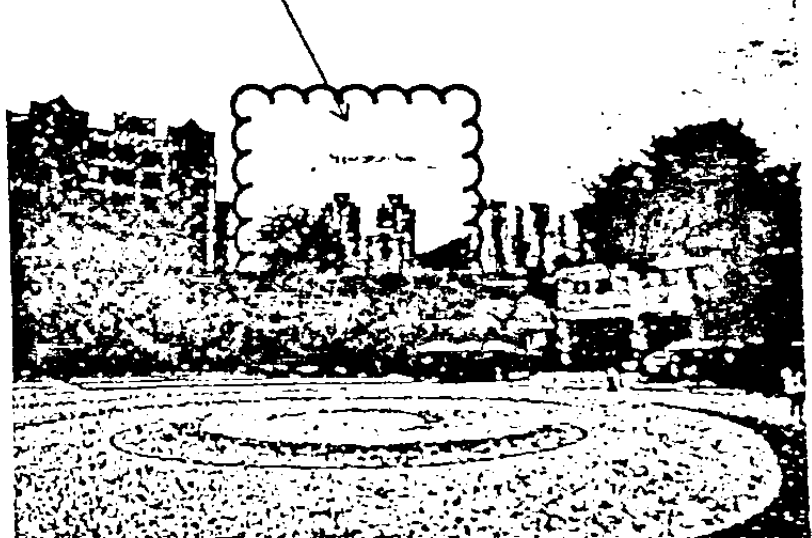
This page is extracted from applicant's submitted documents.



PVOC;
*These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached.*



VP1. View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

申請編號 Application No. : Y/I-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

Urban

TITLE

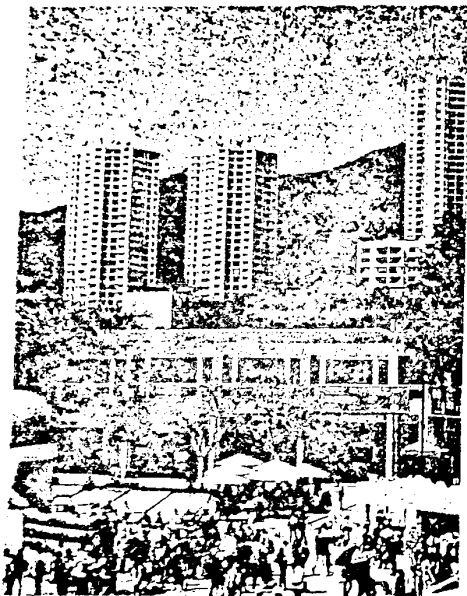
PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA

DISCOVERY BAY

B.9

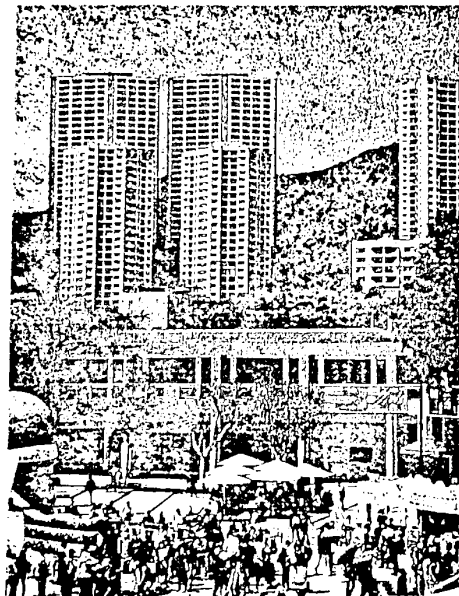
PROJECT

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F



BEFORE

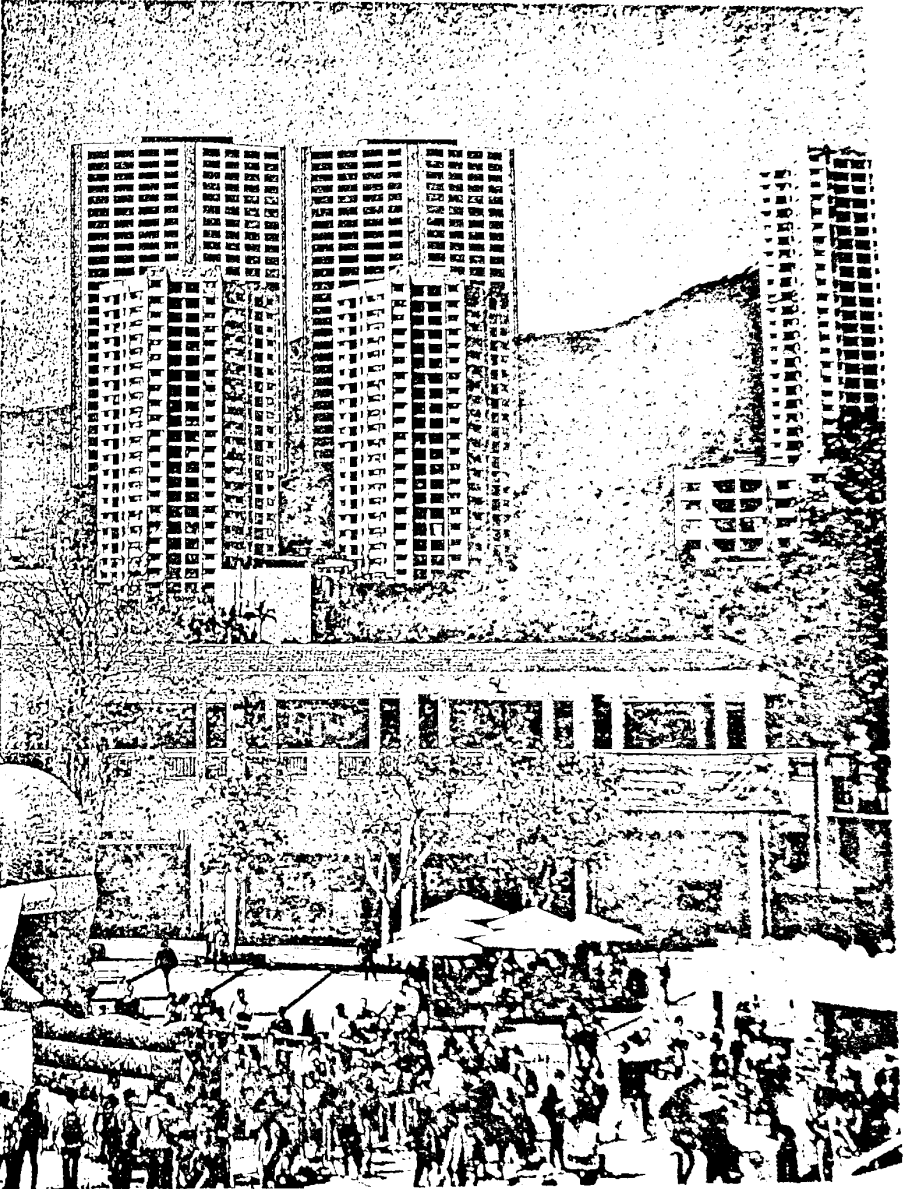
VOC comments on



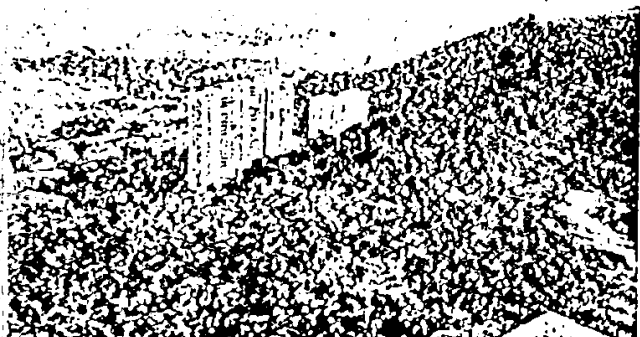
AFTER

HKRs 6f Planning Proposal

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.



VP5, View South-East towards Application Site from Lo Fu Tau Pergola/lookout (Existing Condition)

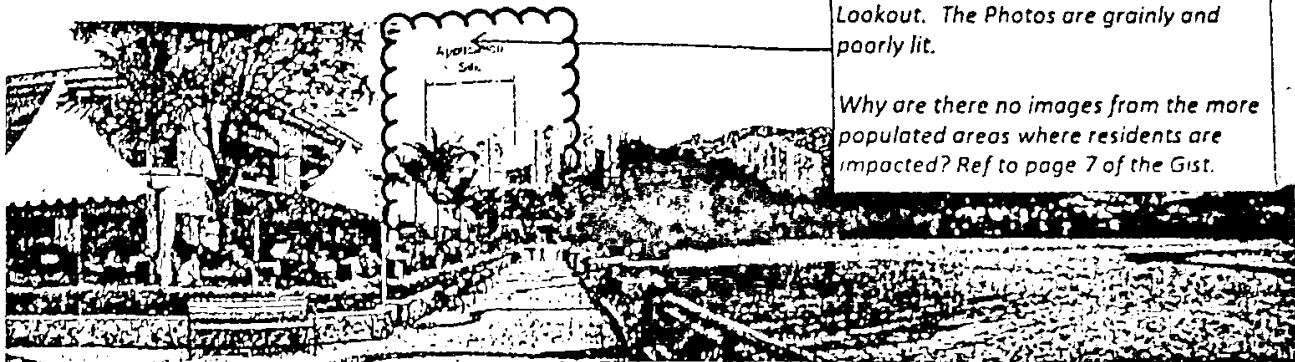


VP5, View South-East towards Application Site from Lo Fu Tau Pergola/lookout with Proposed Development

申請編號 Application No.: Y/1-DB/2
 此頁源自申請人提交的文件。
 This page is extracted from applicant's submitted documents.



VP12: View West towards Application Site from D-Deck (Existing Condition)



VP12: View West towards Application Site from D-Deck with Proposed Development

PVOC:

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.

Why are there no images from the more populated areas where residents are impacted? Ref to page 7 of the Gist.



TITLE: PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK

OCTOBER 2018

B.14

PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF

申請編號 Application No.: Y11-D012

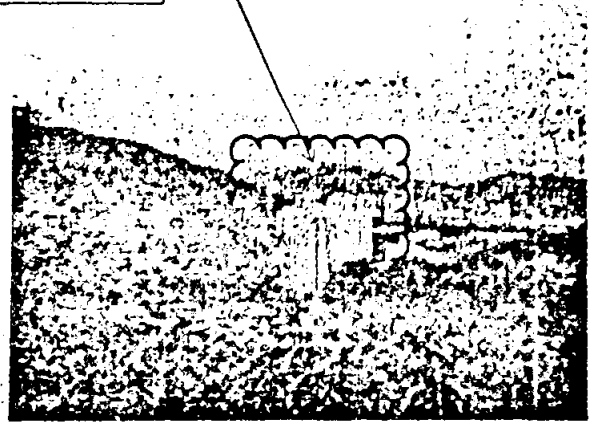
此頁源自申請人提交的文件。

This page is extracted from applicant's submitted documents.

PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.



VP5 - View North towards Application Site from Hiking Trail South of the Lookout (Proposed Development)



VP6 - View North towards Application Site from Hiking Trail South of the Lookout (Proposed Development)

Application no. Y/11-08/2

此頁來自申請人提交的文件。

This page is extracted from applicant's submitted documents.

VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC;

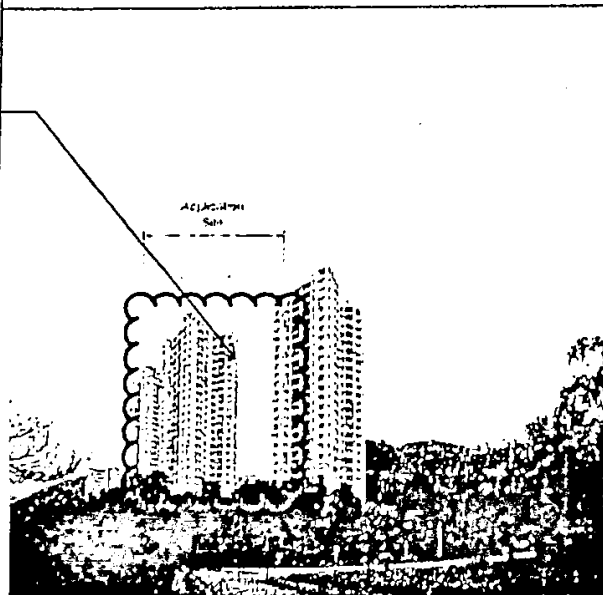
Why is this Photo-montage used - there are very few residents at this location who would be affected.

Why are there no images from the more populated areas where residents are impacted - see page 7?

These poor quality Photo-montages hardly reflect the views from the Lookout. The Photos are grainy and poorly lit.



VP15: View West towards Application Site from Middle Lane (Existing Condition)



VP16: View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No.: Y/1-DB/2

此頁源自申請人提交的文件。

This page is extracted from applicant's submitted documents.



TITLE

PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE

OCTOBER 2010

NUMBER

B.17

PROJECT

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F

申請編號 Application No. : Y/I-DB/2

與申請地點屬相同地帶的先前申請

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號 Application No.	擬議用途／發展 Proposed Use/Development	城市規劃委員會的決定(日期) Decision of Town Planning Board (Date)
Nil		

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

申請編號 Application No. : Y/T-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐

☒

樓宇位置圖 Block plan(s)

☐

☐ MISSING

樓宇平面圖 Floor plan(s)

☐

☐ MISSING

截視圖 Sectional plan(s)

☐

☒

立視圖 Elevation(s)

☐

☐ MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐

☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐

☒

PVOC;

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

ify)

☐

☒

摘錄圖則 Extract Plans of Public

an and Deed of Restrictive Covenant

規劃研究 Planning studies

☐

☒

環境影響評估 (噪音、空氣及／或水的污染)

☐

☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐

☐ MISSING

就行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐

☐ MISSING

視覺影響評估 Visual impact assessment

☐

☐ MISSING

景觀影響評估 Landscape impact assessment

☐

☐ MISSING

樹木調查 Tree Survey

☐

☐ MISSING

土力影響評估 Geotechnical impact assessment

☐

☐ MISSING

排水影響評估 Drainage impact assessment

☐

☐ MISSING

排污影響評估 Sewerage impact assessment

☐

☐ MISSING

風險評估 Risk Assessment

☐

☐ MISSING

其他 (請註明) Others (please specify)

☐

☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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5392

trbpd

寄件者: Suren Safaya [REDACTED]
寄件日期: 09/11/2016 18:20
收件者: tphysd@pland.gov.hk
主题: Application No. Y/I-DB/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application further information (1).pdf

5393

Dear Sir/Madam,

Application No. Y/I-DB/2 Area 6f

I have read the attached submission from the
PARKVALE OWNERS COMMITTEE for 6f, and
I wish to register my objection with the TPB accordingly.

Regards,

Suren Safaya

[REDACTED]

[REDACTED]





Parkvale Village Owners' Committee

Comments on the Second Further Information Submitted in Support of Section 12A Application Number Y/I-DB/2 to amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay.

Introduction

In April and July 2016 we, the Parkvale Village Owner's Committee (PVOC), a body of owners in Parkvale Village in Discovery Bay (DB) elected to represent the interests of the owners of the 606 flats in the village, submitted our comments on Hong Kong Resort Company Limited's (HKR) Section 12A Application *"To Amend Discovery Bay Outline Zoning Plan for rezoning the permissible use from staff quarters to flats at Area 6f, Discovery Bay"*. Our comments were assigned number 1512 (April) and 2787 (July) by the Town Planning Board (TPB).

This document includes our comments on the Further Information (made available by the TPB on 18 November 2016) submitted by HKR in response to comments made by government departments.

Further Information

The Further Information submitted by HKR comprises:

1. Masterplan Limited's covering letter.
2. HKR's response to departmental comments made available by the District Planning Office on 25 and 28 July 2016.
3. Annexes:
 - Annex A - Revised Concept Plan.
 - Annex B - Revised Landscape Design Proposal (extract).
 - Annex C - Revised Environmental Study.
 - Annex D - Revised Planning Statement (extract).
 - Annex E - Technical Note on Water Quality.
 - Annex F - Public Recreation Facilities Demarcation Plan (extract) and Deeds of Restrictive Covenant (extract).
 - Annex G - Revised Study on Drainage, Sewage and Water Supply.

No substantive change has been made to the Further Information submitted in June.

In its covering letter, Masterplan Limited, on behalf of HKR, states that it has responded only to departmental comments. It is clear that, again, our concerns which we expressed in our comments submitted in April and July have not been addressed at all or very inadequately in HKR's responses to the departmental comments, nor in the other parts of their latest submission of Further Information. Indeed, it appears that the TPB has not circulated our comments to all relevant government departments and bureaux.

For example, we have drawn attention to many traffic access aspects, such as safety and emergency situations, which do not appear to have been raised by the TPB with either the



Fire Services Department (FSD) or the Police. In fact everything we have submitted in respect of Traffic appears to have been completely ignored by HKR and the TPB, and, if consulted by the TPB, government departments and bureaux. Furthermore, as confirmed by the absence, again, of a Traffic Impact Assessment on Pedestrians in this latest submission of Further Information, HKR and the TPB are completely ignoring this key concern. This is not acceptable.

Public comments have to be submitted in accordance with TPB Guideline No. 30B "Guidelines – for submission of comments on various applications under the Town Planning Ordinance". Paragraph 4.7 of the guideline states that: *"Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: (a) the nature (e.g. views in support, against or expressing general concern) of the public comment; (b) the planning intention, land-use compatibility and impacts (e.g. effects on the environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.); (c) comments specific to the proposed scheme; and (d) other considerations that the Board considers appropriate."*

Attention is also drawn to paragraph 6.1 of this guideline which states that *"This set of Guidelines only provides general guidance on the publication of applications for amendment of plan, planning permission and review and submission of comments on the various applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information."*

The PVOC considers that this third submission from the PVOC has again properly complied with TPB Guideline No. 30B, whereas the Submission of Further Information from HKR does not.

Masterplan Limited states that the technicalities of the proposal are capable of being easily resolved. However, the inadequacies and omissions of their, and the other consultant's reports, indicate that they are not capable of resolving them.

In this submission we again highlight our principal concerns regarding the proposed development of two 18 storey buildings, including 476 flats, of 21,600 m² GFA on a platform created to accommodate a 170m² GFA three storey Building.

These principal concerns are described in the following sections:

- A. Inadequate and unreliable information has been provided by HKR. E.g. HKR has submitted studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
- B. Public Consultation is inadequate and non-transparent.
- C. Consultation with all relevant government departments and bureaux has been inadequate and incomplete.
- D. A Risk Assessment has not been undertaken.
- E. HKR's responses to government department comments have been inadequate and evasive. It cannot be acceptable in a public consultation exercise for the applicant alone

to decide what is commercially sensitive (re ownership of Passageway and allocation of undivided shares) and to keep that information from being publicly commented upon. All information provided by the applicant must be placed in the public domain so the public can comment on it. The table setting out these responses cannot be considered to be comprehensive.

