

tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Mike McDonagh
08/11/2016 9:07 AM To: 15
tpbpd@pland.gov.hk
Section 12A Application No Y/I-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay
Area 6f Selina 16c Woodland Court.pdf

5262

5263

RESEND :

Dear Sir ,

Please find enclosed (ref pdf) my comments on the above application.

Yours sincerely ,

Selina Kwong

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: 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: S. Wong Date: 8th December, 2016

Name of Discovery Bay Owner / Resident: SELINA KWONG SIU-NGAN

Address: 

tpbpd

寄件者: Mike McDonagh [REDACTED]
寄件日期: 08/12/2016 15:39:15
收件者: tpbpd@pland.gov.hk
主旨: Section 12A Application No Y71-DB/2 Area 6f, Lot 385 EP & Ext, Part 1 of D.D. 552, Discharge Bay
附件: Area 6f Selina 16cWoodland Court.pdf

5264

Dear Sir,

Please find enclosed (ref pdf) my comments on the above application.

Yours Sincerely,

Selina Kwong

The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email) or fax: 2877 6245 - 2522 8426

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Signature: S. L. Wong Date: 8th December, 2016

Name of Discovery Bay Owner / Resident: owner

Address: 

tpbpd

寄件者: Rena Yee Fan Mok [REDACTED]
寄件日期: 08月12月2016年星期四 15:47
收件者: tpbpd@pland.gov.hk
主题: Section 12A Application No Y1-DB/2
附件: Y1-DB2.pdf

代理 Robert Molland Smith [REDACTED]

5265

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致城市規劃委員會秘書：

專人送遞或郵遞：香港北角濟華道 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)

Pages 1-6

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

簽署 Signature

日期 Date

8th DECEMBER 2016

ROBERT MORLAND SMITH

(這部分不會公開予公眾查閱)

(This part will not be made available for public inspection)

「提意見人」詳細資料

Particulars of "Commenter"

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.

委員會就這份意見所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) 處理這宗申請，包括公布這份意見供公眾查閱，同時公布「提意見人」的姓名供公眾查閱；以及
- (b) 方便「提意見人」與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the "commenter" in this comment may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

「提意見人」就這份意見提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. A "commenter" has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，「提意見人」有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

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.

SECTION 12A APPLICATION NO Y/1 – DB/2

Comments on the Third Submission by Masterplan Limited dated 26th October 2016 to Amend Discovery Bay Zoning Plan for Rezoning the permissible use from staff Quarters to Flats At Area 6f, Discovery Bay

I have previously made submissions to you on 8th April 2016 and in July 2016 in which I objected to the submissions made by Masterplan Limited on behalf of the Hong Kong Resort Company Limited at those times.

The Third Submission again totally fails to address or just ignore objections raised by myself and many others in the responses to the 8th April submission and also fails to adequately address various points raised by the various Government Departments which have not been satisfactorily answered, or issues which have not even been addressed by the various Government Departments.

In particular:-

1) Sewage Treatment and Disposal

The Hong Kong Government has and continues to spend billions of dollars in providing infrasture to improve the collection and treatment of sewage from outlets flowing into the harbour in Hong Kong, Kowloon, and the New Territories including Lantau with the goal of improving the quality of Hong Kong waters.

It is also trying to rid the New Territories of septic tanks, yet here in Discovery Bay the proposal is to discharge partially treated sewage into the sea at Tai Pak Wan Bay with high levels of TIN and TP and that's apparently OK as the quality of the sea water is already bad! (6.4.1.1)!

The sewage proposal for area 6f, ie. a local basic sewage treatment with effluent discharged into the sea in the vicinity of the Ferry Pier and Discovery Bay Plaza in an area adjacent to where people are encouraged by Hong Kong Resort Company Limited to swim is totally unacceptable and totally negates the billions of dollars spent by the Hong Kong Government in trying to improve sewage disposal and water quality in Hong Kong. No further development should be permitted until Discovery Bay's sewage disposed system can be connected to an enlarged plant Sai Wan Ho Treatment.

The proposal for a local sewage treatment plant and the disposal of partially treated sewage which will eventually discharged to the neighboring marine waters without the need for a marine outlet" shows a clear lack of concern for the residents of and visitors to Discovery Bay.

I can see the headlines in the media if such a plan is accepted by the Town Planning Board, and relevant Government Departments.

The local sewage treatment plant is clearly on afterthought which has not addressed the serious issues arising therefrom, including the local noise and smell that will it inevitably produce, and the need to clear sludge from the proposed insitu plant.

The tentative route of the sewage pipe to the sea is via the slope to Discovery

Valley Rd, running alongside the existing stream and reservoir spillway through, then through the area of the Discovery Bay Plaza! We can look forward to more red tides.

2) Water Supply

Again, the third submission fails to adequately address the short comings and potential health risk by relying on the reopening the presently defunct existing Water Treatment Plant (which has been out of operation for 17 years).

It is clear that the Hong Kong Resort Company has blindly sought to increase its potential to increase the population of Discovery Bay for purely commercial reasons without any consideration whatsoever for its impact on the community, visitors, or the environment.

3) Other Utilities

The submission provides no information on the impact of other utility services including electricity, gas, surface water, fire water telecommunications, needed for the 6/f site.