- F. Despite Annex C of the latest Further Information stating in paragraph 2.1.1.4 that a key element of the development is the "access road", there is no information provided as to its construction through Parkvale village. There are many issues arising from unsuitable access to the site such as: the part of Parkvale Drive which is designed as a pedestrian pavement under BD regulations and the effect of additional construction and operational traffic on it; width constraints of Parkvale Drive which limit the ability of larger vehicles, including buses and construction vehicles, to pass one another; potential lack of emergency access to Parkvale Drive in the event of an accident; safety, as the proposed access to the site is a pedestrian area used by residents and the public; and HKR's lack of consideration of alternative access to the site. As pointed out above, HKR continues to not submit, in its Further Information, a Traffic Impact Assessment on Pedestrians which is listed under the Reports to be submitted.
- G. A sewage treatment works (STW) is to be included in Area 6f with discharge directly into the sea next to the ferry pier using either a gravity pipe or the open nullah which is adjacent to Hillgrove Village. However, it is clear from HKR's comments that the latter is the intended approach. Also, HKT tries to minimise the pollution impact of discharge of sewage into the sea whereas it will increase the TIN and TPs, thereby increasing the probability of, e.g., red tide in Discovery Bay waters. Not surprisingly HKR's consultants say that the sewage proposal *"is considered not an efficient sewage planning strategy"*.
- H. HKR is misleading the TPB by saying there are two options re water supply but, as previously pointed out (since government has confirmed that its facilities at the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station are not available for the foreseeable future), there is only one which is a potable water supply to be provided by re-opening, after 16 years, the DB water treatment plant and using water from the DB reservoir.
- I. No information is provided regarding the provision of other utilities to Area 6f and how it will affect Parkvale Village, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is the provision of utilities. Furthermore, there is no reference to the DB LPG gas system which has recently suffered an explosion which is the subject of investigations by EMSD and FSD.
- J. Slope safety of the area, where the two proposed 18 story buildings will be built, is ignored, despite Annex C paragraph 2.1.1.4 stating that a key element of the development is site formation. HKR continues to ignore CEDD's request for HKR to assess the geotechnical feasibility of the proposed development and to submit a Geotechnical Planning Review Report (GPRR).
- K. Ownership issues - HKR's right to use Parkvale Drive as access to Area 6f is still disputed.
- L. Planning controls of Discovery Bay are ignored in respect of the Master Plan (MP) and Outline Zone Plan (OZP) relationship, the 25,000 population ceiling and the allocation of undivided shares and management units under the Deed of Mutual Covenant (DMC). Furthermore, HKR has a conflict of interest regarding population data, in that current figures are provided by its wholly owned subsidiary, DB Management Services Limited.



M. Diagrams and photomontages are often misleading, inaccurate and of poor quality.

Annex:

1. Comments on HKR's diagrams and photomontages.

A. INADEQUATE AND UNRELIABLE INFORMATION HAS BEEN PROVIDED BY HKR

1. It can be seen from the latest Further Information that the consultants have not visited Area 6f since April – June 2014. In view of the many comments made previously and the intense concern over the proposal, it is very surprising and negligent that the consultants have not revisited the site to see the physical nature of the comments (e.g. over traffic issues) and the current condition of the area.
2. In the latest Gist published by the TPB there is a list of Plans, Drawings and Reports Submitted by HKR in its latest submission of Further Information. The planning process by now, 19 years since the Handover, should be bi-lingual. The current situation means that only residents who can read English will be able to read the application and submit comments, thereby excluding many residents from a so called public consultation exercise.
3. Many Plans, Drawings and Reports are missing. The TPB should request HKR to provide the missing items so that there is a full and up to date picture of Area 6f and to make sure that the public are fully informed about the project. Without this information there is the distinct possibility that HKR is guilty of misrepresentation.
4. The following Plans, Diagrams and Reports have never been provided:
 - a. Floor plans
 - b. Elevations
 - c. Traffic impact assessment on pedestrians
 - d. Geotechnical impact assessment
 - e. Drainage impact assessment
 - f. Sewage impact assessment
 - g. Risk assessment
5. The following Plans, Diagrams and Reports have not been provided since HKR first submitted its application which, in view of the many public and government comments, is a serious omission:
 - a. Block plan
 - b. Visual impact assessment
 - c. Landscape impact assessment
 - d. Tree survey
6. HKR submits studies and papers and not impact assessments, thereby avoiding having to study the impact on the community and people most affected by its proposal.
7. The consultant's reports provided by HKR are not considered reliable for a public consultation exercise. This is because the key consultant, Ove Arup, has stated in respect of its reports the following: *"This report takes into account the particular instructions and requirements of our client. It is not intended for, and should not, be relied upon by any third party and no responsibility is undertaken to any third party"*.
8. Based on the above, the process of public consultation is distorted, not transparent and patently unfair, since it is only possible to see the correct and full picture by bringing





together the instructions/requirements given to Ove Arup with the response, i.e. the reports. Furthermore, how can anyone, including the government and the public, rely on the reports in view of the statement about liability!

9. The TPB is requested to obtain from HKR its full and detailed instructions/requirements provided to all their consultants involved in this Section 12A application and to confirm one way or the other that the reports can be relied upon.

B. PUBLIC CONSULTATION

1. Public Consultation is supposed to be open, transparent and not distorted by misrepresentation. i.e.
 - a. In the published Gist of Area 6f, the TPB states that *"on the 27/10/2016, the applicant submitted further information providing responses to Responses to departmental comments"* This means that HKR has only addressed government departmental concerns in its third submission and has ignored all public comments submitted to the TPB, including those from Parkvale residents, the Parkvale VOC and the DB community.
 - b. HKR is avoiding explaining publicly its response to certain government departmental and public concerns citing that this is *"commercially sensitive information"*. In a public consultation exercise, which is supposed to be open and transparent, this attitude is unacceptable to the people of Hong Kong, inconsistent with the government planning process and should be unacceptable to the TPB.
2. There is an ongoing police investigation into the abuse of the submission of comments procedure in respect of the second round of comments. This raises the question as to why the TPB has not suspended or even cancelled this Section 12A application, pending the outcome of the investigation, a question which should be answered by the TPB as part of the public consultation exercise.

C. CONSULTATION WITH GOVERNMENT DEPARTMENTS AND BUREAUX

1. HKR and many government departments and their respective overseeing bureaux have been negligent and failed to either respond or to respond adequately to legitimate concerns and issues raised by members of the public in their well-reasoned submissions. Based on the three submissions of HKR (and the fact that nothing has been published by the TPB apart from two deferral papers submitted to the TPB Rural and New Towns Planning Committee (RNTPC)), the application and all the related comments do not appear to have been sent by the TPB, for analysis and comment, to all relevant government departments: e.g. Police; Fire Services; Transport; Legal Services; Highways; and Transport.
2. Distribution by the TPB to all relevant departments and bureaux is fundamental to obtaining government views on all the issues raised. TPB/Planning Department cannot possibly have all the necessary expertise to properly consider comments on every subject: e.g. traffic issues; sensitive commercial interests; and legal ownership.

D. RISK ASSESSMENT

1. A Risk Assessment has not been done as indicated in the table of the Gist. This is negligent since risk to the public is a major concern for this development and has not



been addressed in any form despite the concerns expressed in our two previous submissions and again in this one. We have expressed many concerns about traffic; slopes; environment; and public health.

2. A Risk Assessment is required and HKR should be instructed to do one by the TPB. The Risk Assessment cannot be done in a comprehensive manner unless the TPB ensures that all government departments and bureaux provide their comments on this application and the comments submitted by the public, including those by the PVOC.

E. HKR's RESPONSE TO GOVERNMENT DEPARTMENTS

1. The Table in HKR's Further Information "*Applicant's response to the departmental comments made available by District Planning Office (DPO) on 25 and 28 July 2016*" cannot be considered comprehensive and reliable since the DPO's two letters are not attached. Consequently, it is not possible to check whether HKR has responded to all comments. Furthermore, it is also not possible to check which of the public comments have been ignored by the TPB and to ask why?
2. HKR's response to government departments and bureaux, therefore, continue to be both deficient and inadequate. The following paragraphs set out the PVOC's comments on HKR's responses.
3. AFCD comments – as explained in Section M, paragraphs 3 and 4, below and in Annex 1 to this submission, HKR's comments regarding the revised Landscape Design Proposal (HKR Further Information Annex B) to plant 148 compensatory trees within Area 6f are not practicable.
4. DSD comments – HKR's statement that all statutory requirements for effluent standards will be met by a standalone sewage treatment work (STW) is incorrect as HKR's Annex C paragraph 6.4.1.1 notes that only "*most of the pollution concentrations would comply with relevant criteria*". What about the ones which do not?
5. EPD comments – HKR confirms that it will construct a sub-optimal standalone STW within Area 6f.
6. EPD and Water Quality:
 - a. General 1 - EPD has previously stated that the water quality assessment in the Environmental Study (ES) was inadequate to meet EPD's requirements. Even after such comments, HKR has only submitted a "*preliminary water quality assessment*", which concludes that the proposed STW "*could meet*" relevant technical standards for sewage discharge. So HKR has still not carried out the necessary studies to the standard required by EPD.
 - b. General 2 - HKR continues to ignore the comment that "*there are too many sections in ES reports stating that the various assessments would be carried out in the subsequent statutory EIA and to remove such misleading statements in the ES reports. As an alternative please use a new section to summarise the EIAO implications of the proposed development*". (I.e. Area 6f).
 - c. Specific 3 - HKR is still refusing to give adequate details and a commitment to the STW design standards necessary to fully meet all of EPD's requirements and technical standards for both the STW and discharge approach.

- d. Specific 4 - HKR confirms that not all pollution concentrates would comply with relevant criteria but only "most" What about the ones which do not?
 - e. Specific 5 - again HKR gives only limited details regarding the design and construction of the STW and the discharge pipe and provides no details about ongoing maintenance and management.
 - f. Specific 7 - HKR does not provide any comments regarding the ongoing maintenance and management, both for day to day operations and for emergencies of the STW.
 - g. Specific 8 - HKR clearly is confusing the subject of discharge by saying that the method now proposed is a gravity sewage pipe, but it then states that this is a worst case scenario (especially during dry seasons) and goes on to say that it is recommended, during the subsequent detailed design stage, to establish any base flow along the spillway and hence the feasibility of discharging effluent into the open nullah and box culvert directly. HKR is obscuring the subject and should be told by EPD to clearly state now which method it intends pursuing and its full implications.
7. EPD and Waste Management - HKR continues to provide inadequate feedback by saying that the construction methodologies are yet to be developed in the subsequent detail design.
8. EPD and Sewage Infrastructure - HKR does not provide a comprehensive response to EPD and only simplistically refers to other comments.
9. EPD and Air Quality - Specific 7 - HKR describes the road type of Parkvale as "*a local road*" and refers to a buffer of 5m between the road and the proposed development. This is an inadequate description of Parkvale Drive, the proposed only access to the site. It fails to note that Parkvale Drive is totally unsuitable as a means of access to the site. See section F below. In particular, the section of Parkvale Drive adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings is designed as a pedestrian pavement and is made of paving blocks, not asphalt. Furthermore, there is no buffer between Parkvale Drive and Woodbury Court.

10. Lands Department's comments:

- a. Specific 1 - this is missing and should be provided by HKR to the TPB.
- b. Specific 4 - HKR recognizes that its application does not conform to the approved MP6.0E7h(a) Master Plan. The Lands Department must insist that HKR deals first with the Master Plan issue before proceeding any further with this application.
- c. Specific 6 - HKR refuses to comply with the requirements of public consultation, which require that all information is disclosed, by hiding behind what it considers to be "*commercially sensitive*" information in respect of the management and accountability of the 250,000 undivided shares of the Principal Deed of Mutual Covenant (PDMC). This was dealt with in a letter of 3 August 2016 from HKR to the DLO. This is not acceptable, and the Lands Department must insist on this information being disclosed. Furthermore, if HKR continues to insist on its position, the Lands Department must consult with relevant government departments, such as Legal Services and Secretary for the Treasury, as to the validity of the claims made by HKR. This subject is covered also in Sections B, above, and L, below.
- d. Specific 7 - this is in respect of ownership and is covered in the HKR letter mentioned under Specific 6 above. Again, under the claim of sensitive commercial information



HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face value since, e.g., the Lands Department will not have seen the instructions given to HKR's lawyers.

- e. Specific 10 and 11 – the Director of Lands has to implement the Audit Commission's recommendation and if not explain why not. These comments by the Lands Department and HKR's response will be sent to the Director of Audit.
11. WSD – HKR has completely ignored all the points about breaching the population ceiling of 25,000 as per the DB OZP through deliberate and incremental development projects. This subject is also covered in Section L below.

F. TRAFFIC

1. All the concerns and comments submitted to the TPB in respect of traffic access, safety and emergency situations in both Parkvale Village and the adjacent village of Midvale, continue to be ignored. e.g.
 - a. HKR still says that vehicle access will be simply through an extension of Parkvale Drive, which is a gross simplification of what will have to be constructed to do so. Furthermore, it provides no design and diagrammatic information in respect of the impact on the Passageway (see paragraph 4 below) which is the only access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.
 - b. HKR still does not provide any detailed information about a safe and viable means of vehicular access to the site both during the construction and post-completion occupation phases. HKR states that Parkvale Drive will be extended to the site. This encroaches on the DMC-assigned pedestrian passageway which is currently the sole means of access, a semi-recreational area and a golf cart access path for residents of Parkvale Village.
 - c. The Parkvale Passageway (see paragraph 4 below) is neither designed nor constructed for use by heavy construction vehicles and does not have space for additional designated pedestrian pavements.
 - d. The asphalt section of the existing Parkvale Drive is a carriageway of sub-standard engineering design, of insufficient width for large vehicles to pass and lacks the legal bare minimum width of pedestrian pavements.
2. **The proposed access to the site is by an extension to Parkvale Drive.** In fact, the application states that *"Area 6f is readily accessible, with an extension to the existing Parkvale Drive"*. As Parkvale Drive is the only means of access through our village, all traffic would have to pass through our village to access Area 6f. This is clear from Annex A of the October Further Information and the aerial image below.





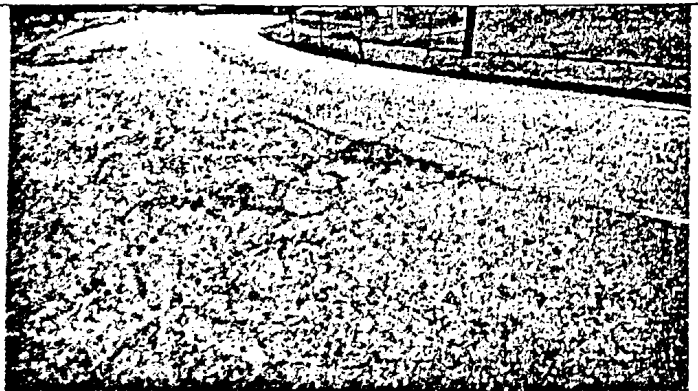
Aerial image of existing Parkvale Village with imposed 6f Development



3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the proposed development would have to pass through our currently peaceful village. Not only will the considerable construction traffic have to drive up a hill past the existing low rise flats in the village and then past the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, the significant increase in operational traffic, including the increase in the number of buses, required to service the proposed 476 flats, being nearly double the number of flats in the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, will cause ongoing noise, poor air quality and disturbance to the residents of Parkvale Village.
4. Parkvale Drive comprises three sections, being:

Section 1 - from Discovery Valley Road to the junction with Middle Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village.

Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive





Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.

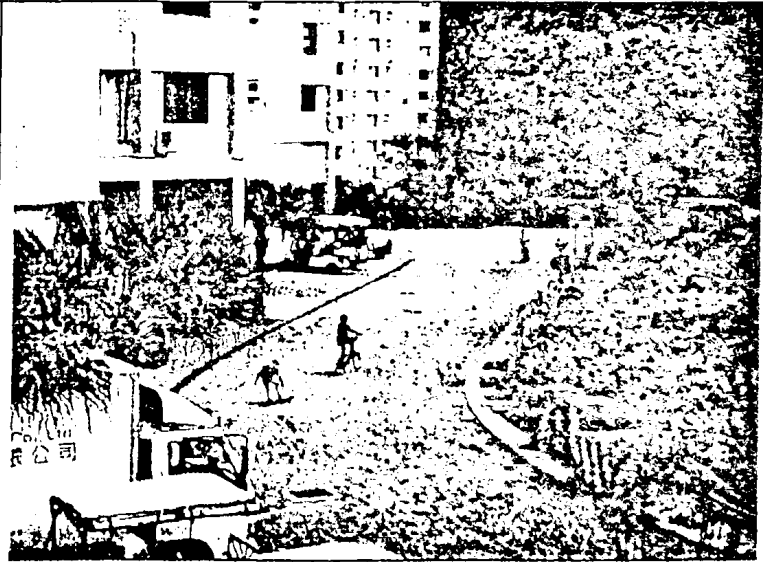
Settlement cracking evident in asphalt surface on Section 2 of Parkvale Drive.



Section 3 - the "Passageway", as defined in the Parkvale Village Sub-DMC, providing access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving blocks, not asphalt.

Section 3 of Parkvale Drive.

The far end of the pedestrian pavement is from where the proposed extension of Parkvale Drive will start.



5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

- Setback of
Parkvale
Drive
Settlement
evident by 20
turns rated
paving
resulting from
current traffic
loading at start
of proposed
extension of
Parkvale Drive
to Area 4f



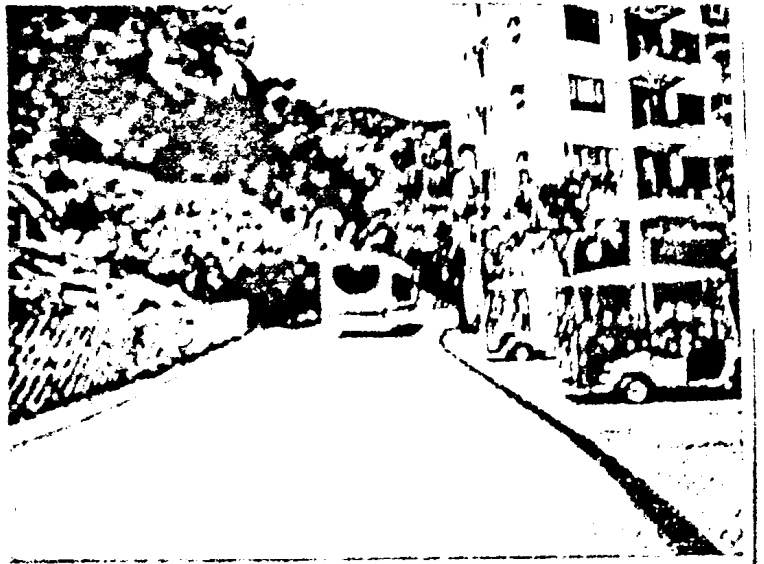
- 11



- 11 After a vehicle has shifted, it enters the pedestrian pavement Section 3 of Parkvale Drive, there is no room for other vehicles to maneuver, especially while the bus turns in the 180 degree.
- 12 The corner of Woodbury Court is only 15' from the edge of the Parkwayway. It seems likely that large equipment, such as earthmoving equipment, long gear, or large segments, could safely transit this constricted area, but it is not clear if there will be no safe place for pedestrians with such heavy equipment working in the area.

**Section 3 of
Parkvale Drive**

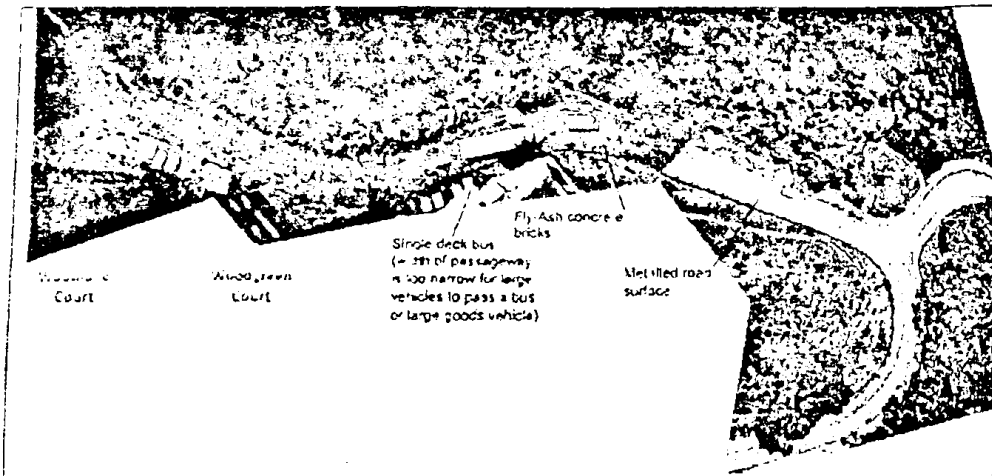
View of the
rear of
Woodbury
Court
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another



- 13 The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are traveling in opposite directions along Parkvale Drive.



14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, Woodgreen Court and Woodland Court residential buildings or the larger adjacent Midvale Village.
15. The question of adequate emergency access to the affected occupied residential blocks, as well as to the construction site, should have been referred to the Police and the Fire Services Department for consideration before these roads and driveways were proposed for construction site access. This issue may also create implications under the Construction Sites Safety Ordinance.



14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. It also provides access to service vehicles, local bus services and delivery vehicles which may traverse at low speeds to park in one of the only three unloading bays. It is not a properly engineered road and lacks a camber to allow for efficient drainage, being constructed of concrete bricks laid on non-reinforced sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

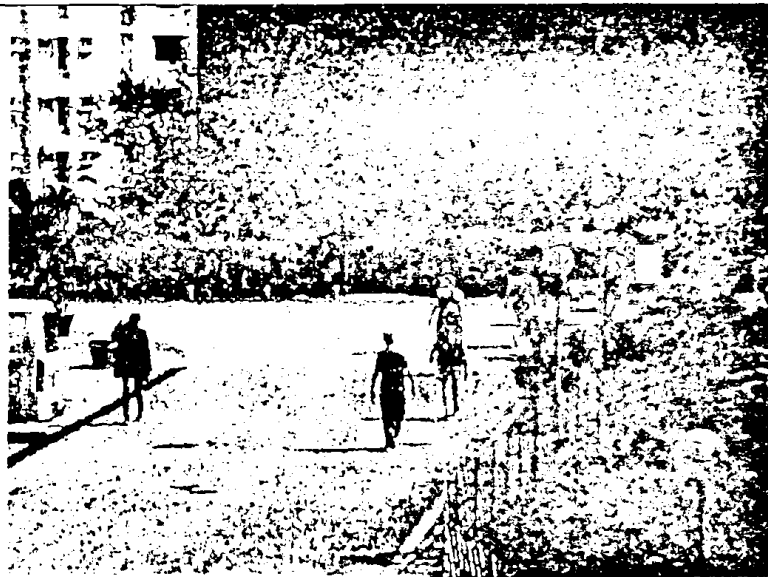
16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also used by the elderly and for walking dogs, as well as for access to the residential buildings. This area is wholly unsuitable for heavy traffic flow and poses a very real risk of residents being hurt or killed by the heavy traffic required for the proposed construction and the increase in operational traffic, especially the increase in the number of buses, which would result from the number of proposed flats being almost twice that of the existing the Woodbury Court, Woodgreen Court and Woodland Court residential buildings.



17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning point for the village shuttle bus. However, it is very narrow, to the extent that a bus and a medium-sized delivery vehicle cannot pass. It is constrained because there is a steep slope on one side and the other side is right up against the entrances to the three occupied high-rise Woodbury Court, Woodgreen Court and Woodland Court residential buildings, whose main front doors open directly to the Passageway. There are no separate footpaths, and there is no room for any, and there are no railings or other protections. Children can run directly out onto and play on the pedestrian pavement and the elderly also use it for exercise as well as access. The Passageway design constraints did not envisage the introduction of through traffic, especially heavy trucks and buses, the presence of which would destroy the safety and amenity of Parkvale Village.

Section 3 of
Parkvale Drive.

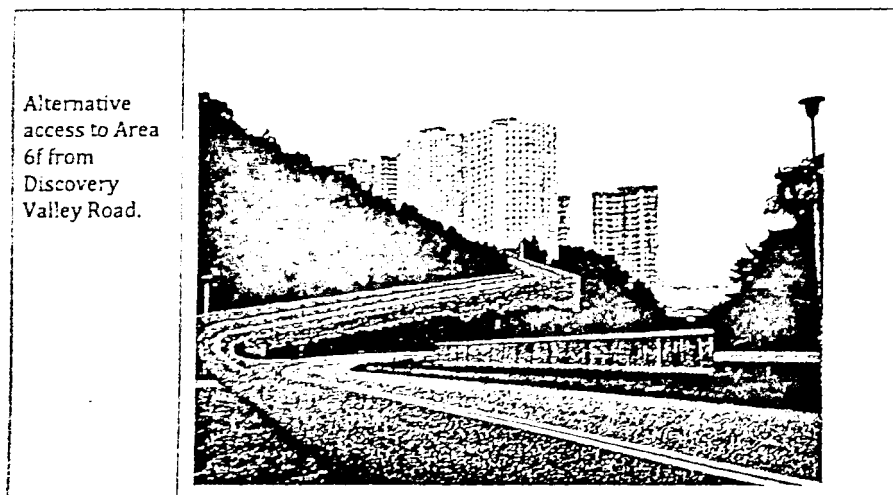
View of the
pedestrian
pavement
leading to the
start of the
proposed
extension of
Parkvale Drive
to Area 6f,
illustrating that
it is primarily a
pedestrian
thoroughfare.



18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management Limited, a wholly owned subsidiary of HKR, noted that HKR was considering this alternative. Subsequent to the meeting, HKR sent an email to the Chairman of the PVOC which stated that:
19. *"We are aware of the potential traffic impact to the neighbourhood. As such, HKR is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road".*
20. However, despite HKR's comment in the email, it has not mentioned either the potential traffic impact or the possibility of an alternative access from Discovery Valley Road in either its Application or Its Further Information. In fact, in those documents HKR states

that there are no impacts on the surrounding areas and that they will use the Parkvale Drive access. We consider this as totally unsatisfactory.

21. Furthermore, no Government Department has requested HKR to propose an alternative access, despite the concerns regarding using Parkvale Drive as the only means of access to Area 6f and the alternative access which we noted in our comments on the original application and in our comments on the HKR's first submission of Further Information.
22. The alternative access from Discovery Valley Road would not require the use of any part of Parkvale Drive. We believe that the TPB should require HKR to adopt this alternative access or to demonstrate why it cannot be used.



G. SEWAGE TREATMENT

1. All the concerns and comments submitted to the TPB in respect of sewage treatment processing and discharge continue to be ignored.
2. HKR has decided to build a separate sewage treatment works (STW) in Area 6f. This means that people living in Parkvale Village will have a STW adjacent to them. HKR is not providing details of the design, its exact location and how it will be managed and maintained. As HKR will want to minimize costs, we are concerned how adequate such a facility will be and the risk of its breaking down. So the residents of Parkvale Village, who at no stage have been consulted by HKR, will be forced by HKR to live next door to a STW with all its negative aspects, including strong foul odours, if the TPB approves the application.
3. HKR is proposing to discharge treated sewage from Area 6f through a gravity sewage pipe and into the marine waters adjacent to the ferry pier without the need of a marine outfall and located less than 300 metres from the public bathing beach at Tai Pak Bay. This is an artificially made beach fronting the very shallow and silted Tai Pak Wan. The proposal for the treatment of sewage and the discharge of effluent into a shallow seabed, less than 300m from a bathing beach, boardwalk restaurants and ferry pier, is



environmentally unacceptable and will encourage toxic red tides as well as concentrations of E. coli.

4. It is noted that HKR is still saying, as it did in its second submission, that discharging directly the treated sewage into an open nullah is still an option to be considered at the design stage. This open nullah is parallel to Discovery Valley Road and proceeds directly in front of Hillgrove Village. Therefore, every day 440 cu ms per day of sewage will be flowing alongside approximately 200 metres of footpath/road and directly under the balconies of around 200 apartments in this village. This option would appear to be cheaper than building a gravity sewage pipe and it is considered that HKR will adopt this option whilst giving the impression to the TPB, EPD, etc. that it will build a gravity pipe, which presumably puts the sewage flow underground.
5. The consultants have not undertaken a sensitivity analysis regarding their various calculations, nor a risk assessment as to environmental aspects, daily operations and emergency arrangements of a STW. In addition, there is no mention of the assumptions and limitations as to their approach to modelling. In a public consultation exercise there should be a layman's guide to the scientific and mathematical acceptability of their approach (and its quality), since, without this, the vast majority of the public are unlikely to understand and to be able to comment on the approach.
6. The above approach to sewage treatment and discharge has not been explained by HKR to the wider community of DB. In view of this deficient and sub-optimum approach (a similar approach is to be adopted for Area 10b with sewage to be directly discharged into the sea at Nim Shue Wan), HKR is guilty of abusing the so called public consultation process and displaying a complete disregard for modern sewage treatment and discharge practices as developed so diligently over the last 30 years by government, namely EPD, WSD and DSD and their respective policy bureaux.
7. In its Further Information of June and October HKR's consultants have said:
 - a. in paragraph 6.2.iii of its original application, that *"alternative on-site sewage treatment plant could be provided, either at Area 6f or Area 10a. This is not preferred, having numerous STW in the area is considered to be ineffective in achieving economies for scale for the infrastructure and land area"*. Furthermore, paragraph 5.6.2.2 of HKR's Study on Drainage, Sewerage and Water Supply Systems for Area 6f notes that *"This STW will treat sewage only from 2 single residential towers for 476 units at Area 6f so it is considered not an efficient sewage planning strategy"*. Paragraph 5.6.4.1 also notes that a local STW may cause *"an offensive smell and is health hazard"*.
 - b. *"This additional effluent would have impacts on both water quality and marine ecology. All these would require a quantitative water quality model to be established for assessment as part of the subsequent EIA"*. (June Revised Environmental Study, 6.3.1.3). Furthermore, in the October Further Information there is no reference to a subsequent EIA, which likely means that the subject of an EIA has been dropped. Logically there should be a full scale EIA as part of this Section 12A application.
 - c. building a STW in Area 6f is still sub-optimum in its October submission. Since the consultant has again in the Further Information Annex G *"Revised Study on Drainage, Sewage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new DBSTW will*



only treat sewage from 2 single residential towers for 476 units at Area 6f so this decentralized scheme is considered not an efficient sewage planning strategy".

9. Due to its proximity to our village, we consider that it is inappropriate to locate a STW in Area 6f, due to the potential smell and health hazard, especially as the effluent may be discharged into an open nullah.
9. No mention was made in HKR's first and second submissions of what would happen to the sewage in the event that the STW broke down. Only now, in its third submission, is the subject of emergency arrangements addressed. These include: dual feed power supply for the STW; "suitable backup" of the STW treatment process (but no information as to what is suitable); and connecting the gravity sewage pipe to the existing sewage system (to be only used during emergencies), which would feed the sewage to the existing system (i.e. to Siu Ho Wan STW), and, as backup, the movement of sewage by 36 sewage tanker vehicles per day to the Siu Ho Wan STW. The former is clearly most likely to be used once and then left on permanently, since there is no description of how this action would be managed (hence making unapproved use of the government Siu Ho Wan facilities) as the existing DB Services Management Limited (as illustrated by its day to day performance) is both management and engineering severely challenged. Movement of sewage by truck is clearly unacceptable in a modern city environment, especially as it would require 36 sewage tanker vehicles a day, and is inconsistent with the government's efforts to modernise sewage treatment and disposal in Hong Kong. Furthermore, HKR has been told that it cannot feed the sewage to the Siu Ho Wan STW.
10. In addition, HKR has not mentioned anything about emergency arrangements in the event of the open nullah discharge approach being taken. This would probably involve the 36 trucks per day travelling through Parkvale village and Discovery Bay going to the Siu Ho Wan STW, which HKR does not have approval to use for this sewage.
11. We are also concerned about the effluent being discharged into the sea in Discovery Bay. Although the effluent will have been treated, it will have a high concentration of nutrients which has been scientifically proven to encourage growth of harmful algae ("red tides"), particularly in shallow coastal areas (see page 170 of "Harmful Algae", volume 9, issue 10, 2010 of 'Elsevier') and, as the prevailing winds come from the east, blowing onto Discovery Bay, such harmful algae would not dissipate easily. Furthermore, HKR tries to downplay the occurrence of red tides despite the discharge of more TINs and TPs which will increase the probability of more red tides.
12. In response to the DSD request to clarify the future maintenance responsibility for the proposed sewage treatment facilities under Option 2 and 3 in Sections 5.6.2 and 5.6.3, respectively, of HKR's application, the June Further Information states that *"The Option 2 sewage holding tank and Option 3 sewage treatment plant will be maintained by City Management at the costs of undivided shareholders of Area 6f and Area 10b proposed developments"*. This has not been reconfirmed in the latest Further Information, although the intention is now to have a separate STW in Area 6f.
13. HKR continues to make no reference in its Further Information that all the capital and operating costs arising from the proposed STW in Area 6f together with the gravity sewage pipe to the sea at the Plaza will be met by either HKR and/or the undivided shareholders of the Area 6f proposed development. HKR should be required to confirm that all capital and operating costs arising from the proposed STW in Area 6f and the

gravity sewage pipe or use of the nullah will be borne by HKR and/or the undivided shareholders of Area 6f proposed development.

14. Also the residents of Parkvale Village and other villages in Discovery Bay should not have to suffer the disturbance of laying the gravity sewage pipe or the connection to the open nullah.

H. WATER SUPPLY FROM THE DB RESERVOIR

1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be not supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station (FWP). As the SHWWTW and SHWFWP cannot be expanded to match the programme of the potential Areas 6f and 10b developments, this supply is just not available for the foreseeable future, as clearly evidenced by the plea from both Masterplan and Ove Arup for government not to forget DB when it considers its expansion plans for sewage and water. HKR has no alternative but to supply potable water to Area 6f (and 10b) from the raw water stored in the private Discovery Bay Reservoir by restoring the private water treatment works and building water mains for fresh and flushing water in order to make a private water supply exclusively for the additional 4,000 persons in Areas 6f and 10b.
2. This appears to be a very expensive and another sub-optimum approach. There is no information in the Further Information as to management, engineering, environmental and public health implications of, after 16 years, re-opening the reservoir for the supply of potable water.
3. HKR should again be asked to confirm that the capital and the operating costs arising from using the reservoir will be borne by either HKR or the undivided shareholders of the Area 6f and Area 10b proposed developments, and not by the owners of Parkvale Village or by the owners of any other village in Discovery Bay which have their water supplied using the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water Pumping Station.

I. PROVISION OF OTHER UTILITIES

1. A serious omission from the application is that all other utilities have been overlooked despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely substation capacity issues, with all of these services needing to be laid through Parkvale Village, including the existing narrow and congested pedestrian pavement, adjacent to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, leading to Area 6f.
2. Another serious, and disturbing, omission is that the consultants appear to be unaware that HKR and the DB community are awaiting the EMSO and FSO reports into a major LPG gas explosion at 5 Parkland Drive on 5 September 2016. There are serious concerns about the LPG system in DB. The reliability of expanding the use of the LPG system to Areas 6f and 10b needs to be considered and included in a submission of Further Information.

3. HKR should be required to confirm that the provision of these utilities will have no impact on the residents and owners of Parkvale Village or explain what the impact will be and how HKR will mitigate their impact.

J. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has never provided a Geotechnical Impact Assessment. Furthermore, we pointed out in the last PVOC submission that "*H(GEO, CEDD) had requested a Geotechnical Planning Review (GPRR) in support of the application to be submitted by HKR NOW and has asked HKR to assess the geotechnical feasibility of the proposed development. HKR has refused to do so and will only submit a GPRR prior to implementation.*" We said that HKR's position must be rejected.
2. Despite this Further Information stating that slope formation is a key element for the development of Area 6f, HKR continues to ignore CEDD's requests and again has provided no information on the slope and building design. As the Further Information does not include a Geotechnical Planning Review Report (GPRR), no information has been provided in respect of the proposed geotechnical engineering work presumably necessary in respect of both the slope down from Area 6f to Coral and Crystal Courts and behind Area 6f and the slope behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings. In comparison, HKR has responded to a similar request for a GPRR for Area 10b and has submitted one in its latest Further Information in respect of Area 10b.
3. Also, as explained in Section M below (and in Annex 1 to this submission) the diagram illustrating the slope and building position is fundamentally flawed as it shows the slope coming straight down to Coral and Crystal Courts in Parkvale Village and omits the road leading to these buildings, thereby indicating that the slope would be less steep than it actually would be.
4. **HKR should be asked to undertake a geotechnical review and submit a GPRR.**
5. The site is defined as 8,300m² on rising ground from 44mPD to 70mPD. What is unclear from this description is that the site is only partially formed and is predominantly a slope leading down towards Crystal and Coral Courts. The present platform was only created to accommodate a 170m² GFA 3 Story Building and most, if not all, of the cleared flat area is only large enough to accommodate the road leading to the two proposed high rise buildings, not the buildings themselves. To establish the level site indicated on the concept plans would require considerable site formation to raise the grade from 44mPD to approximately a level 55mPD, and to cut back the existing formed slope.





6. In creating this much larger level site, the slopes towards Crystal and Coral Courts and towards Discovery Valley Road will be increased significantly. This raises the safety risk of slope failure and increases the slope drainage run-off towards the existing Parkvale Village properties.
7. HKR should be required to state how it will eliminate these risks.
- K. OWNERSHIP AND HKR'S RIGHT TO USE PARKVALE DRIVE AS ACCESS TO AREA 6F
1. The Sub-Deed of Mutual Covenant for Parkvale Village refers to Sections 2 and 3 (as described above) of Parkvale Drive, being from its junction with Middle Lane to its end at the start of the proposed extension to Area 6f, as a "Passageway".
2. In Annex E of its first Further Information, HKR stated that *"the ownership of the Passageways vests with the Registered Owner (HKR) who is entitled to grant a Right of Way to other parties to use the Passageways to the proposed development in Area 6f"*.
3. The Principal Deed of Mutual Covenant for Discovery Bay and the Sub-Deed of Mutual Covenant for Parkvale Village are complicated documents and are difficult for a lay person to understand, especially in regard to Passageways, Village Retained Areas and Village Common Areas and the rights of the Registered Owner and of owners of undivided shares in the Lot thereto.
4. Given this, and given that the owners of the undivided shares in Parkvale Village have been responsible for the costs of maintaining this "Passageway" for the past 28 years, we believe that HKR should present counsels' independent legal opinions supporting its contention that it has the legal right to use the passageway as access to Area 6f.
5. Furthermore, the Lands Department should reject HKR's request to leave its detailed views on this subject within the *"commercially sensitive information"* contained in HKR's letter to the DLO dated 3 August 2016 and referred to in Section E above.





L. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling of DB and the allocation of undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in comment 4402 submitted last July that, although it has been updated recently, it still does not match the current outline zoning plan (OZP) or the existing development on the Lot. Furthermore, in order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing MP and OZP are aligned with the existing development on the Lot before any consideration of any proposal to amend the OZP. Otherwise, there is simply too much risk that the rights of the other owners of the Lot will be interfered with. This aspect appears to have been ignored by both HKR and the TPB.
3. With regard to population, it is clear that, with Areas 6f and 10b and other obviously planned developments, HKR is moving towards breaching the population ceiling of 25,000, which is the maximum as per the approved OZP, without going through the necessary government procedure. This latest submission completely ignores this point and only refers to population in the context of water supply.
4. Furthermore, unfortunately it appears that relevant government departments have not considered our comments as there is no reference to this subject in the list of department comments.
5. HKR's original application noted that the current population of Discovery Bay is 15,000 and that the current approved OZP limits the population to 25,000. Subsequently the current population was amended 19,585 (as per the records of DB Services Management Limited, the property management company of DB and a wholly owned subsidiary of HKR). There is no information provided which would provide assurances about the population figure quoted by HKR. This is information in respect of the method of collection, management of the data and whether it is audited to ensure its reliability. Population figures are a vital element of planning for, and control of, development. It is essential that the population figures quoted and used are independently collected and verified by audit. There is a conflict of interest here since HKR is using figures provided by its wholly owned subsidiary. The TPB is requested to address this serious issue before processing any further applications of any kind in respect of DB.
6. The difference between the maximum of 25,000 and the sum of the current population and the proposed population of Areas 6f and 10b is only 1,412. Furthermore, the current population does not include the future occupants of other properties in Discovery Bay which HKR is currently developing and planning. Such developments include that described in comment number 4372 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124,000 m² under the next Master Plan, MP7.0E. Using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,240 flats, housing 5,600 people, may be built on this additional 124,000 m².
7. What this means is that HKR is knowingly acting in such a way as to be flagrantly disregarding the current ceilings on the total number of flats and population. Furthermore, it would appear that both the TPB and Lands Department is ignoring what HKR is doing.



8. Before the change in use is considered, HKR must be required by Government to demonstrate, in a fully accountable manner, that the proposed developments in Areas 6f and 10b will not contribute, together with other areas in Discovery Bay being developed and planned, to exceeding the approved OZP maximum population of 25,000. This should include an accurate count of the existing population using an independent collection method and the expected population of areas for which HKR seeks approval to develop before the Section 12A applications in respect Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental approach, using population figures which are not independent of HKR, to considering projects, especially given the very small population difference of 1,412 mentioned above, to indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need by government to address this issue. Otherwise, in the future, there is likely to be an investigation by the Director of Audit as to why this issue was not addressed NOW by the TPB and why HKR was allowed to develop beyond the population ceiling of 25,000. In view of the serious nature of this issue, these comments will again be sent to both the Director of Audit and the Discovery Bay District Councillor for their action. In addition this submission will also be sent to the Ombudsman, as it is clear the administrative processes of the TPB and the Lands Department are either incapable of handling this aspect or just negligent.
10. The allocation of undivided shares and management units is an issue which HKR is well aware of from the efforts of a DB owner over the last two years. This issue has been the subject of much correspondence between the owner, HKR and Lands Department and presentations to VOCs and the City Owners Committee (COC). Furthermore, this subject is covered in comment number 4402 submitted last July to the TPB and the Lands Department has asked HKR to prove that there are sufficient undivided shares retained by them for allocation to the proposed development of Area 6f. HKR has replied to the Lands Department by requesting the information to be regarded as commercially sensitive. In other words, not to be disclosed in a public consultation exercise, which is inconsistent with the aims of public consultation.
11. The final determinant of the ultimate development potential of the Lot (under the Land Grant and Master Plan) is the number of undivided shares remaining for allocation to any new development on the Lot. The Principal Deed of Mutual Covenant (PDMC) contains this unique share regime in which the Lot is notionally divided into 250,000 undivided shares. These undivided shares were immediately allocated to various uses: 56,500 to Residential Development, 4,850 to Commercial development, 2,150 to Clubs and public recreation activities, and 3,550 to hotel use. 55,000 were defined as "Reserve Undivided Shares".
12. Only undivided shares allocated to Residential Development may be sub-allocated to Residential Units and once these have been exhausted the developer may draw from the Reserve Undivided Shares.
13. The problem is there is no record of how many Reserve Undivided Shares remain for allocation to the future development of the Lot.
14. Unfortunately there appears to be no accountable and transparent central register and management of the process of allocating the shares which means that HKR cannot

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10b and other developments. Both the Lands and Planning Departments are aware of this situation and should not consider any application until they receive assurance with supporting and valid documentation and figures that there are shares available for the developments.

15. In order to protect the interests of all the current and future assigns of the developer, the TPB should require a full accounting of the allocation of all undivided shares by share type to all Villages, City and the other areas of the lot, prior to consideration of any proposal to amend the present OZP.
16. Related to the above is the position currently being argued by a concerned DB owner that there has been misallocation of shares to commercial units since there is reason to believe that management units have not been allocated to the commercial units in DB in accordance with the terms of the DMC. In respect of this concern, the following resolution was proposed at the City Owners' Committee (COC) on 7 December 2016: *"To propose a Resolution to require that Hong Kong Resort Company Limited (HKR) set out the true number of Management Units (MU) that they have allocated to all commercial units at Discovery Bay and the basis for such allocation. Further, to seek compensation from HKR for any shortfall in payments to the Management Fund (or refund for any overpayment) should the past or present allocation not accord with the terms of the Deed of Mutual Covenant (DMC)".*
17. This is clearly a very important issue which the TPB should inquire into before proceeding with both Area 6f and 10b applications, since the TPB needs to know the exact and correct position regarding all the parameters in managing developments in DB so that decisions can be made in the correct planning environment.

M. DIAGRAMS AND PHOTOMONTAGE

1. The latest Further Information provided by HKR contains misleading, inaccurate and poor quality diagrams and photomontages.
2. The DIAGRAMS (including comments) included in the latest Gist are included in Annex 1 to this submission. Our comments are set out in the following paragraphs:
3. Annex A to the Further Information "Revised Concept Plan":
 - a. Concept Plan - where are the area development water features that were indicated on other parts of the submissions? Clearly those trees indicated cannot be planted in the areas shown elsewhere as water features. This is a misleading image.
 - b. Section A-A - the existing ground condition is incorrect. It does not match the Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court, with the result that the slope appears to be less steep than it would actually be.
 - c. Concept Plan - in Annex 1 we have added site lines and affected units. Note that the figures are probably an underestimate of the numbers of residents who would be affected by the proposed development.
 - d. Concept Plan - the sections of Parkvale Drive highlighted in yellow are designated in the sub DMC as Passageways. Note that it is not possible to build and operate Area 6f without significantly widening the designated passageway which is inadequate for



heavy traffic. Widening works will have a huge impact on residents of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, as well as all other pedestrian traffic which uses Parkvale Drive to get to the hiking trail promoted by HKR. This is a major safety risk and would cut existing transportation routes. This has been stressed in previous submissions but, as explained elsewhere in this submission, has been ignored.

e. Concept Plan – same as (a) above.

4. Annex B Revised Landscape Design Proposal (extract):

a. Tree Treatment Plan (Annex B, page A3) and Optimisation of Land Use figure B.1. The statement about existing tree groups to be retained is incorrect. These trees cannot be maintained based on the current plan, as there is a requirement for a large retaining structure and site formation that would not allow these trees to be left in place. Simple construction logistics would mean this would be very improbable. Also where is the approximate location of the retaining wall? The excavation for construction will remove those highlighted trees.

b. Optimisation of land use figure B.2. This figure includes incorrect statements about the existing slopes since the existing slope does not match the profile indicated by HKR's consultant: the existing slope profile shown in the figure does not reflect the correct levels as per the Lands Department Survey; the existing ground condition shown in the figure is incorrect since it does not match the Lands Department Survey data for this area. Furthermore, there is no account for the road or for the slope that exists at the rear of Crystal Court.

5. In its covering letter Masterplan Limited says that the Updated PHOTOMONTAGES for the revised scheme (Annex H to the Further Information) shows the "negligible" effect of Area 6f and that the previously submitted Visual Impact Assessment remains relevant." This statement is both incorrect and misleading since the photos do not show the visual impact on the people who would be really affected by the proposed development. i.e. the nearby residents of Parkvale, Midvale and Hillgrove Villages who will view Area 6f close up and continuously. The reality is illustrated by the PVOC montage as contained in Annex 1 to this submission.
6. The UPDATED PHOTOMONTAGES (including comments) are included in Annex 1 to this submission. Our comments are set out below.

- a. A consistent feature of the photomontage is that the applicant continues to submit low quality photos as all of them are grainy and poorly lit.
- b. Figure B.9 view from DB Plaza – these poor quality photomontages hardly reflect the views from the Plaza on a clear day as illustrated in the VOC photos in Annex 1 to this submission.
- c. Figure B.10 view from Lookout – these poor quality photos hardly reflect the views from the Lookout as the photos are grainy and poorly lit.
- d. Figure B.12 view from the hiking trail south of Discovery Valley - these poor quality photos hardly reflect the views from the hiking trail as the photos are grainy and poorly lit.





- e. Figure B.14 view from the D-Deck – why show this when there should be images from the more populated areas where residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland.
 - f. Figure B.17 view from Middle Lane – why is this photo used as there are very few residents at this location who would be affected. Why are there no images from the more populated areas where the residents are impacted, such as from Coral Court, Crystal Court, Woodbury Court, Woodgreen Court and Woodland Court?
7. In order for this public consultation exercise to be seen to be transparent and fair to all parties, including the public, it is essential that the TPB, if the application proceeds, provides the photomontage provided by the PVOC to the relevant meeting of the RNTPC. If this is not done then the TPB Secretariat and the RNNTC will be considered negligent in its duty and exercise of public administration.

CONCLUSION

We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that **no Government Department, nor HKR, appears to have considered the adverse impact of the proposed development on the owners and residents of Parkvale Village, especially the totally inadequate and unsuitable access to the site.**

As clearly demonstrated in our submission the HKR application continues to be deficient in many ways. So again, **we consider that the Town Planning Board is in no other position than to reject HKR's application to rezone Area 6f.**

We again encourage the Town Planning Board to visit the site and meet residents. In doing so, many of the issues highlighted in this report would be evident.

Signed on behalf of the PVOC:

Date:

9 December 2016

Mr. Kenneth J. Bradley J.P.

Parkvale Village Owners Committee Chairman



Annex 1: Comments on HKR's diagrams and photomontages.

關乎申請編號 Y/I-DB/2 而只作指示用途的擬議發展計劃的概括發展規範

Broad Development Parameters of the Indicative Development Proposal in Respect of Application No. Y/I-DB/2

因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範

Revised broad development parameters in view of the further information received on 27.10.2016

(a) 申請編號 Application no.	Y/I-DB/2			
(b) 位置／地址 Location/Address	愉景灣第 6f 區丈量約份第 352 約地段第 385 號餘段及增批部分(部分) Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay			
(c) 地盤面積 Site area	約 About 7,623 平方米 m ²			
(d) 圖則 Plan	愉景灣分區計劃大綱核准圖編號 S/I-DB/4 Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4			
(e) 地帶 Zoning	「其他指定用途」註明「員工宿舍(5)」 "Other Specified Uses" annotated "Staff Quarters (5)"			
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(5)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (5)" to "Residential (Group C) 12"			
(g) 總樓面面積 及／或地積比率 Total floor area and/or plot ratio		平方米 m ²	地積比率 Plot ratio	
	住用 Domestic	約 About 21,600	約 About 2.83	
	非住用 Non-domestic	-	-	
(h) 幢數 No. of block	住用 Domestic	2		
	非住用 Non-domestic	-		
	綜合用途 Composite	-		
(i) 建築物高度(以最高 實用樓面空間計算) ／ 層數 Building height (measured to the highest usable floor space) / No. of storeys	住用 Domestic	65 米 m 120 米(主水平基準以上)mPD 18 層 storey(s)		
	非住用 Non-domestic	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)		
		綜合用途 Composite	- 米 m - 米(主水平基準以上)mPD - 層 storey(s)	
	(j) 上蓋面積 Site coverage	約 About 30 %		
(k) 單位數目 No. of units	476 住宅單位 Flats			
(l) 休憩用地 Open Space	- 私人 Private	不少於 Not less than 1,190 平 方米 m ²		
	- 公眾 Public			
(m) 停車位及上落 客貨車位數目 No. of parking spaces and loading/ unloading spaces	高爾夫球車停泊位(申請人未有提供停泊位數目) Golf cart parking space (number of parking space not provided by applicant) 維修車輛上落客貨位(申請人未有提供上落客貨位數目) Servicing vehicles loading/unloading space (number of loading/unloading space not provided by applicant)			

* 有關資料是為方便市民參考而提供。對於所載資料在使用上的問題及又義工的政與，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

Y/I-DB/2





申請編號 Application No. : Y/I-DB/2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料以回應部門的意見及提交經修訂的修展總綱藍圖、截視圖、園境設計總圖、環境影響評估、規劃報告、排水、排污及供水研究、水質技術報告、合成照片及公共休憩設施界線圖及限制公契的摘錄圖則。

On 27.10.2016, the applicant submitted further information providing responses to Responses to departmental comments including revised Master Plan, sectional plan, Landscape Proposal, Environmental Study, Planning Statement, Study on Drainage, Sewerage and Water Supply, Technical Note on Water Quality, updated photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant.

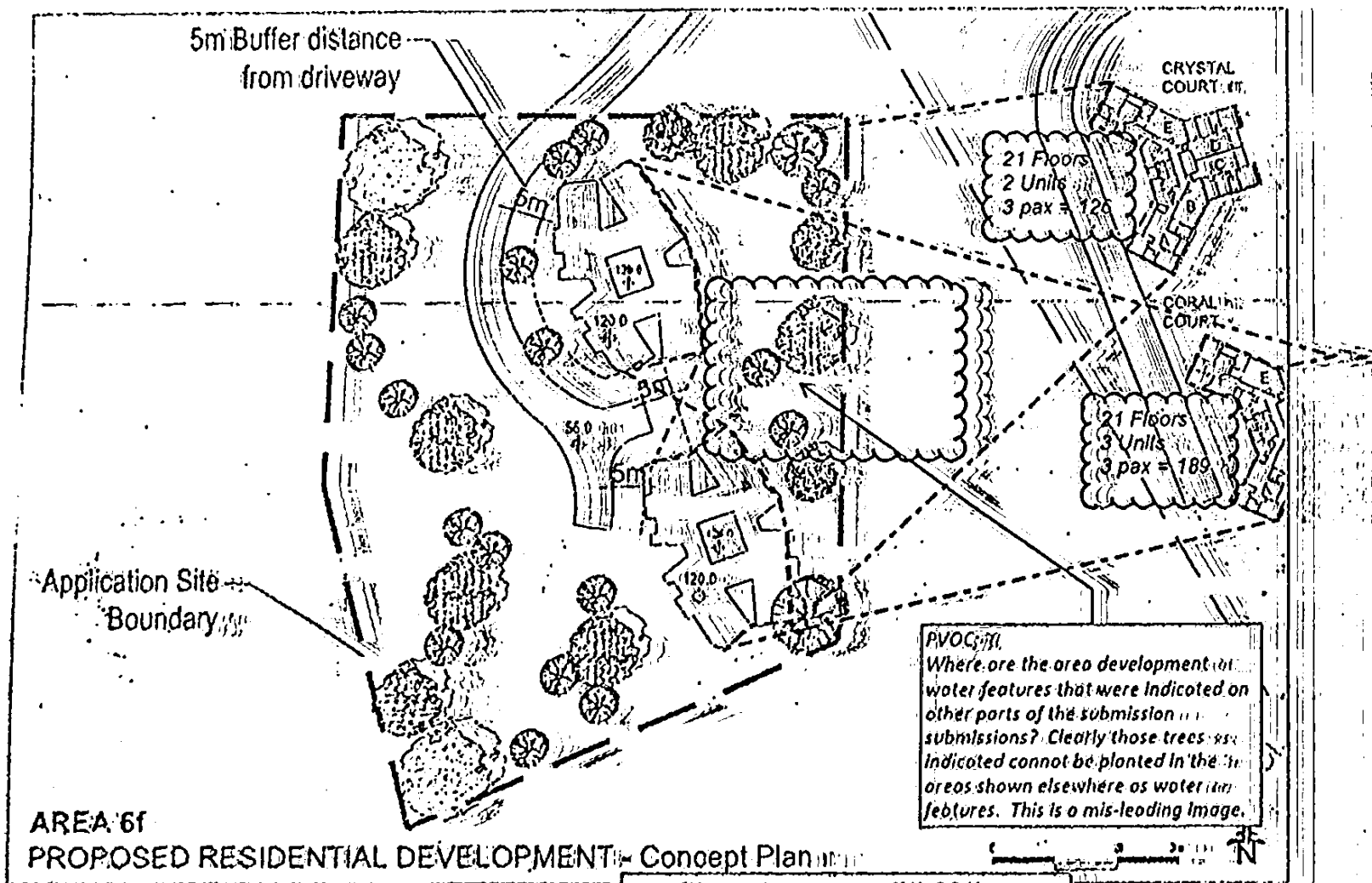
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

Note that there are over 523 flats that view directly on this site, with an average of 3 per unit, that's potentially 1569 residents whose views are not reflected in the photo-montages.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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申請編號 Application No. Y/L/D/12

此頁出自申請人提交的文件

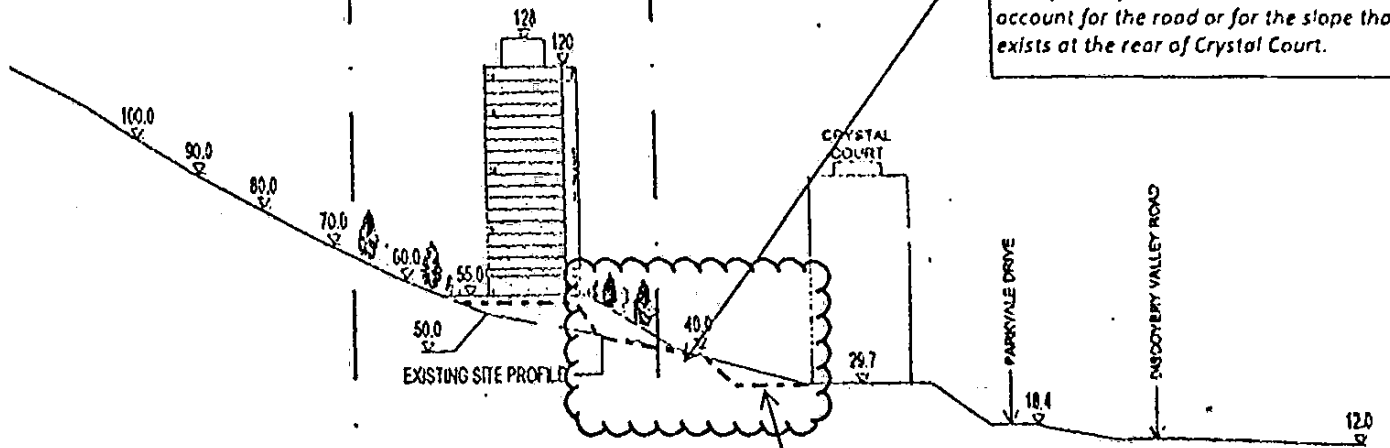
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B.L.

B.L.