In respect of electricity it is likely that major new infrastructure will be required to serve the 6/f site which will be to the detriment of the existing Parkvale Village infrastructure and its impact on the existing village environment and overall community.

4) Population

The Discovery Bay OZP is for a population of 25,000.

The most recent Census (2011) the average household size is 2.7 persons per residential unit. According to Hong Kong Resort Company Limited latest record the present population is 19,585 in 8326 units equivalent to 2.35 persons per unit.

There are presently, a considerable number of areas of undeveloped areas in the approved Discovery Bay Masterplan. Why have these areas which are available for development not been developed by Hong Kong Resort Company Ltd? What is the planned number of residential units and the estimated number of persons per unit for these areas?

In the submissions for areas 6f and 10b it is proposed to construct 1601 units for 4003 persons at 2.5 persons, and not 2.7 persons (4,323 persons).

There are existing new developments ongoing at sites adjacent to the reservoir and also at Amalfi the N Plaza, and I understand some further 2240 Units also to be submitted or about to be submitted at DB North.

It is clear that the intention of Hong Kong Resort Company Limited is to increase the population of Discovery Bay very significantly above 25,000, without public consultation and without sufficient consideration on the infrastructure in particular for water, sewage, drainage, power and other utilities required to cope with such an increase in population.

5) Access Roads (to the Site)

The access to the 6/f site is not readily accessible as stated in the submission via the paved Parkvale drive shared pedestrian pavement / vehicle passageway in front of the existing 3 No Woods Residential Building's. This access is a very narrow, congested area, bounded on one side by the residential buildings which are situated immediately adjacent to the passageway on the paved area without any buffer or separation whatsoever from traffic and on the other side by an existing rock slope covered with vegetation / trees.

The present access road is too narrow and it is probable (but not addressed in the submission) that very significant rock breaking would be required to widen the access road to accommodate the 6f development on a slope just metres away from the existing residential units with attendant air and noise pollution to the residents of the 3 No Woods residential buildings as well as negatively impacting the DB environment in general.

The other constraints to the lower part of Parkvale Drive were set out in my previous submission but have again not been answered, or addressed at all in this or previous submissions.

The parkvale drive road and the passageway in front of the Woods residential building will become blocked with risks to access by emergency vehicles being restricted or made impossible, both during construction and occupants, should 6/f be built.

6) Traffic Impact Assessment

The studies and data do not even attempt to address the very significant impact of the proposed 6f development in respect of its impact on Parkvale Drive which serves both Midvale and Parkvale village, nor the wider impact arising from the other developments in Discovery Bay including the shopping centre development which will severely impact the bus system for a minimum of 2 years as well as the concurrent 10b development and other developments adjacent to the N Plaza and on Discovery Valley Road adjacent to the service reservoir.

7) Building Disposition

The Third submission in its covering letter dated 26th October 2016 refers to "minor adjustments" in relation to the access road to address departmental concerns, but no consideration whatsoever is given to the adverse affect of a busier roadway within centimeters of the existing works buildings on the existing population of the 3 No Woods residential buildings.

8) Environmental Approach

Again no definitive construction technologies have been developed for the construction.

The existing site formation (formed on a site for a small 3 storey 170m³ building is incapable of accommodating the footprint required for the 2 No major (for Discovery Bay) residential buildings and associated ancillary works and roads, /

external areas. As a result the construction area will encroach well into the existing steep (but presently green) slope, requiring considerable filling and a massive concrete retaining wall

Considerable construction works will be required to the steep slope presently covered in vegetation immediately behind the Crystal and Coral residential buildings and adjacent to the Woodland Court residential building.

Further no location, size or type or other details are provided for the proposed Sewage Treatment Plant.

It should also be noted that recent developments in Discovery Bay ie. houses being constructed adjacent to the reservoir and on the Golf Course ridge line, are both being to built on raised filled platforms, with concrete retaining walls and with no consideration whatsoever for aesthetic, environmental and/or visual impact concerns. These eyesores are visible from miles away.

It does not say much for the TPB planning and approval procedures that such developments are approved and gives no hope that a building at 6/f would be any better.

Clearly little or no consideration has been given to the environmental or visual impact on the residents of Parkvale Village in the selection of the site for the proposed 6f development.

The submission emphasizes the 5m buffer between the new residential towers and the access road for the 6/f site, but fails to address the fact that to get to the site all transport will have to pass within a few metres (at some points a few centimetres) away from the existing 3 No Woods buildings along the shared vehicle / pedestrian access way.

9) Undivided Shares

The principal Deed of Mutual convenient has notionally divided the Lot into 250,000 undivided shares.

Why is such information "commercially sensitive" when Hong Kong Resort Company Limited are the sole developer of Discovery Bay.

Surely in a public consultation this information should be made public, particularly as there is a general perception that the system is being misused by the Hong Kong Resort Company Limited to the detriment of the owners of properties in Discovery Bay, but who have no way of checking whether or not this is the case.

Such information should be made public knowledge before any rezoning of existing land use including 6f and 10(b) and/or plans to increase the population of Discovery Bay in excess of 25,000 under the existing OZP is approved.