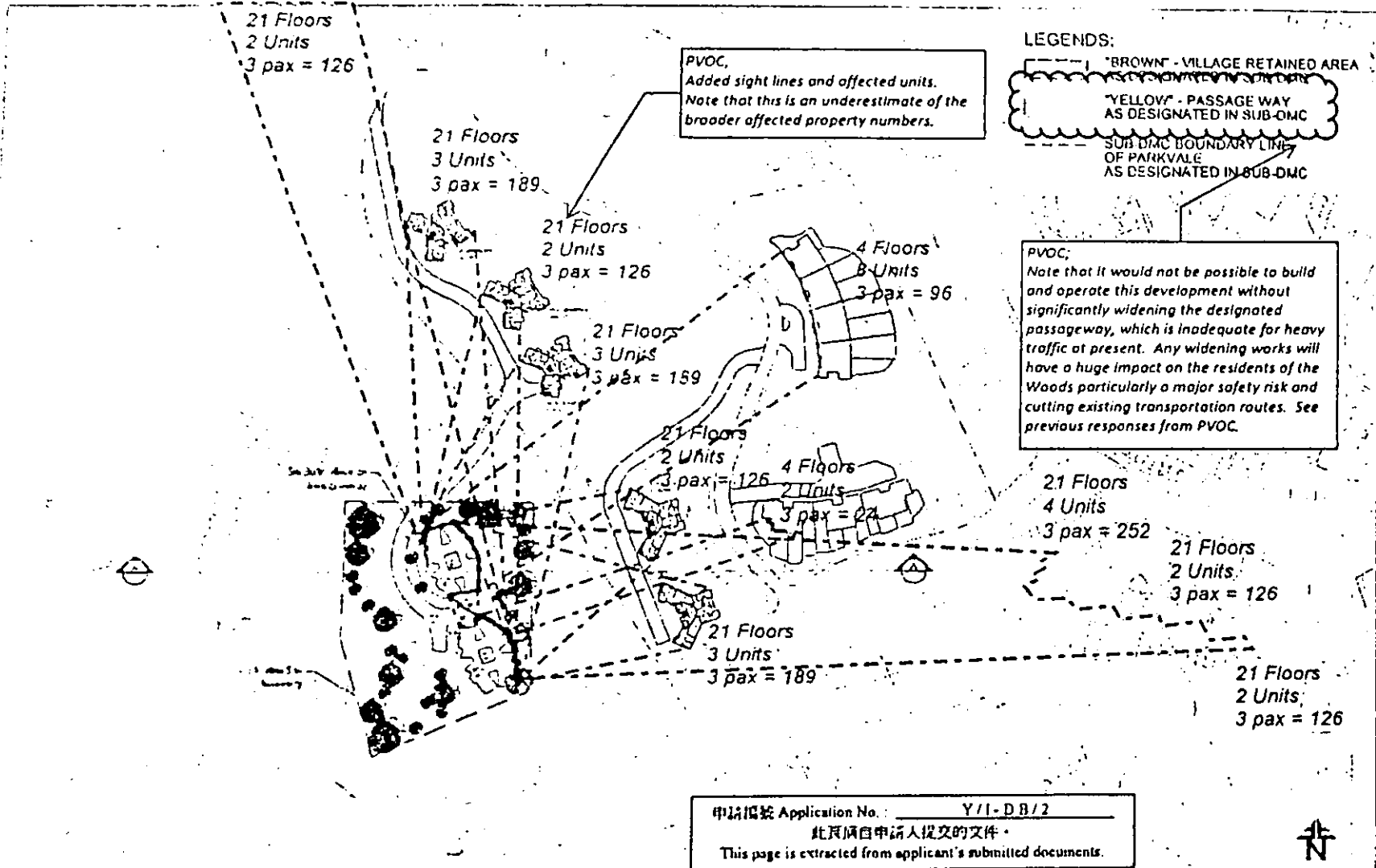
申請編號 Application No.: Y/L-D.B/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.

PVOC;
This existing ground condition is incorrect.
It does not match the HK Lands Department
Survey Data for this area. There is no
account for the road or for the slope that
exists at the rear of Crystal Court.



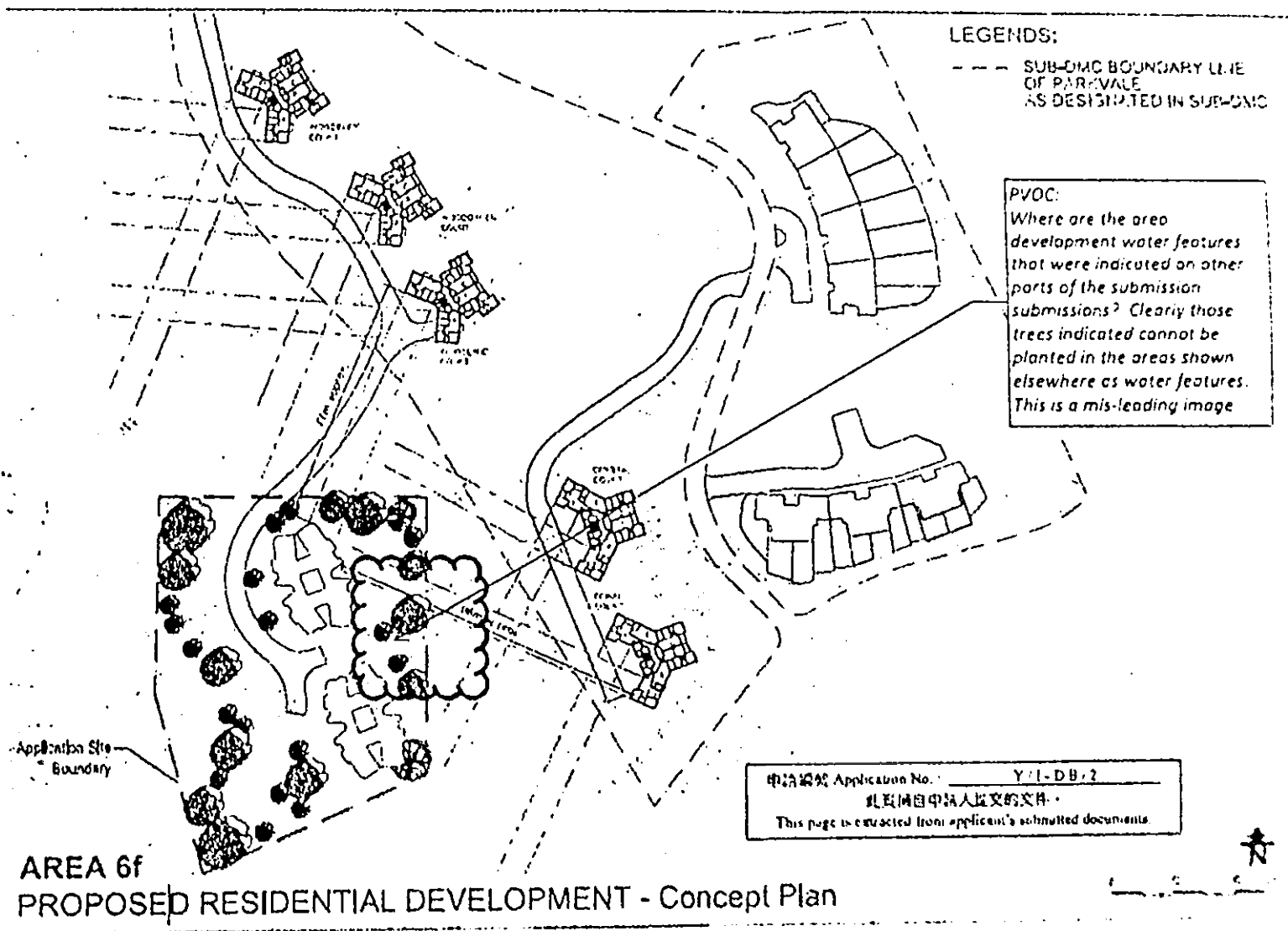
AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

SECTION A-A



AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

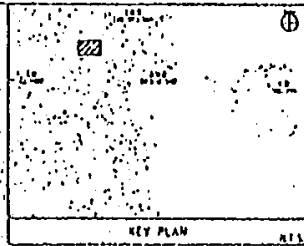
PLAN



申請編號 Application No.: Y11-DB12
 此頁源自申請人提交的文件。
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PVOC:
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove those
 highlighted trees.

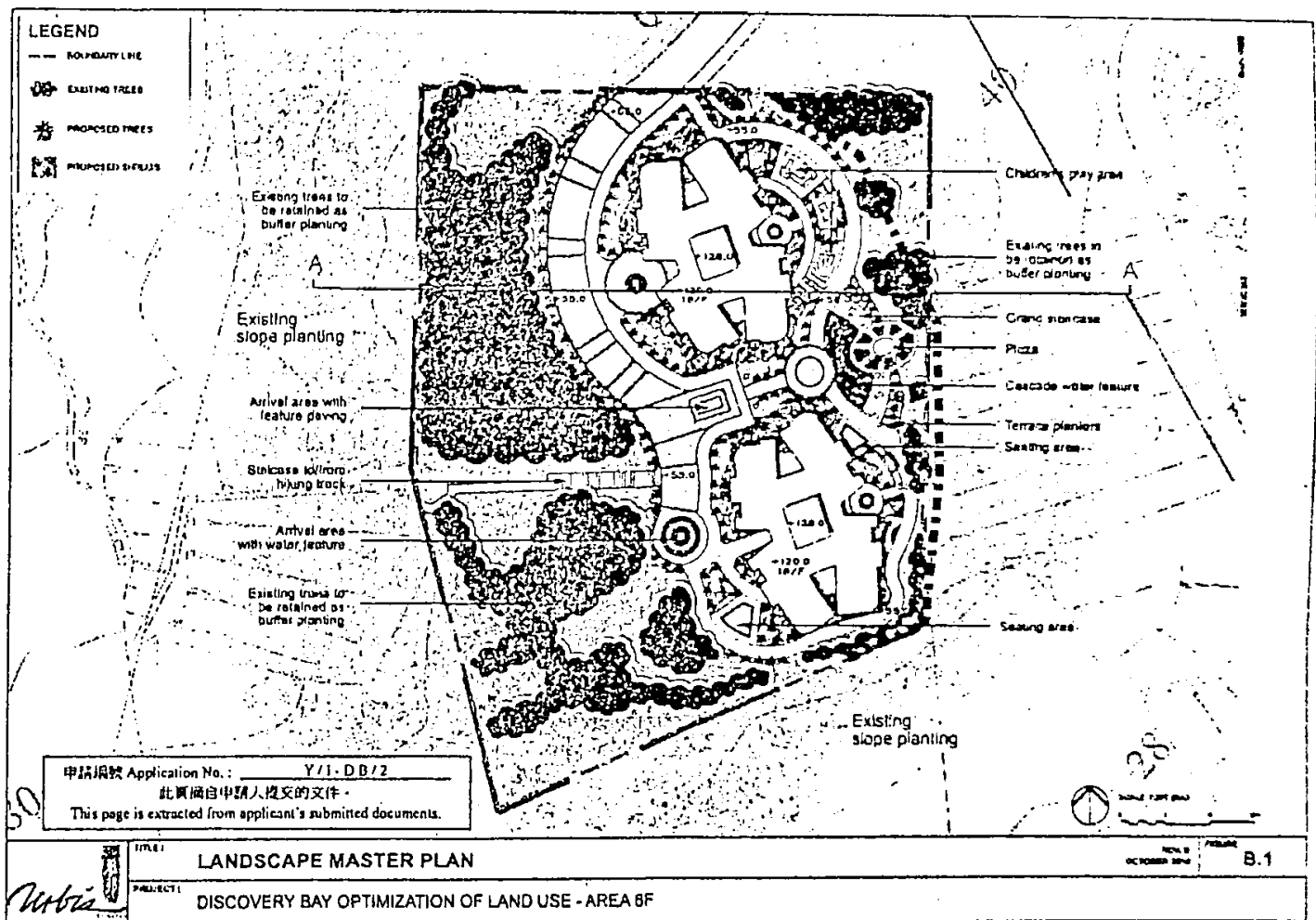


- LEGEND
- EXISTING TREE GROUPS TO BE REMOVED
 - EXISTING TREE GROUPS TO BE FILLED
 - EXISTING TREE TO BE FILLED
 - PROPOSED DEVELOPMENT FOOTPRINT

PVOC:
 This statement is incorrect. These trees
 cannot be maintained based on the
 current plan, as there is a requirement for
 a large retaining structure and site
 formation that would not allow these
 trees to be left in place. Also, simple
 construction logistics would mean this
 would be very improbable.

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F										Scale: 1:1000 (A3)	
TREE TREATMENT PLAN										Scale: 1:1000 (A3)	
Drawn by	Checked by	Approved by	Drawn by	Checked by	Approved by	Drawn by	Checked by	Approved by	Drawn by	Checked by	Approved by

W. W. W.



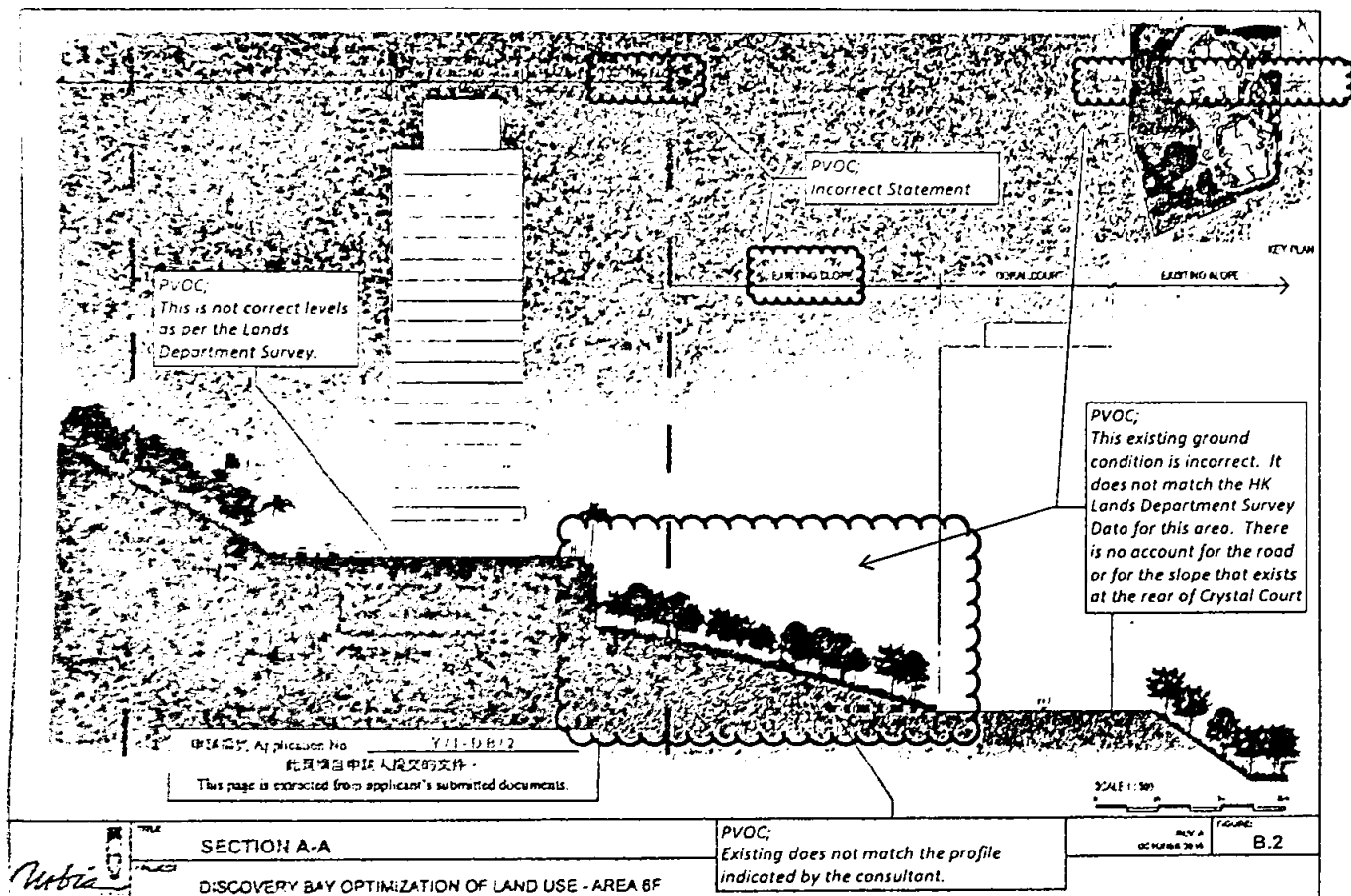
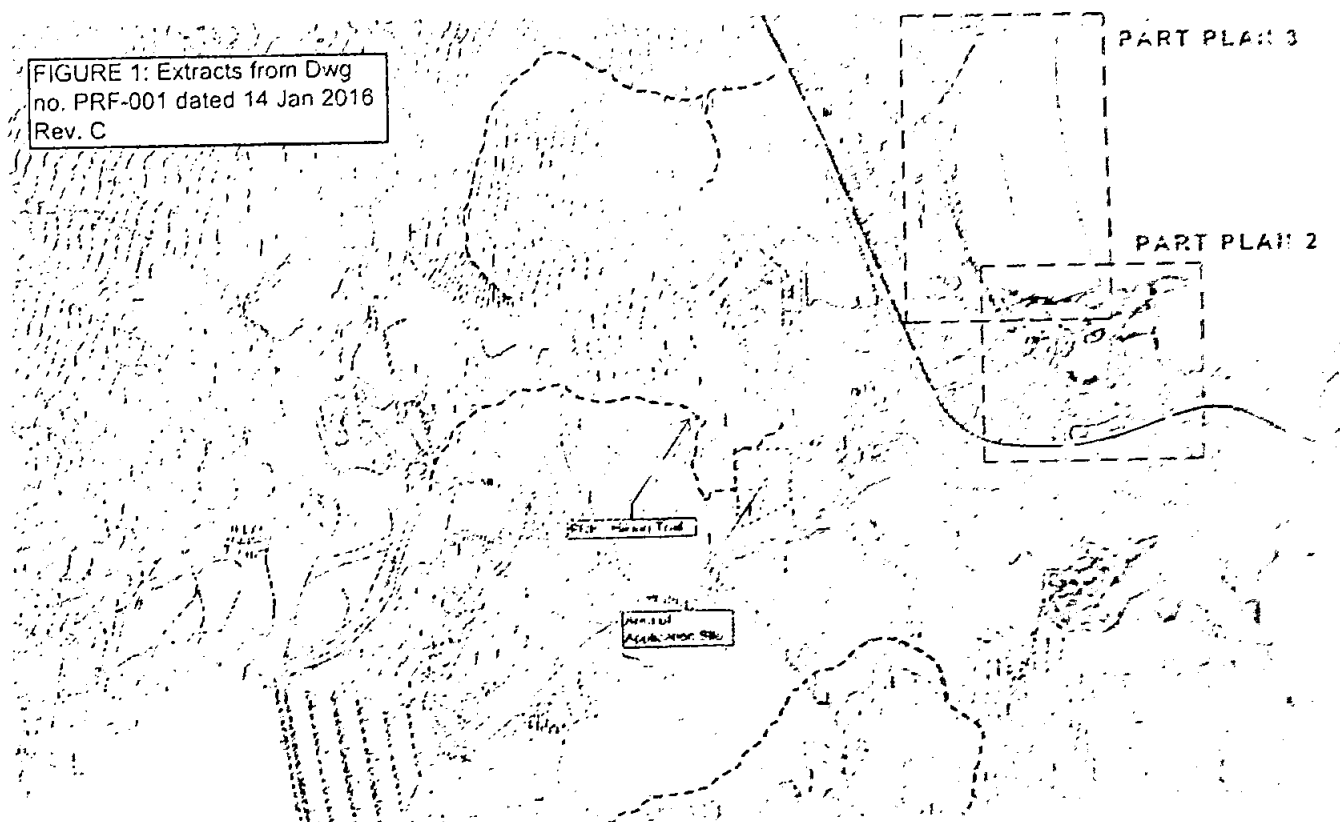
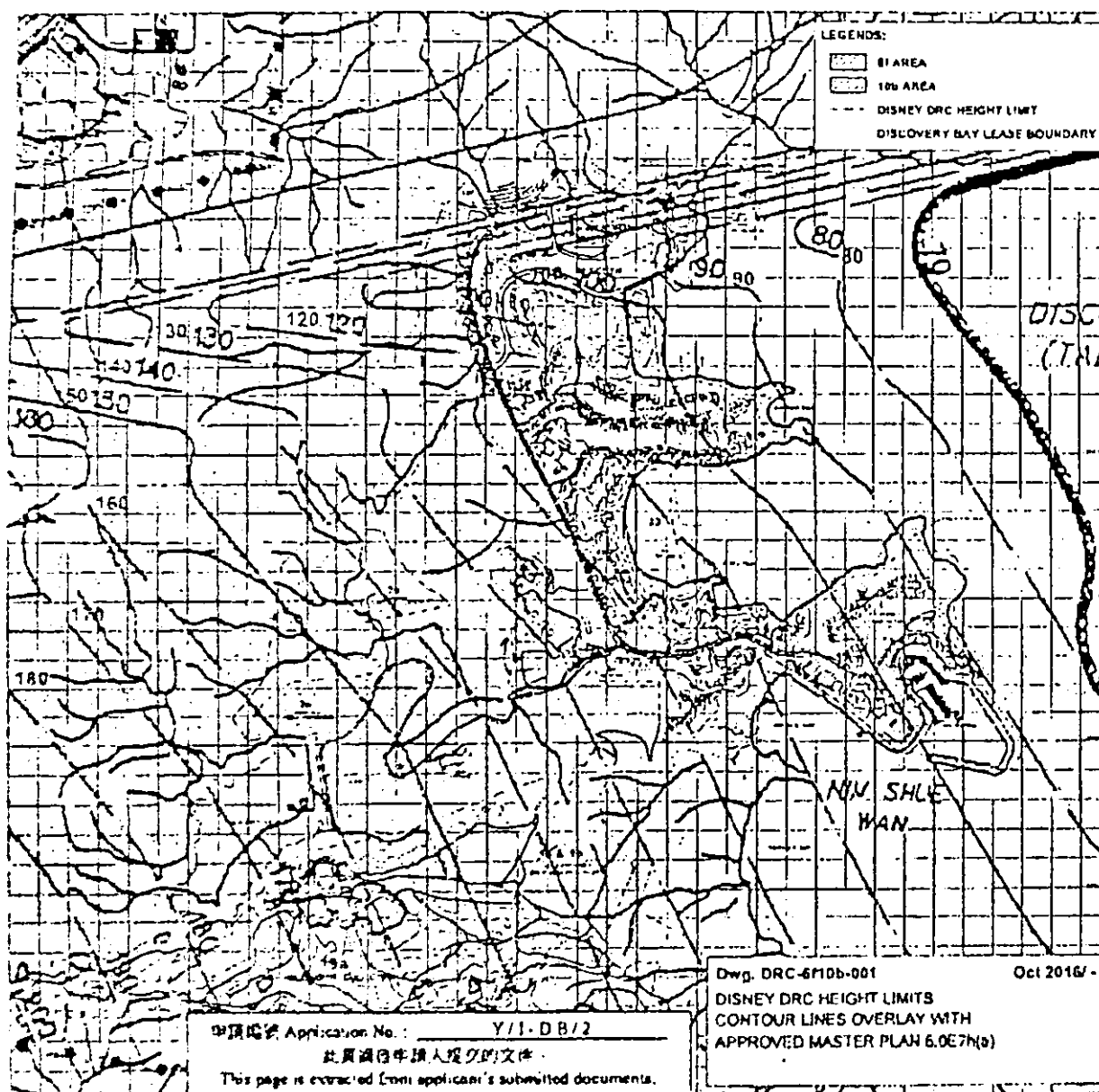


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



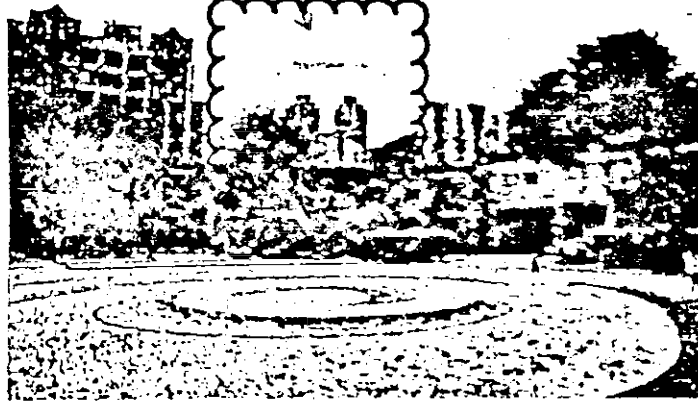
申請編號 Application No.: Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



PVOC;
 These poor quality
 Photo-montages hardly
 reflect the views from the
 Plaza on a clear day - see
 attached.

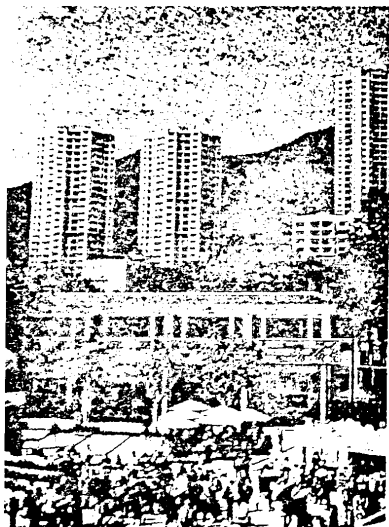


VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

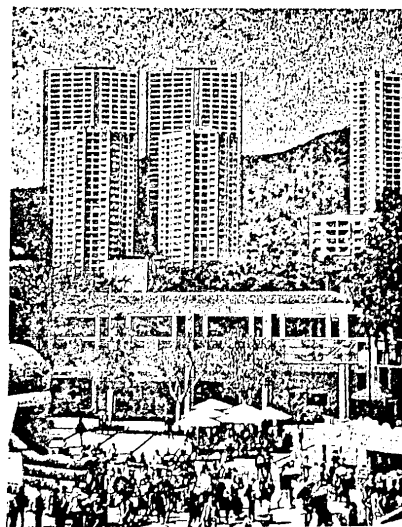
申請編號 Application No. : Y/I-DB/2
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BEFORE

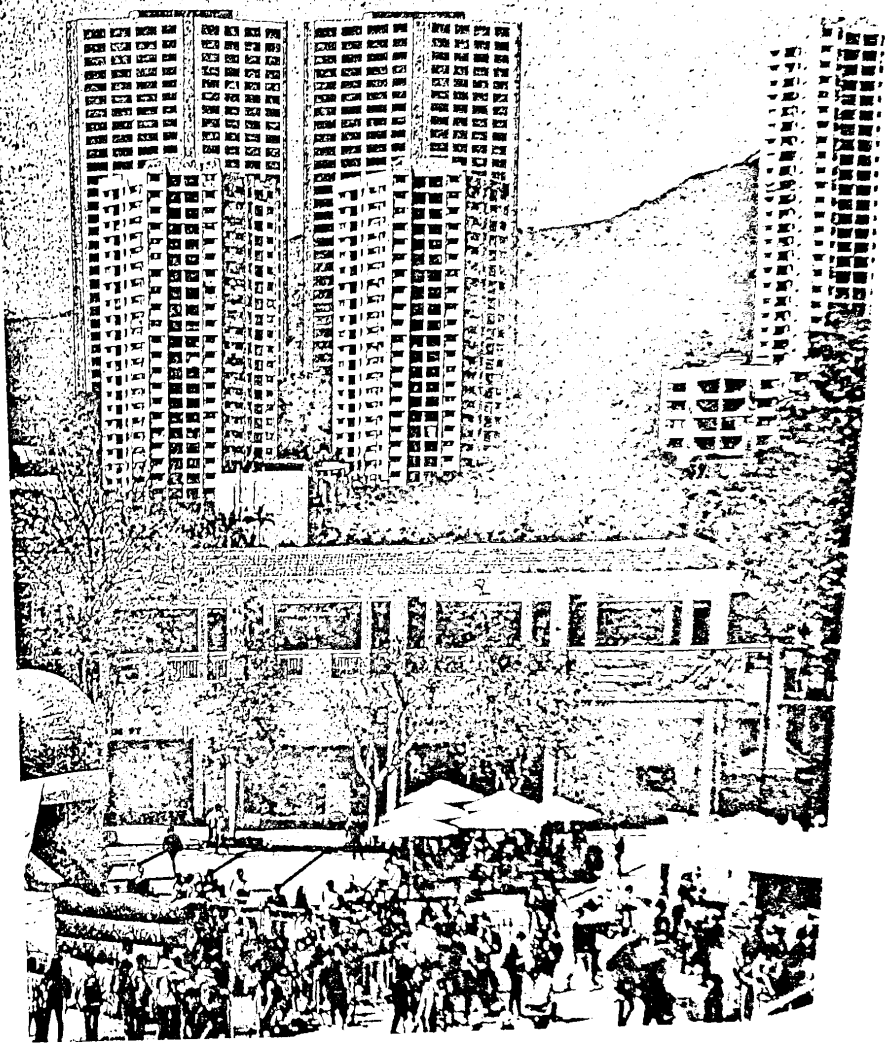
VOC comments on

HKR's 6f Planning Proposal

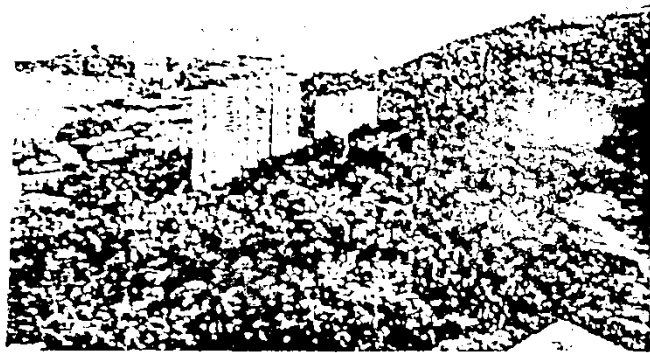


AFTER

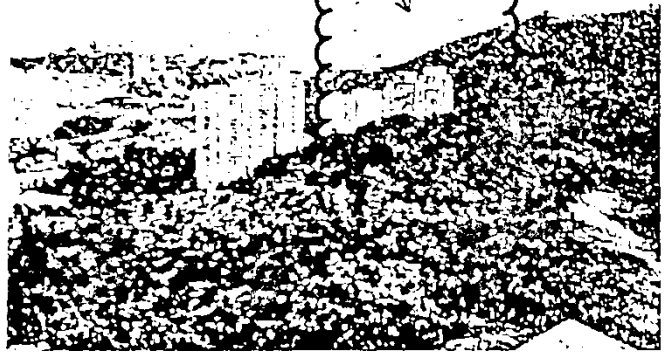
Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



PVOC;
*These poor quality
 Photo-montages hardly
 reflect the views from the
 Lookout. The Photos are
 grainy and poorly lit.*



VP5: View South-East towards Application Site from Lo Fu Tau Pergola/Lookout (Existing Condition)

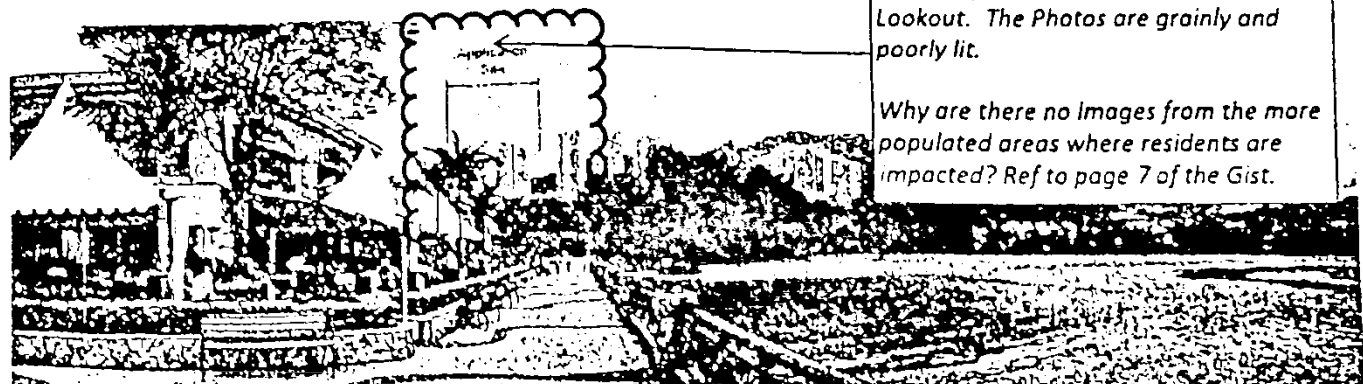


VP5: View South-East towards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

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VP12: View West towards Application Site from D-Deck (Existing Condition)



VP12: View West towards Application Site from D-Deck with Proposed Development

PVOC;
These poor quality Photo-montages
hardly reflect the views from the
Lookout. The Photos are grainy and
poorly lit.

Why are there no images from the more
populated areas where residents are
impacted? Ref to page 7 of the Gist.

	<p>TITLE PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK</p> <p>PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F</p>	<p>OCTOBER 2010</p> <p>8.14</p>
--	--	---------------------------------

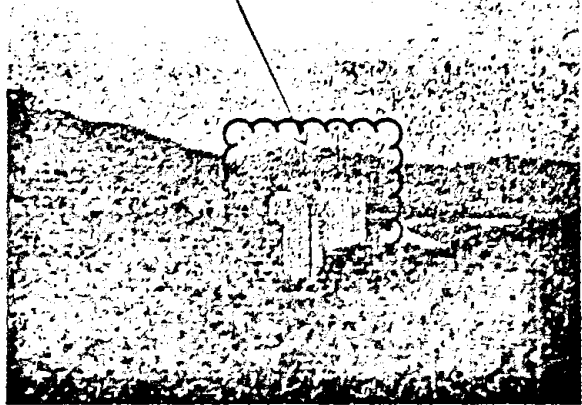
申請編號 Application No. : Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



PVOC;
These poor quality
Photo-montages hardly
reflect the views from the
Lookout. The Photos are
grainy and poorly lit.



VP8. View from the Lookout towards the Discovery Valley. The Photo is of the Lookout (Looking Outwards).

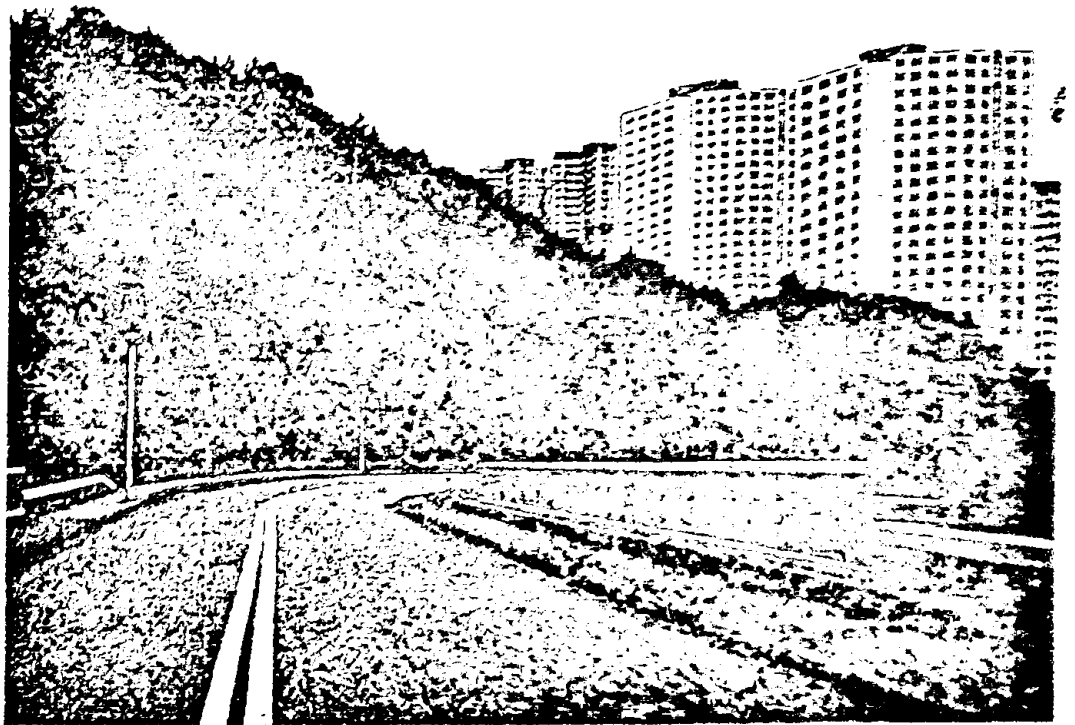


VP8. View from the Lookout towards the Discovery Valley. The Photo is of the Lookout (Looking Outwards).

申請編號 Application No.: Y/1-DB/2
此乃來自申請人提交的文件。
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VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



Page 1

Why is this thing, which is, said, said to be, the
residence of the Lord, and which is, said, said

Why are there no images from the most celebrated artists
where we have the most famous and the best

These pictures and the other images, which are, said, said
to be the images of the Lord, and which are, said, said



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1000	1000 1000 1000 1000 1000 1000 1000 1000 1000 1000	1000

申請編號 Application No. Y110122

與本申請有關之其他申請之相同用途

Previous Applications Relating to the Application Site with the Same Zoning(s)

申請編號

申請用途 種類

城市規劃委員會的決定(日期)

Application No.

Proposed Use/Development

Decision of

Town Planning Board (Date)

No.

有關申請之資料已於申請表格內提供。申請人須在表格內提供有關申請之資料。城市規劃委員會將根據有關資料作出決定。申請人須在表格內提供有關申請之資料。

The information is provided for the reference of the general public. Under no circumstances will the Town Planning Board accept any application for the use of the information for any purpose other than the reference of the information provided. In case of any information about any other use made in the submission of the application.