Generally

The Hong Kong Resort Company Limited and their consultants together with the various government departments have been preparing for what is a very poor and inadequate submission, containing very limited and often misleading information over a period exceeding 3 years, but the public are given just 14 days to respond to each of the applications ie. a total of 42 days. Is this reasonable and does it constitute a proper public consultation.

To Summarise:-

- The developments at areas 6f and 10b will, together with the present ongoing developments in other areas of Discovery Bay at the reservoir and at DB North, the proposed developments on present undeveloped but approved sites in Discovery Bay will clearly take the population above the OZP permitted population of 25,000.
- The 6/f submission totally fails to adequately address the issues of sewage and water supply to Discovery Bay.
- It is shameful to propose a development at area 6/f in Discovery Bay which is not connected to a first world sewage disposal system, with associated health risk to the residents of Parkvale Village and Discovery Bay.
- It is a disgrace that effluent from the proposed development at area 6/f will be discharged into the sea adjacent to the resort facilities developed by the same developer and to the adjacent swimming beach which is promoted by the developer of Discovery Bay.
- The proposed access road via Parkvale Drive and the shared private pedestrian passageway in front of the 3 No Woods residential development is totally unsuitable for the increased traffic that would be generated both during construction and if and when occupied and would inevitably lead to increased accident risk in these roads and passageways, and significant problems for emergency vehicle access.
- The development is proposed on an already formed area for a 3 storey 170m³ building ie. a 3 storey building of say 34m x 5m on plan. The existing site formation is far too small to accommodate the proposed 2 No large Towers each with many Flats per floor without massive slope and retaining wall works having to be carried out with attendant environmental, noise and safety concerns to the residents of the existing Crystal and Coral Court blocks which are situated immediately below the proposed 6/f building, and to the adjacent 3 No Woods residential buildings.
- In order to access the proposed 6/f site from the passageway in front of the existing 3 No Woods residential blocks, considerable rock breaking and slope stabilization would be required to the slope above the private passageway as well as to the steep slope above the proposed 6/f building with associated environmental, noise safety and visual impact consequences.

- the number of residents in the proposed 6/g development for Discovery Bay.
- Lack of public consultation and availability of information in respect of the possible misuse of the undivided shares.
- Negative visual impact due to the large retaining wall required to support a filled platform when viewed from Crystal and Coral Courts and major degradation of surround slopes
- Many trees will be lost it appears that many of the alleged 148 No new trees appear to be located in areas of water.

In conclusion

The proposed development is on the wrong site, which is much too large for the existing site formation and has been driven solely for commercial reasons, without proper planning or consideration of environmental, safety, noise and visual impact concerns and without any regard to the residents of Parkvale Village or Discovery Bay or the present OZP limit of a 25,000 population for Discovery Bay.

A much smaller low rise development, compatible with the formed existing site formation, preferable with a totally separate vehicular access directly from Discovery Valley Road may be appropriate for the planned location.

Robert Morland Smith 8th December 2016

mbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Mike McDonagh [REDACTED]
08/11/2016 星期三 15:42
tplbpd@pland.gov.hk
: Ref Section 12A Application No Y/I-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D.352, Discovery Bay
Area 6 f ref 16b Woodland CT.pdf

5266

Dear Sir ,

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Yours Sincerely ,

M C. McDonagh

252

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

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

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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: M.C. McDonagh

Date: 8th December 2016

Name of Discovery Bay Owner / Resident: M.C. McDONAGH

Address: [REDACTED]

tpbpd

寄件者: Mike McDonagh [REDACTED]
寄件日期: 08/12月2016年 星期四 15:30
收件者: tpbpd@pland.gov.hk
主题: Ref Section 12A Application No Y/I-DB/2 Area 6F, Lot 585 RP & Ext (Part) in D.D.352, Discovery Bay
附件: Area 6F ref 16c Woodland Court.pdf

5267

Dear Sir,

Please find enclosed (Ref pdf) my comments on the above application .

Yours sincerely ,

Michael C. McDonagh



The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: 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: M.C. McDonagh Date: 8th December 2016

Name of Discovery Bay Owner / Resident: M.C. McDONAGH

Address: 

2000

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U.S. Coast Guard
U.S. Coast Guard
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U.S. Coast Guard
U.S. Coast Guard

5268

Dear Sirs,

I attach my objection concerning Section 12A Application No. 12A-0002 Area of Interest 12A-0002, Discovery Bay Objection to the Submission to the Application dated 12/12/2000 concerning Area 6f, Discovery Bay

D C Lovegrove

To:
The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road,
North Point,
Hong Kong

By e-mail Attachment to <tpbpd@pland.gov.hk>

Dear Sirs,

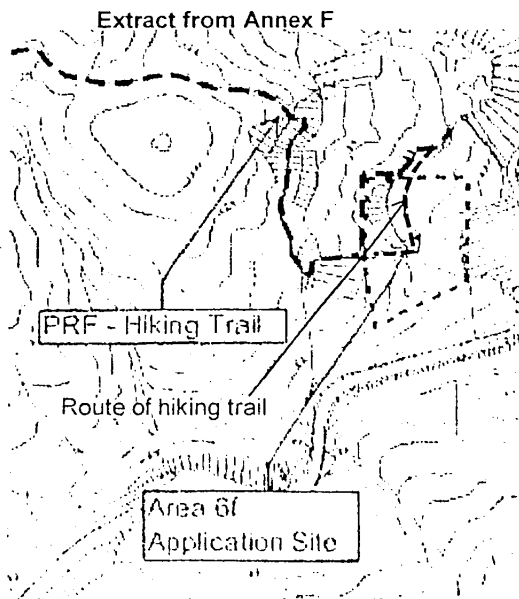
Section 12A Application No. Y/I-DB/2
Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay Objection to the Submission by the Applicant
dated 26.10.2016 For Optimising Land Uses at Area 6f, Discovery Bay

I strongly object to the proposed development in both its original and current form and take issue with the Response to Comments submitted on behalf of Hong Kong Resort (HKR) by its consultant Masterplan Ltd under cover of its letter dated 26 October 2016. In particular I am dismayed by the fact that the consultant has chosen to address only departmental comments when, as part of a public consultation process, it should be responding also to comments made by the public.

I shall be grateful if you will take note of my comments below.

Hiking Trail

1. LandsD commented "... the Applicant shall revise their scheme to avoid affecting the existing hiking trail." The Response dated 26 October states



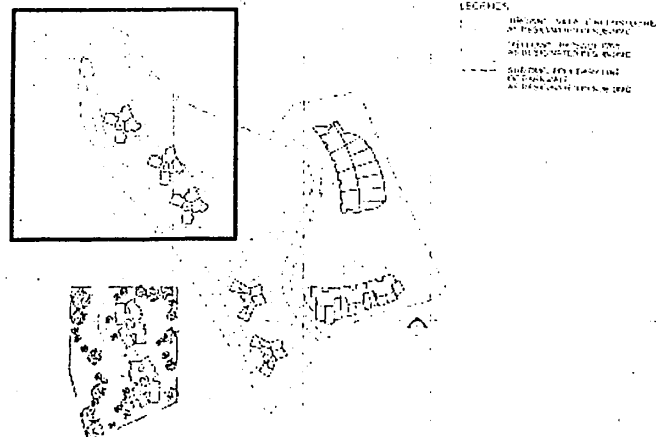
"According to the demarcation plan of the Public Recreation Facilities ("PRF") – drawing no. PRF-001_C submitted to the District Lands Office on 14 January 2016, the hiking trails designated as PRF do not encroach on the application site. PRF demarcation plan overlaid with the application site boundary is provided in Figure 1 in Annex F." An extract from the plan in Annex F is shown here and the trail shown bypassing Area 6f is a figment of the Applicant's imagination. The fact that it is shown on a PRF drawing prepared by HKR does not mean it is correct. The correct route of the trail is shown in blue on the plan shown here and passes through Area 6f. I have made this comment twice before (April and July 2016) but the proponent seems to believe that repeating a lie in Application after Application will somehow make it true – it doesn't as the photographs below clearly show. Not only that, but HKR or one of its

subsidiaries has placed a notice warning people to keep off the slope where it maintains there is a public recreation facility (see photograph below).



Access

2. Setting aside legal aspects concerning the proposed access to the site through Parkvale Village, it is totally devoid of basic planning sense.

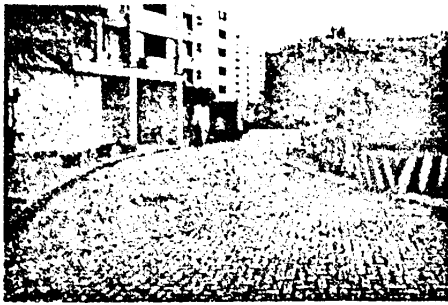


AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

PLAN

比例尺 1:500
1/500 SCALE
1/500 SCALE

[The] Passageway in question (see yellow route in the red box above) is no more than a single lane road paved with concrete blocks like most of the "lanes" in Discovery Bay (see photograph) that even the regular buses to Parkvale have difficulty negotiating.



The entire length of road and passageway leading to the site from the Reservoir road (both inside and outside the red box above) is not designed to take heavy construction vehicles such as concrete mixer trucks, heavy trucks (delivering plant and equipment and hauling away spoil from excavation) and low loaders delivering materials, equipment and the like. It will rapidly break up and services beneath will be put at risk – similar to what has happened in Greenvale Village under loadings applied by half-hourly airport buses. Further, there is no room for large vehicles to pass on many parts of the route (a problem which does not arise at present with limited numbers of buses). This would have been obvious to any engineer who inspected the site but has been ignored in the design of the scheme because the Revised TIA does not even mention construction traffic never mind its impact on a road not designed for heavy vehicles.