申請編號 Application No. : Y/I-DB/2

申請人提交的圖則、繪圖及報告書
Plans, Drawings and Reports Submitted by Applicant

中文 英文
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖／布局設計圖 Master layout plan(s)/Layout plan(s)

☐
☒

樓宇位置圖 Block plan(s)

☐

MISSING

樓宇平面圖 Floor plan(s)

☐

MISSING

截樓圖 Sectional plan(s)

☐
☒

立視圖 Elevation(s)

☐

MISSING

顯示擬議發展的合成照片 Photomontage(s) showing the proposed development

☐
☒

園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)

☐
☒

PVOC;

There are many concerns here, that have been previously raised to the Board, over safety to pedestrians and the inadequate longterm solution for traffic - these questions have not been addressed.

ify)

摘錄圖則 Extract Plans of Public
an and Deed of Restrictive Covenant

☐
☒

規劃研究 Planning studies

☐
☒

環境影響評估 (噪音、空氣及／或水的污染)

☐
☒

Environmental impact assessment (noise, air and/or water pollutions)

就車輛的交通影響評估 Traffic impact assessment (on vehicles)

☐

MISSING

對行人的交通影響評估 Traffic impact assessment (on pedestrians)

☐

MISSING

視覺影響評估 Visual impact assessment

☐

MISSING

景觀影響評估 Landscape impact assessment

☐

MISSING

樹木調查 Tree Survey

☐

MISSING

土力影響評估 Geotechnical impact assessment

☐

MISSING

排水影響評估 Drainage impact assessment

☐

MISSING

排水影響評估 Sewerage impact assessment

☐

MISSING

風險評估 Risk Assessment

☐

MISSING

其他 (請註明) Others (please specify)

☐
☒

排水、排污及供水研究 Study on Drainage, Sewerage and Water Supply

水質技術報告 Technical

回應部門意見 Response

PVOC; The Risk to the public is a major concern for this development and has not been addressed in any form - please refer to the previous PVOC submissions that attached.

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

5393

tpbpd

寄件者:
寄件日期:
收件者:
主旨:

Chiu Kitty
09月12月2016年星期五 17:13
tpbpd@pland.gov.hk
Application No. Y/T-DB/2 Area 6f

5394

Dear Sirs,

I have read the attached submission from the PENINSULA OWNERS COMMITTEE for 10b (PARKVALE OWNERS COMMITTEE for 6f) and I wish to register my objection with the TPB accordingly

Chiu Kit yee

[REDACTED]

寄件者:
寄件日期:
收件者:
主稿:

KH1100
09/11/2016 下午 4:14 PM
tpbpd@pland.gov.hk

5395

Section 12A Application No. Y4-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay Objection to the Submission by the Applicant on 27.10.2016

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point (Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay
Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arising out of this submission etc. The proponent should consult and liaise with all property owners

being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.

6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Sincerely yours,
KH Lau

Discovery Bay

5395

tabed

寄件者: Sukey Song [REDACTED]
寄件日期: 09日12月2016年星期三 14:11
收件者: tpepd@pland.gov.hk
主旨: Objection to the Submission by the Applicant on 07/10/2016
附件: 3533_001.pdf

5396

Dear Sir/Madam,

Attached is my objection letter. Thank you.

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

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2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature: _____

Date: _____

Name of Discovery Bay Owner / Resident: _____

Address: _____

tpbpd

寄件者: Lynda Aurora [REDACTED]
寄件日期: 09日12月2016年星期五 16:38
收件者: tpbpd@pland.gov.hk
主旨: Discovery Bay objection
附件: PastedGraphic-4.pdf; ATT00084.txt; PastedGraphic-5.pdf, ATT00087.txt

5397

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature : L Aurora Date: 9/12/2016

Name of Discovery Bay Owner / Resident: L AURORA

Address: 

附件者:
附件日期:
收件者:
主頁:

Pushkat Same [REDACTED]
(09/11/2016年 星期四 16:23)
tpbys16@pland.gov.hk
Section 12A Application No. Y/I-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

5398

The Secretariat

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point

(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,



Section 12A Application No. Y/I-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

D

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2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.

3. There is major change to the development concept of the Lot and a fundamental deviation to the intended use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

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5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.

6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in terms of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Regards

5398

Pushkar Vijay Sane

Discovery Bay

Hong Kong

tpbpd

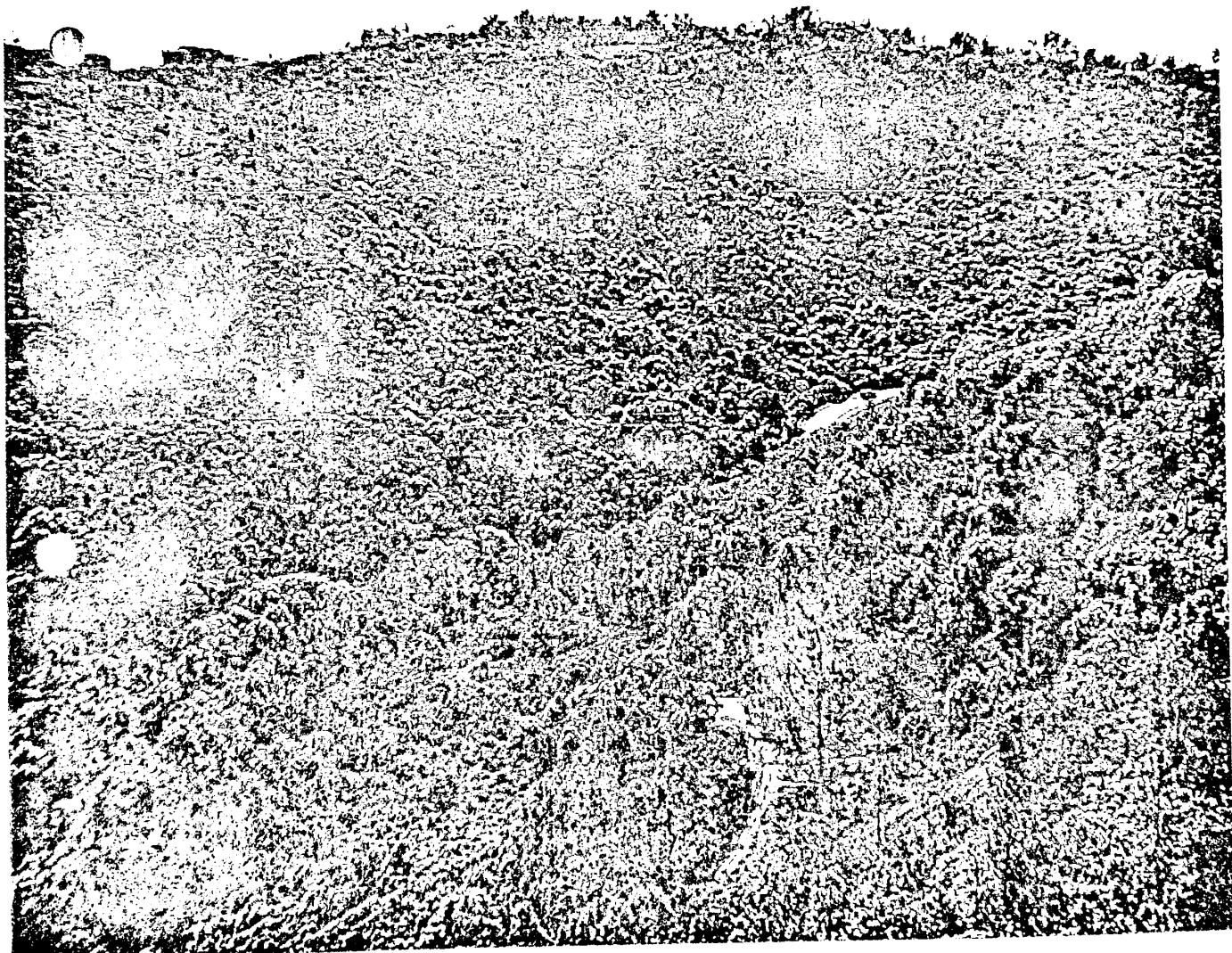
寄件者: John Campbell [REDACTED]
寄件日期: 09日12月2016年星期五 15:31
收件者: tpbpd@pland.gov.hk
主旨: Planning Application Y/I - DB/2
附件: YI - DB2 1.pdf; Comments on Application YI - DB2.docx

5399

Please find attached the comments form for the Planning Application Y/I - DB/2.

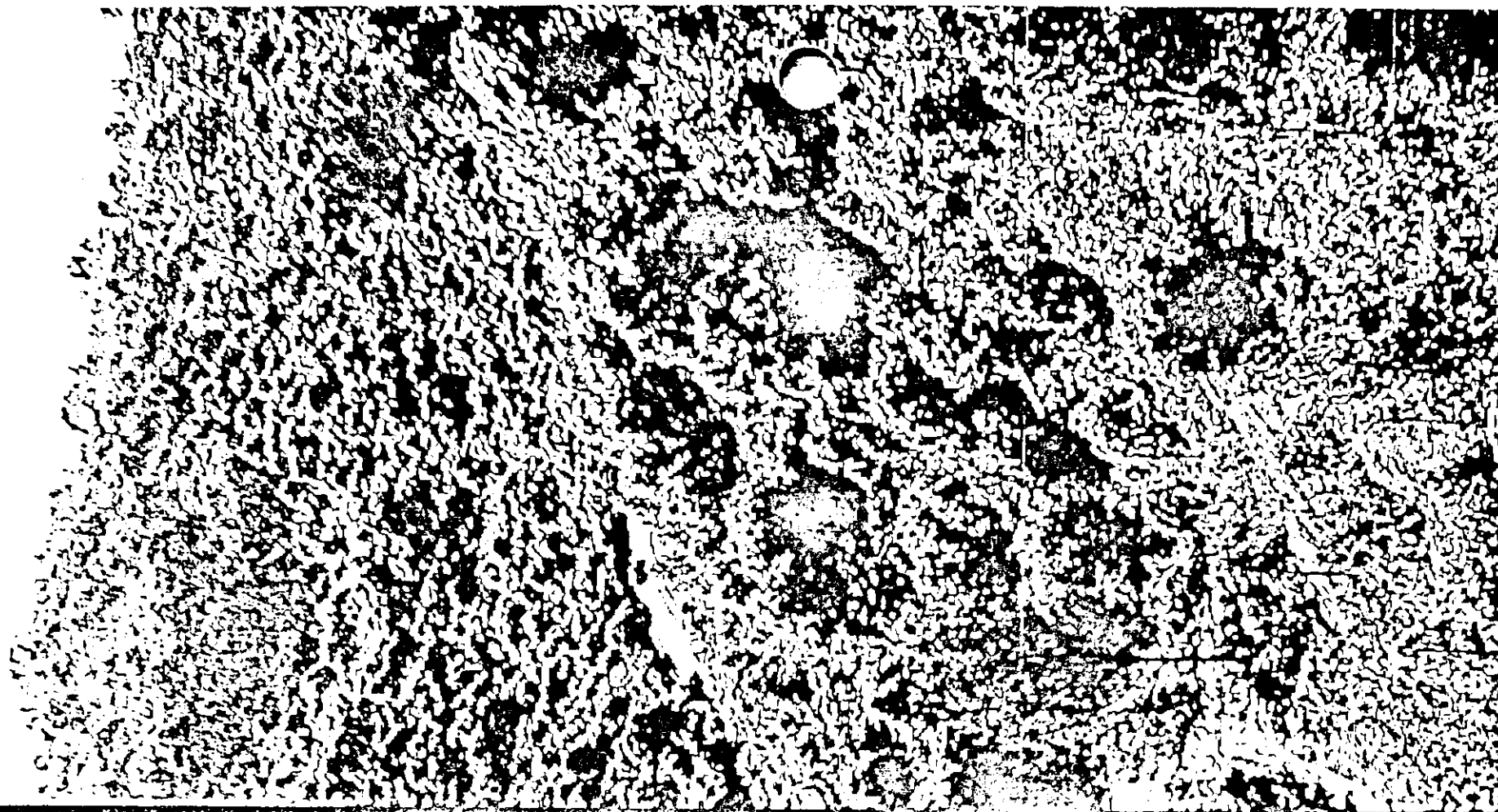
Regards

John





View with the proposed
Development



就規劃申請提出意見
Comments on Planning Application

請勿填寫此欄 For Official Use Only	檔案編號 Reference No.	
	收到日期 Date Received	

重要提示：

Important Notes:

- (1) 意見必須於指定的法定期限屆滿前向城市規劃委員會（委員會）提出；
the comment should be made to the Town Planning Board (the Board) before the expiry of the specified statutory period;
- (2) 委員會考慮申請的暫定會議日期已上載於委員會的網頁(www.info.gov.hk/tpb/)。考慮規劃申請而舉行的會議(進行商議的部分除外)，會向公眾開放。如欲觀看會議，請最遲在會議日期的一天前以電話 (2231 5061)、傳真 (2877 0245 或 2522 8426) 或電郵 (tpbpd@pland.gov.hk)向委員會秘書處預留座位。座位會按先到先得的原則分配；
the tentative date of the Board to consider the application has been uploaded to the Board's website (www.info.gov.hk/tpb/). The meeting for considering planning applications, except the deliberation parts, will be open to the public. For observation of the meeting, reservation of seat can be made with the Secretariat of the Board by telephone (2231 5061), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) at least one day before the meeting. Seats will be allocated on a first-come-first-served basis;
- (3) 供委員會在考慮申請時參閱的文件，會在發送給委員會委員後存放於規劃署的規劃資料查詢處(查詢熱線 2231 5000)，以及在會議當日存放於會議轉播室，以供公眾查閱；及
the paper for consideration of the Board in relation to the application will be available for public inspection after issue to the Board Members at the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) and at the Public Viewing Room on the day of meeting; and
- (4) 在委員會考慮申請後，可致電2231 4810或2231 4835查詢有關決定，或是在會議結束後，在委員會的網頁上查閱決定摘要。
after the Board has considered the application, enquiry about the decision may be made at tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed at the Board's website after the meeting.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To: Secretary, Town Planning Board

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

Y/I-DB/2

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

Please see attached

「提意見人」姓名／名稱 Name of person/company making this comment

John Campbell

簽署 Signature

John Campbell

日期 Date

09 Dec 16

通訊地址 Postal Address

電話號碼 Tel No.

傳真號碼 Fax No.

電郵地址 E-mail address

個人資料的聲明 Statement on Personal Data

1. The personal data submitted to the Board in this comment will be used by the Secretary of the Board and Government departments for the following purpose:
 - (a) the processing of this application which includes making available the name of the "commenter" for public inspection when making available this comment for public inspection; and
 - (b) facilitating communication between the "commenter" and the Secretary of the Board/Government departmentsin accordance with the provisions of the Town Planning Ordinance and the relevant Town Planning Board Guidelines.

Comments on Application Y/I - DB/2

The proposed site is single road without sufficient passing space for EVA if there is any blockage of the road. The road up to the site is steep and if there is a breakdown or accident EVA's will not be able to get to the proposed development. This site should for safety reasons have a second access road. The single track road is almost 400m from a dual entry road and with 2 to 3 years of construction traffic going constantly up and down there is a very good chance that it will be blocked to EVA's at some point and once is too often.

Many people now work from home either full time or part time and to have 2-3 years of construction noise including the rock piling is unacceptable in a residential area. My wife and I often have conference calls and these will be impossible for the first year at least. Will compensation be offered to find alternative accommodation during the noisy construction period?

There are many young children getting on and off buses and generally playing around in the road in front to Woodbury/Woodgreen/Woodland Courts and having construction traffic passing frequently is not safe. This links back into the site needing a second access road for construction traffic.

I and many others try to ventilate their properties naturally to reduce energy consumption but this will not be possible with all the construction pollutants in such close proximity.

The buses serving Woodbury/Woodgreen/Woodland Courts are already full to the point that the driver can't see out of the entrance door and to add another 400 flats worth of passengers will not work.

The view on the Photomontage VP 14 from Tai Pak Wan Public Beach clearly shows that the new development will create a wall effect closing the gap between the Woodbury/Woodgreen/Woodland Courts and Crystal/Coral Courts. I'm not convinced that the correct height for the new development is shown on this photomontage.

The view from the rear of this flat like many others will be significantly blocked (see attached).

Where will all the construction huts, vehicles and materials be stored without taking down many more trees and shrubs than is currently shown on the design drawings? A construction layout plan is required to test its operability.

How will all the hikers be given safe access to the walk adjacent to the proposed development?

John Campbell 09 Dec 2016

Comments on Application Y/I – DB/2

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How will all the hikers be given safe access to the walk adjacent to the proposed development?

寄件者:
发件日期:
收件者:
主题:
附件:

Samcey Safaya
10/11/2016 4:21 PM
tyhsst@pland.gov.hk

Objection to HKR's plans to continue eroding our quality of life in DB with these illegal and corrupt plans
Area 10b Objection.docx / Area 6 Resident Objection.docx

Y11-DB/2

5400

Dear TPB,

I just want to make it clear, that HKR abuses its power at every level, engaging in coercion, intimidation and downright illegal methods to develop as it pleases. THESE MUST STOP. We have democratically always opposed their non-inclusive planning approaches. Its very top down, and NEVER with consent of residents. All they do is hold village meetings, and make their own decisions anyway after having "ceremoniously informed" us the residents. There is no due diligence, no representation and we have the feeling its just corruption at every level of government that authorizes all these re-zoning issues for example. Kindly see my rejection of their absurd, detrimental plans for any further developments in Discover Bay, thank you.

Kind regards,

Safyer - a long time resident in DB and HK since 1992.

This is Parkvale

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sirs,

**Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay**

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. The HKR claim that they are the sole land owner of Area 10b is in doubt. The lot is now held under the Principal Deed of Mutual Covenant (PDMC) dated 20.9.1982. Area 10b forms part of the "Service Area" as defined in the PDMC. Area 10b also forms part of either the "City Common Areas" or the "City Retained Areas" in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 10b for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). This has effectively granted over time an easement that cannot be extinguished. The Applicant has failed to consult or seek proper consent from the co-owners of the lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be maintained, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby is and will be substantial. This

3. The Proposal is major change to the development concept of the Lot and a fundamental deviation of the land use from the original approved Master Layout Plans and the approved Outline Zoning Plan in the application, i.e. a change from service into residential area. Approval of it would be an undesirable precedent case from environmental perspective and against the interests of all resident and owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure cannot stand up under such a substantial increase in population implied by the submission. All DB property owners and occupiers would have to suffer and pay the cost of the necessary upgrading of infrastructure to provide adequate supply or support to the proposed development. For one example the required road networks and related utilities capacity works arising out of this submission. The proponent should consult and liaise with all property owners being affected. At minimum undertake the cost and expense of all infrastructure of any modified development subsequently agreed to. Disruption to all residents in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surroundings, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature : Sameer Safaya Date: 9/12/2016

Name of Discovery Bay Owner / Resident: Sameer Safaya

Address: [REDACTED]

tpbpd

寄件者: Ling Yi Zou [REDACTED]
寄件日期: 09月12月2016年星期五 23:26
收件者: tpbpd@pland.gov.hk
主题: Objections to 10B & 6F HKD application
附件: 10b JB.pdf; 6f JB.pdf

Y/1-DB/2

5401

Hi,

Please see my comments attached.

Regards,
Jerker Berthou

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/T-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

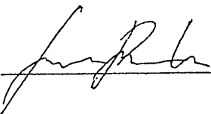
1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :



Date:

2016-12-09

Name of Discovery Bay Owner / Resident:

John Berthon

Address:



tbppd

寄件者: Billy Chi Ho Wong
寄件日期: 09/11/2016 年 星期五 21:03
收件者: Billy Chi Ho Wong; tp4qd@pland.gov.hk
主题: Objection to the submission by the applicant on 27.10.2016

5402

Dear Sir / Madam,

I am a Discovery Bay resident and I attached my objection letters for the Section 12A Application No. Y/1-DB/2 Area 6f and Area 10b , Lot 385 RP & Ext. (Part) in D.D.352 , Discovery Bay respectively for your record.

Thanks and Regards,
Chi Ho Wong

Chief Secretariat
Town Planning Board
15/F, North Point Government Offices
150 Javak Road, North Point
(Email: tpbpd@pland.gov.hk or fax: 2877 0245/2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2

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

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort (HKR), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.

The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.

There is a major change to the development concept of the Lot and a fundamental deviation of the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

4. The proposed reclamation and construction of a decking with a width of 9-34m pose environmental hazard to the immediate rural natural surrounding. There are possible sea pollution by the proposed reclamation, violation of the lease conditions, contravention of the Foreshore and Sea-bed (Reclamation) Ordinance, and encroachment on Government Lands etc. The submission has not satisfactorily addressed these issues and without any proper consultation with the co-owners.
5. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption to other property owners in the vicinity should be properly mitigated and addressed in the submission.
6. The proposed felling of 168 nos. mature trees in Area 10b is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
7. I disagree the applicant's statement in item E.6 of RtC that the existing buses parks in Area 10b open space are "eyesores". We respect that Area 10b has been the backyard of Peninsula Village for years and are satisfied with the existing use and operation modes of Area 10b, and would prefer there will be no change to the existing land use or operational modes of Area 10b.
8. The proposed extensive fully enclosed podium structure to house the bus depot, the repair workshops, the dangerous goods stores including petrol filling station and RCP are unsatisfactory and would cause operational health and safety hazard to the workers within a fully enclosed structure, especially in view of those polluted air and volatile gases emitted and the potential noise generated within the compounds. The proponent should carry out a satisfactory environmental

impact assessment to the operational health and safety hazard of the workers within the fully enclosed structure and propose suitable mitigation measures to minimize their effects to the workers and the residents nearby.

9. The proposed removal of helipad for emergency use from Area 10b is undesirable in view of its possible urgent use for rescue and transportation of the patients to the acute hospitals due to the rural and remote setting of Discovery Bay. This proposal should not be accepted without a proper re-provisioning proposal by the applicant to the satisfaction of all property owners of Discovery Bay.
10. I disagree the applicant's response in item (b) of UD&L, PlanD's comment in RtC that the proposed 4m wide waterfront promenade is an improvement to the existing situation of Area 10b. The proposed narrow promenade lacking of adequate landscaping or shelters is unsatisfactory in view of its rural and natural setting.
11. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory and I agree that the comments made by Architectural Services Department that "....The podium of the building blocks nos. L7 to L14 is about 250m in length that is too long and monotonous. Together with the continuous layouts of the medium-rise residential blocks behind, the development may have a wall-effect and pose considerable visual impact to its vicinity...." and by Planning Department that "....towers closer to the coast should be reduced in height to minimize the overbearing impact on the coast" and that "Public viewers from the southwest would experience a long continuous building mass abutting the coast. Efforts should be made to break down the building mass with wider building gaps...." are still valid after this revision.

until the applicant is able to provide detailed responses to the comments for review and comment, the application for Area 10b should be withdrawn.

Date: 7th December 2016

Bay Owner / Resident: CHI HO WONG

2020

姓名
性别
年龄
职业
住址

[REDACTED]

5413

1944年10月10日出生
1944年10月10日出生
1944年10月10日出生
1944年10月10日出生

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02

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.


Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

- 4.1 The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
- 5.1 The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
- 6.1 The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :  Date: 9-12-2016

Name of Discovery Bay Owner / Resident: Chan Siu Kong

Address: 

tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

tom chan [REDACTED]

09日12月2016年星期五 15:54

tpbpd@pland.gov.hk

Discovery Bay Area 10b and 6f Objection Letter to TPB

T_Area 6f (Behind Parkvale) - Objection Letter to TPB 2.pdf, T_Area 10b (Peninsula) - Objection Letter to TPB 2.pdf

Y/C-DB/2

5404

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

- 4.1 The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
- 5.1 The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
- 6.1 The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :  Date: 9-12-2016

Name of Discovery Bay Owner / Resident: Chan Siu Kong

Address: 

tpbpd

寄件者:
寄件日期:
收件者:
主题:
附件:

Chan Tom [REDACTED]
09日12月2016年星期五 15:54
tpbpd@pland.gov.hk
Discovery Bay Area 10b and 6F - Objection Letter to TPB
D_Area 6f (Behind Parkvale) - Objection Letter to TPB.pdf; D_Area 10b (Peninsula) - Objection Letter to TPB.pdf

Y(1-123)2

5405

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

- 4.1 The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
- 5.1 The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
- 6.1 The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature :  Date: 9-12-2016

Name of Discovery Bay Owner / Resident: Chan Suk Ching Doris

Address: 

upbvd

案件名
案件日期
案件名
主
附件

1999.12.12

1999.12.12

1999.12.12

1999.12.12

1999.12.12

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The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area,

and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.

- 4.1 The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
- 5.1 The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
- 6.1 The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature:  Date: 9-12-2016

Name of Discovery Bay ~~Owner~~ / Resident: Chan Wai Chung

Address: 

寄件者: Lau Tak Chi [REDACTED]
寄件日期: 09/12/2016 星期四 15:23
收件者: tbbp3@pland.gov.hk
主题: Objections to HKR's two applications to the Town Planning Board (TPB) to develop Area 6f (behind Parkvale) and 10b (Cervicos Area at the waterfront of Peninsula Village) in Discovery Bay
附件: Area 6f (Behind Parkvale) - Objection Letter to TPB.docx; Area 10b (Peninsula) - Objection Letter to TPB.docx

Y/1-PB/2

5407

Dear Sir,

In response to the applications by HKR to the Town Planning Board for the development of the areas cited in the Subject heading above, please note that I strongly object to such kinds of developments. Full arguments against the same are attached.

Grateful if you would pay due attention to the reasons and reject the applicant's submissions.

Thank you,

Lau Tak Chi

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all

infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.


Signature : _____

Date: 9 th Dec 2016

Name of Discovery Bay Owner / Resident: Lau Tak Chi

Address: 

寄件者:
寄件日期:
收件者:
主旨:

catherine.mackinnon [REDACTED]
(09)1112月2016年星期五 15:04
tpbpd@pland.gov.hk
Objection to 2 new Discovery Bay proposed developments - Area 10B and Area 6B

5408

Y/1-DB/2

Dear Sir/Madam

I wish to register my strong objection to the above 2 developments in my home town of Discovery Bay. I am a permanent resident of Hong Kong, having lived here for over 15 years now. I chose to live in Discovery Bay because of the relatively low density population, hence lower levels of pollution and the access to nature and currently own 3 properties in Discovery Bay. I am very concerned about the proposed developments as it is my belief that, with the large increase in population, they will alter Discovery Bay beyond recognition. Neither do I believe that DB has the infrastructure to support such a large increase in population. What about sewerage, buses, rubbish collection, schools, leisure facilities, medical facilities, water etc etc? - the proposed plans do not adequately explain how this can possibly work. As a resident, I also worry about the noise levels during renovation and the disruption to resident's every day lives during the very long renovation period for a project on such a large scale.

To summarize, I wish to object to applications Y/1-DB/3 and Y/1-DB/2. Such an enormous increase in population is simply not feasible in Discovery Bay and will cause widespread upset.

Yours faithfully
Catherine Mackinnon
[REDACTED]

From

收件者
收件日期
收件者
主旨
附件

To: [REDACTED]
From: [REDACTED]
Subject: [REDACTED]
Attachments: [REDACTED]

5/1/9

Dear Secretariat of Town Planning Board,

Please find objection letters related to subject above- attached

Many thanks,
Ms YEUNG

>>>>

>>>

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tpbpd@pland.gov.hk or fax: 2877 0245 / 2522 8426)

Dear Sir,

Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the consultant of Hong Kong Resort ("HKR"), Masterplan Limited, to address the departmental comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

1. HKR claims that they are the sole land owner of Area 6f is in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 6f forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section I of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to go pass and repass over and along and use Area 6f for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential area, and approval of it would be an undesirable precedent case from environmental perspective and against the interest of all property owners of the district.
4. The original stipulated DB population of 25,000 should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arised out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all

infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.

5. The proposed felling of 118 nos. mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 10b should be withdrawn.

Signature : _____

Date: _____

Name of Discovery Bay Owner / Resident: _____

Address: _____

tpbpd

寄件者: Ebba Lo
寄件日期: 09/11/2016 年 星期五 14:27
收件者: tpbpd@pland.gov.hk
主旨: Re Objection: Area 10b and area 6f, Discovery Bay
附件: image1.JPG; ATT00013.txt; image2.JPG; ATT00016.txt; image3.JPG; ATT00019.txt; image4.JPG; ATT00022.txt

5410

To whom it may concern,

Pls see attached objections related to:

- Area 10b, Lo 385, RP & Ext (Part) in D.D. 352, Discovery Bay

- Area 6f, Lot 385, RP & Ext (Part) in D.D. 352, Discovery Bay ✓ Y/I-DB/2

BR Ebba Lo

The Secretary
Town Planning Board
181, North Point Government Offices
111 Java Road, North Point
(Via email: dpb@dpd.pland.gov.hk or fax: (852) 2851 2222)

Dear Sir,

Section 12A Application No. Y 4.011.2
Area 66 Lot 385 RP & EM (Part of D.O. 252, How Wai Bay

Objection to the Submission by the Applicant on 27.10.2016

I refer to the Response to Comments submitted by the applicant (Hong Kong Report & HKR's Masterplan Limited) to all City Planning Department comments regarding the captioned application on 27.10.2016.

Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:

1. HKR claims that they are the sole land owner of Area 66 as in doubt, as the lot is now held under the Principal Deed of Mutual Covenant ("PDMC") dated 20.9.1982. Area 66 forms part of either the "City Common Areas" or the "City Retained Areas" as defined in the PDMC. Pursuant to Clause 7 under Section 1 of the PDMC, every Owner (as defined in the PDMC) has the right and liberty to pass and repass over and along and use Area 66 for all purposes connected with the proper use and enjoyment of the same subject to the City Rules (as defined in the PDMC). The applicant has failed to consult or seek proper consent from the co-owners of the Lot prior to this unilateral application. The property rights of the existing co-owners, i.e. all property owners of the Lot, should be considered, secured and respected.
2. The disruption, pollution and nuisance caused by the construction to the immediate residents and property owners nearby are substantial, and the submission has not been addressed.
3. There is major change to the development concept of the Lot and a fundamental deviation to the land use of the original approved Master Plans or the approved Outline Zoning Plan in the application, i.e. from staff quarters into residential

area and approval of it would be an endorsement of the project from an environmental perspective and against the interest of all property owners in the district.

4. The original stipulated DV (population of 28,000) should be fully respected as the underlying infrastructure capacity could not afford such substantial increase in population by the submission, and all DB property owners would have to suffer and pay for the cost out of this submission in upgrading the surrounding infrastructure so as to provide adequate supply or support to the proposed development, e.g. all required road network and related utilities improvement works arisen out of this submission etc. The proponent should consult and liaise with all property owners being affected and undertake the cost and expense of all infrastructure out of this development. Its disruption during construction to other property owners in the vicinity should be properly mitigated and addressed in the submission.
5. The proposed felling of 118 non-mature trees in Area 6f is an ecological disaster, and poses a substantial environmental impact to the immediate natural setting. The proposal is unacceptable and the proposed tree preservation plan or the tree compensatory proposal are unsatisfactory.
6. The revision of development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in term of its proposed height, massing and disposition in this revision. The two towers are still sitting too close to each other which may create a wall-effect to the existing rural natural setting, and would pose an undesirable visual impact to the immediate surrounding, especially to those existing towers in the vicinity.

Unless and until the applicant is able to provide detailed responses to the comments for further review and comment, the application for Area 6f should be withdrawn.

Signature: _____

Date: _____

Name of Discovery Bay Owner / Resident: _____

Eden LO + 10, 20, 30, 40, 50, 60, 70, 80, 90, 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000

Address: _____

grounds, nursery grounds) should also be considered as specified in the Technical Memorandum on Environmental Impact Assessment Process. The impact assessment regarding these sensitive receivers and other marine ecological sensitive receivers (like the seagrass beds at Nim Shue Wan and corals) largely depends on the results of the marine water quality impact assessment.

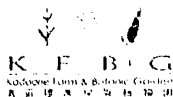
5. We would like the Board to clarify with the relevant authorities and the applicant as to whether proper water quality modeling analyses have been conducted to assess the potential marine water quality impacts that would be caused by the proposed project (i.e., Y/I-DB/3). We hope that such modeling analysis has been carried out and the results are acceptable to the relevant authorities. If no such modeling analysis has been undertaken, we would like the Board to request for the rationale and explanations for such an omission from the assessment process.

6. We are highly concerned about the potential ecological impacts that would be caused by these projects. We consider that comprehensive ecological impact assessments should be carried out for both projects and the results of such studies presented to the Board. We consider that it is not acceptable to approve these applications without the Board being provided with such information.

7. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

cc. Hong Kong Bird Watching Society
WWF-HK



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

12th July, 2016.

By email only

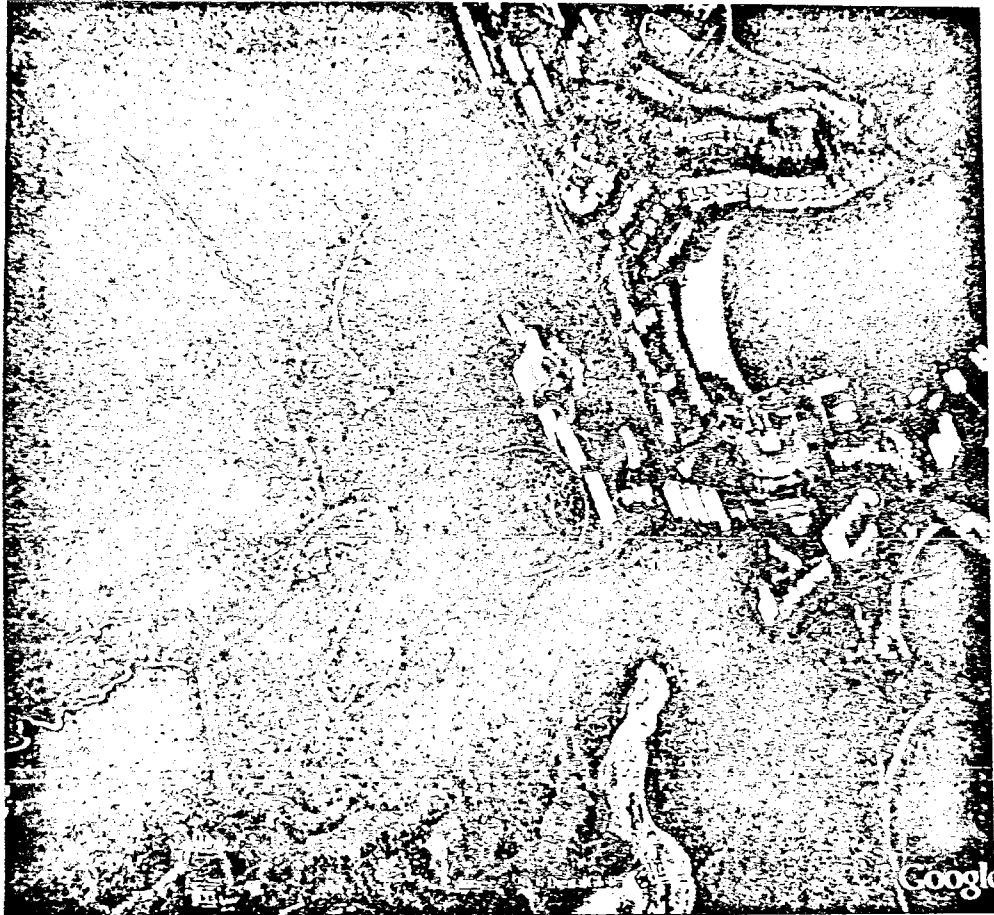
Dear Sir/ Madam,

To rezone the application site from "Other Specified Uses" annotated
"Staff Quarters (5)" to "Residential (Group C) 12"
(Y/I-DB/2)

&

To rezone the application site from "Other Specified Uses" annotated "Staff Quarters
(1)", "Other Specified Uses" annotated "Service Area", "Other Specified Uses"
annotated "Dangerous Goods Store/Liquefied Petroleum Gas Store", "Other Specified
Uses" annotated "Pier (3)", "Other Specified Uses" annotated "Petrol Filling Station",
"Other Specified Uses" annotated "Marina" and "Government, Institution or
Community" to "Residential (Group C) 13", "Government, Institution or Community",
"Other Specified Uses" annotated "Residential Above Service Area" and "Other
Specified Uses" annotated "Promenade" and to extend the Outline Zoning Plan
boundary beyond the existing seawall and zone it as "Residential (Group C) 13" and
"Other Specified Uses" annotated "Promenade"
(Y/I-DB/3)

1. We refer to the captioned.
2. We are highly concerned about the potential ecological impacts that would be caused by these projects. We consider that proper ecological impact assessments should be carried out for both projects and the results of such studies presented to the Board. We would consider that it is not acceptable to approve these applications without the Board being provided with this information.
3. As can be seen from an aerial photograph taken in 2016 (Figure 1), the site for the first application (Y/I-DB/2) is quite well-vegetated and would be ecologically linked with the



香港新界大埔林錦公路

Lam Kam Road, Tai Po, New Territories, Hong Kong
Email: gap@klbg.org

surrounding hillside vegetation. According to the AFCD, there are also seagrasses present at Nim Shue Wan¹. In addition, we would like the Board to clarify with the applicant as to whether reclamation of the foreshore is required for the second application (Y/I-DB/3). If the answer is 'Yes', we are highly concerned that the seagrass beds will be seriously affected by the future scale of engineering works associated with this application.

4. We urge the Board to clarify with the applicant and the relevant authorities as to whether ecological impact assessments have been carried out to identify and evaluate the ecological value of the application sites and their surroundings as well as the potential ecological impacts of the proposals. If not yet done, we urge the Board to consult with the Conservation Authority and request for such assessments for these applications. Relevant mitigation measures should also be clearly articulated if ecological impacts are identified for these sites and their surroundings.

5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

¹https://www.afcd.gov.hk/english/conservation/con_wet/con_wet_sea/con_wet_sea_dis/images/ThecurrentdistributionofseagrassesinHongKong201402EngMP.jpg

5411

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

9th December, 2016.

By email only

Dear Sir/ Madam,

To rezone the application site from "Other Specified Uses" annotated
"Staff Quarters (5)" to "Residential (Group C) 12"

(Y/I-DB/2)

&

To rezone the application site from "Other Specified Uses" annotated "Staff Quarters
(1)", "Other Specified Uses" annotated "Service Area", "Other Specified Uses"
annotated "Dangerous Goods Store/Liquefied Petroleum Gas Store", "Other Specified
Uses" annotated "Pier (3)", "Other Specified Uses" annotated "Petrol Filling Station",
"Other Specified Uses" annotated "Marina" and "Government, Institution or
Community" to "Residential (Group C) 13", "Government, Institution or Community",
"Other Specified Uses" annotated "Residential Above Service Area" and "Other
Specified Uses" annotated "Promenade" and to extend the Outline Zoning Plan
boundary beyond the existing seawall and zone it as "Residential (Group C) 13" and
"Other Specified Uses" annotated "Promenade"

(Y/I-DB/3)

1. We refer to the captioned.
2. We consider that the comments made in our previous submission are still valid; please refer to Appendix 1.
3. In addition, we would like to provide our views regarding some recent responses made by the applicant to the comments of the authorities.
4. We would like to make clear that impact on fisheries does not only cover impacts on Fish Culture Zones (FCZs). Impacts on capture fisheries and fisheries resources (e.g., spawning