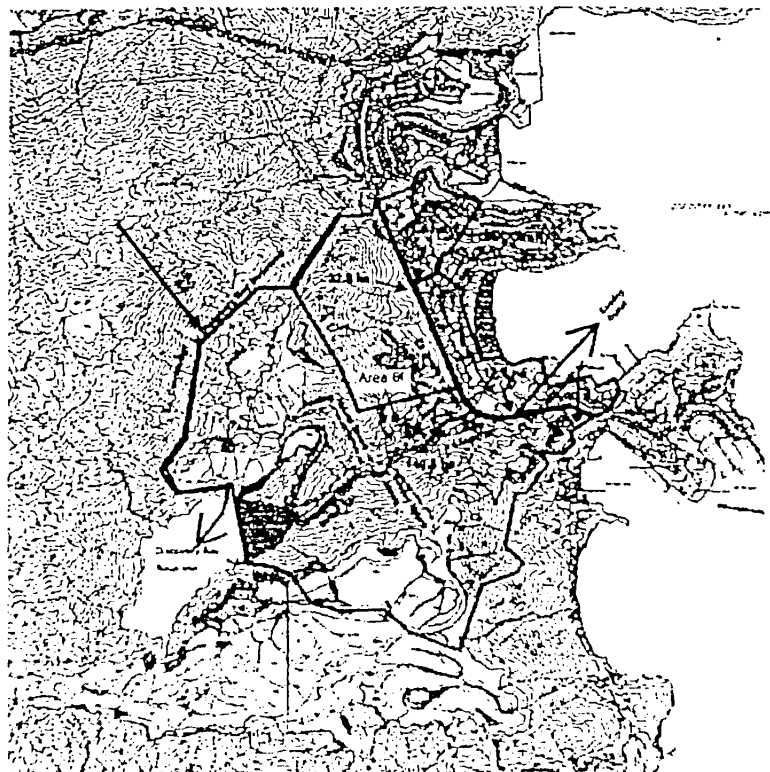
Environmental

Noise

3. Impacts arising from construction traffic are ignored in both the Environmental Study and the revised EIA even though it would have been obvious to an environmental engineer that this will pass within a few metres of the windows of flats in Parkvale Village.

Surface Drainage

4. It isn't immediately obvious to me what the consultant has based its catchment plan on because the catchwater intercepting hillside run-off (arrowed below) does not exist. When a lay person can identify such a seemingly important error it casts doubt on everything else the consultant has written.



Discovery Bay Drainage Catchment Plan

Other Issues

5268

I full support comments made on the following important issues made by others.

5. HKR's claim that it is 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.
6. 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.
7. 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.
8. 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 as envisaged 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 arise 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.
9. 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.

Signed:

Janice C. Lovegrove

Date: 7 December 2016

Name:

D C Lovegrove

Address:



The Secretariat

Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point
(Via email: tbbpd@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.

HKR has ignored all concerned comments from residents that were submitted to the TPB; HKR have stated that they have only addressed government dept concerns in their 3rd submission. How could a responsible developer ignores the comments and concerns from its residents, if the government allows for that, that can create problems to the government later on.

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.

The sewage from this development will spill into the South Plaza bay located behind the ferry area which is approx. only 270 meters to the beach and Boardwalk Restaurants (with this additional sewage will the water quality be safe? Currently the water quality is already quite polluted especially in the summer time, which we can see polluted water flowing in the beach).

Crystal and Coral Courts will have a sewage treatment plant behind their building which is most undesirable to them.

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. It is clear from the latest submission and new master plan that the population will breach 25,000 residents. 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.

HKR has ignored all traffic safety concerns for all of DB residents, possible traffic blockages to Midvale and Parkvale Villages, as well as that fact that there will be limited emergency access in these areas

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.

Would appreciate the government to consider the above comments and to take appropriate action towards Hong Kong Resort's Submission for Area 6F.

Many thanks

5269

Name of Discovery Bay Owner & Resident: Li Ho Ching Carmen

Address: [REDACTED]

Date: 6th December 2016

tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

che chung francis lam [REDACTED]
08/11/2016年星期四 14:19
tpbpd@pland.gov.hk
Section 12A Application No. Y/L-DB/2 - Area 6f, Lot 385 RP & Ext (Part) in D. D. 352, Discovery Bay
Area 6f.pdf

5270

Re: Objection to the Application submitted by the Applicant on 27.10.2016

I forward my objection to the captioned application as per my letter attached herewith.

Francis Lam

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

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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.
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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: 8/12/2016

Name of Discovery Bay Owner : Lam Che Chung Francis

Address:



发件者:
发件日期:
收件者:
主题:
附件:

G. W. L. [redacted]
 [redacted]
 [redacted]
 [redacted]
 [redacted]
 [redacted]

5271

I attach my objection concerning Section 10A Application No. 14-00012 Area 6f, Discovery Bay, Alaska, to the Submittal by the Applicant dated 2/2/2014. I also attach my objection to the Submittal by the Applicant dated 2/2/2014 concerning the proposed development in Area 6f, Discovery Bay.

G W Lovegrove

To:
The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road,
North Point,
Hong Kong

By e-mail Attachment to <tpbpd@pland.gov.hk>

Dear Sirs,

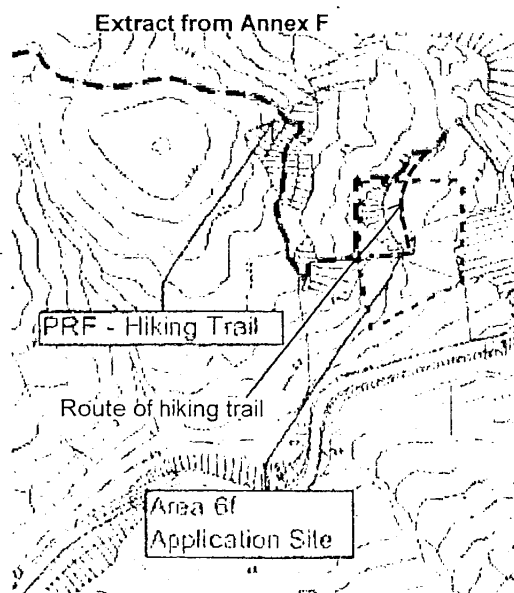
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Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay Objection to the Submission by the Applicant
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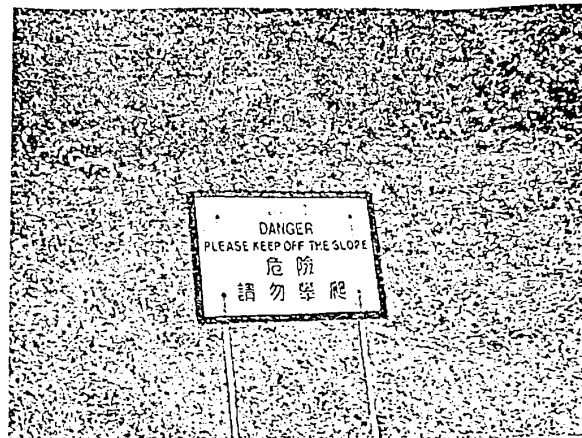
Hiking Trail

1. LandsD commented "... the Applicant shall revise their scheme to avoid affecting the existing hiking trail." The Response dated 26 October states



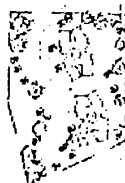
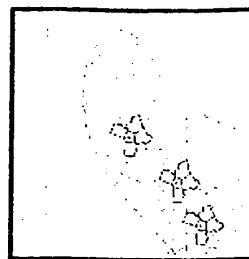
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subsidiaries has placed a notice warning people to keep off the slope where it maintains there is a public recreation facility (see photograph below).



Access

2. Setting aside legal aspects concerning the proposed access to the site through Parkvale Village, it is totally devoid of basic planning sense.



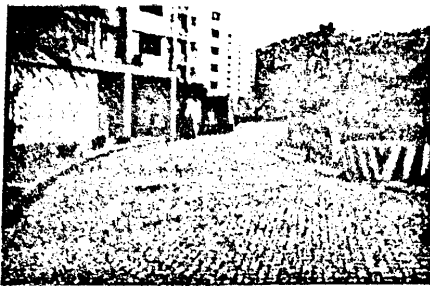
LEGEND:
 BOUNDARY OF THE PROPOSED AREA
 EXISTING PROPOSED ROAD
 EXISTING PROPOSED SLOPE
 EXISTING PROPOSED SLOPE
 EXISTING PROPOSED SLOPE

AREA 6f
 PROPOSED RESIDENTIAL DEVELOPMENT

PLAN

Application No. Y/I-DB/2Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay
 The application is subject to the approval of the Planning Commission.

The Passageway in question (see yellow route in the red box above) is no more than a single lane road paved with concrete blocks like most of the "lanes" in Discovery Bay (see photograph) that even the regular buses to Parkvale have difficulty negotiating.



The entire length of road and passageway leading to the site from the Reservoir road (both inside and outside the red box above) is not designed to take heavy construction vehicles such as concrete mixer trucks, heavy trucks (delivering plant and equipment and hauling away spoil from excavation) and low loaders delivering materials, equipment and the like. It will rapidly break up and services beneath will be put at risk – similar to what has happened in Greenvale Village under loadings applied by half-hourly airport buses. Further, there is no room for

large vehicles to pass on many parts of the route (a problem which does not arise at present with limited numbers of buses). This would have been obvious to any engineer who inspected the site but has been ignored in the design of the scheme because the Revised TIA does not even mention construction traffic never mind its impact on a road not designed for heavy vehicles.

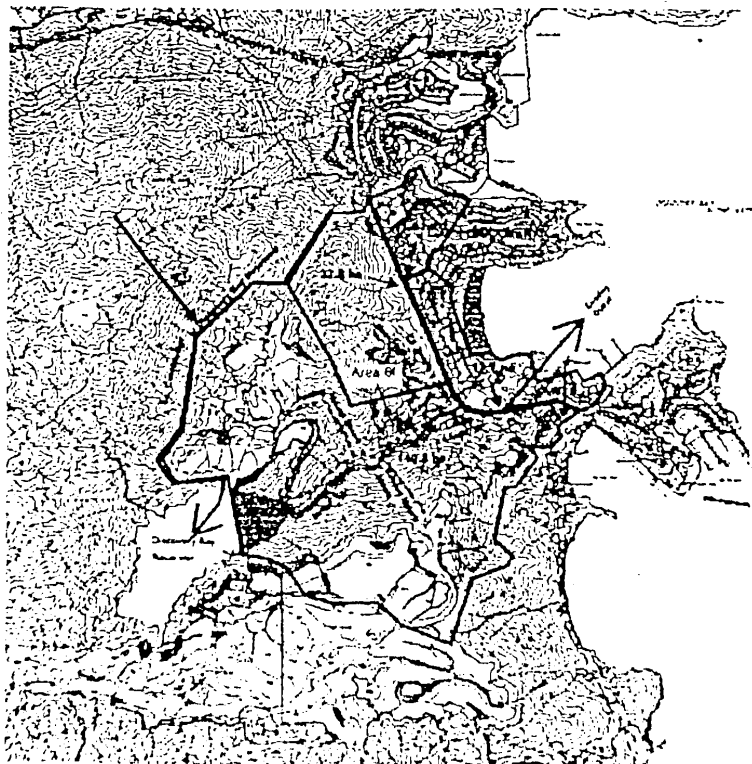
Environmental

Noise

3. Impacts arising from construction traffic are ignored in both the Environmental Study and the revised EIA even though it would have been obvious to an environmental engineer that this will pass within a few metres of the windows of flats in Parkvale Village.

Surface Drainage

4. It isn't immediately obvious to me what the consultant has based its catchment plan on because the catchwater intercepting hillside run-off (arrowed below) does not exist. When a lay person can identify such a seemingly important error it casts doubt on everything else the consultant has written.



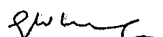
Discovery Bay Drainage Catchment Plan

Other Issues

I full support comments made on the following important issues made by others.

5. HKR's claim that it is 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.
6. 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.
7. 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.
8. 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 as envisaged 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 arise 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.
9. 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.

Signed: 

Date: 7 December 2016

Name: G W Lovegrove

Address: 

寄件者: Wolf Duchting
寄件日期: 08/11/2016 12:46
收件者: tpbpd@pland.gov.hk

5272

副本: [REDACTED]
主旨: Wolf Duchting / Objection to proposed 6f construction in Discovery Bay, Lantau

Dear Madam, Sir,

I object to the planned development 6F (Discovery Bay, Lantau) for the following reasons:

Overall planning

The original plan was to build *Staff quarters*. From there, it's a huge step to apply for building two 18-floor high-rise towers,

All that has taken place in a **non-transparent** way with no or is **inadequate public consultation**.

Access to the proposed building site:

There is no way that the existing access road (now used for busses and delivery light vehicles only) can take the required construction traffic. The (partly very steep) roads are already cracked in many places (visible damage), and I will not be able to take significant additional loads for an extended periods of time.

Furthermore, the access road is very narrow, especially around Woodland Court, and the only way to widen it would be by blasting huge rock formations (at about 20 m distance from the Woodland Court high-rise).

Also, any construction traffic would severely impact on the residents (a lot of families with children, senior residents etc., who use the surrounding areas frequently (as a matter of fact, the majority of the residents bought property or moved here because of the tranquil surrounding and safe environment for the residents).

I am concerned that, up until now, no government department has investigated the suitability of Parkvale Drive as the only means of access to Area 6f. Certainly HKR has not addressed these concerns with the residents

The current road **must not** be allowed to be used for access to the proposed construction site.

If HKR plan to go ahead with the construction of the 2 high-rise blocks, they **must** provide for a different, suitable access road. Legally, HKR's right to use Parkvale Drive as access to Area 6f is still not clear anyway.

Subsequent bus services

Since HKR, as a matter of principle, does not consider it useful to provide the residents with any information on their plans (they never do), we can only assume that the **bus services to the proposed 6b high-rise blocks** will be run along the same route that is currently serving the existing Parkvale area. We are looking at very much **increased traffic frequency**.

Sewage

In addition, HKR are planning to include a **sewage treatment works (STW)** in Area 6f with direct discharge into the sea next to the ferry pier adjacent to Hillgrove Village. To my knowledge, the pollution impact has not been properly evaluated and, in my opinion, cannot be considered an efficient sewage planning strategy.

Water/Gas supply

There are also open questions regarding the **water and gas supply**.

Please consider those problem areas specified above and subsequently do not grant HKR permission to go ahead with the 6f construction.

Thanks you and best regards

Wolf Duchting

[REDACTED]



This email has been checked for viruses by Avast antivirus software.
www.avast.com

收件者:
寄件日期:
收件者:
主旨:
簽名者:

Martyn Keen
08/11/2016 4:54 PM
tpbpd@pland.gov.hk
Application No. Y/I-DB/2

5273

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 Plan 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 : Martyn Douglas Keen (Email digitally signed) Date: 8th Dec
2016

Address: [REDACTED]

5273

寄件者:
寄件日期:
收件者:
主旨:

Rossiter, Kent (AllianzGI) [REDACTED]
08/11/2016 星期四 18:45
'tpbpd@pland.gov.hk'
Hong Kong Resort (HKR) to Town Planning Board (TPB) to develop Area 6f (behind Parkvale) in Discovery Bay

5274

Thanks for asking our opinion again regarding this development.

See my submission to the TPB below which still holds very true for Application No. Y/I-DB/2 Area 6f (behind Parkvale) in Discovery Bay.

Perhaps the TPB missed these first emails?

And if there are only two choices for this response to be categorized, being SUPPORT or OBJECT, well it would have to be the OBJECT until HKR can present a reasonable proposal and demonstrate that it'll be a positive to the neighborhood.

Pls do re-read the issues raised below which are still valid.

Regards,

Kent Rossiter
La Costa Chairman, Discovery Bay
[REDACTED]

From: Rossiter, Kent (AllianzGI)
Sent: Thursday, April 07, 2016 9:39 AM
To: tpbpd@pland.gov.hk
Subject: Application by Hong Kong Resort (HKR) to Town Planning Board (TPB) to develop Area 6f (behind Parkvale) in Discovery Bay

Dear Town Planning Board (TPB),

Re: Application TPB/Y/I-DB/2 by Hong Kong Resort (HKR) to Town Planning Board (TPB) to develop Area 6f (behind Parkvale) in Discovery Bay, with reference to HKR's application briefs on the Town Planning Board website:

http://www.info.gov.hk/tpb/tc/plan_application/Attachment/20160318/s12a_Y_I-DB_2_0_gist.pdf

Comments Specific to 6f, behind Parkvale:
www.info.gov.hk/tpb/en/plan_application/Y_I-DB_2.html

Regarding the two 18-storey towers with a total of 476 flats.

I think there is no reason to develop this area when we have so much planned expansion area around DB North. It is important to keep the density of South Discovery Bay low as to protect the excellent harmony and balance we residents currently enjoy.

The Applications seeks approval to increase the ultimate population at Discovery Bay from 25,000 under the current Outline Zoning Plan (OZP) to 29,000 under the revised OZP. I do NOT see how an increased population can be supported with existing stretched infrastructure and until this has been rectified don't support increasing our population plans. The road usage to this area, and the hill will increase congestion and pollution of buses going up and down the slope.

Under the Land Grant, the Government may have no obligation to provide potable water and sewerage services to the Lot 6f, including operation of all treatment plants, storage facilities and pipelines, so current DB owners would need assurance that we will not be paying for any of the investment needed for this project. We also need to protect current owners rights to excellent sewage and water services as they currently enjoy, and that this new development would not jeopardize that, nor increase the cost. To understand better how this may be possible we request the government release the existing water and sewerage services agreements.

For more info see Page 1 & 2 of document 235926-REP-OOWJ2 JRavi 02 January 2016.

I understand a Traffic Impact Assessment (TIA) confirms spare capacity for a population increases from 25,000 to 29,000. We need the government to declare that DB will continue to be "primarily a car-free development", and that they will not allow an increase in the number of slow-moving golf carts which would only increase congestion. Additionally the government should implore HKR to insist all new golf cart purchases are for electric golf carts, and begin electric charging station installations. We also request that Government review vehicle parking throughout DB before any population increase. Will this new 6f development support private golf cart electric charging stations?

It's my understanding that the Master Plan 6.0E1 (which forms part of the Land Grant at DB and the current OZP are inconsistent, so request the Government and HKR update the existing Master Plan and OZP before considering any amendments to the OZP. This is an important document of understanding for current residents and future condo buyers to understand.

On the TPB application for Y/I-DB/2 the proposed amendments listed are far too vague for anybody to make a reasonable guess as to the extent of the redevelopment. We ask the Government to require HKR to provide impacted residents of DB more details.

A project of the magnitude proposed would take a number of years to complete. We ask that details of HOW this construction will be done be declared. We do NOT think thousands of trucks and heavy equipment coming back and forth through the tunnel, up the main road of DB is appropriate.

As you know, our District Councilor Amy Yung also has some valid comments which I paste here for your consideration:

(1) The Applications TPB/Y/I-DB/2 and TPB/Y/I-DB/3 seek approval to increase the ultimate population at Discovery Bay from 25,000 under the current Outline Zoning Plan (OZP) to 29,000 under the revised OZP. The Applications include detailed impact statements to show that the increase is well within the capacity limits of the lot. However, the impact statements ignore the essential fact that, under the Land Grant, the Government has no obligation to provide potable water and sewerage services to the Lot.

- Discovery Bay is required to be self-sufficient in water and sewerage services under the Land Grant, and HKR wrote to the City Owners' Committee on 10 July, 1995 stating that the reservoir was built for a maximum population of 25,000. The impact assessments ignore this essential fact.

I demand that the population cap of 25,000 be preserved, so as not to breach the Land Grant.

- In spite of the conditions contained in the Land Grant, when the tunnel was built Government agreed to allow potable water and sewerage connections to Siu Ho Wan. However, the agreements are between HKR and the Government, and they remain secret. Now, the Government has refused to provide additional water and sewerage services to cater for a population beyond 25,000.

I demand that Government release the existing water and sewerage services agreements

Due to Government's to provide potable water and sewerage services beyond a population of 25,000, HKR is proposing to restart the water treatment and waste water treatment plants on the Lot. Under the Deed of Mutual Covenant (DMC), HKR may further develop the lot, provided such development does not impose any new financial obligations on existing owners (Clause 8(b), P. 10).

I demand that all costs for water and sewerage services to areas 6f and 10b, including operation of all treatment plants, storage facilities and pipelines, be charged to areas 6f and 10b and not to existing villages.

- Although Government agreed to provide water and sewerage services to DB when the tunnel was built, it refused to pay for and maintain the connections. As a result, the Owners are paying over \$1 million per year to the Government to lease land to run pipelines outside the Lot to connect to Siu Ho Wan. The owners are also paying for all maintenance of the pipelines and pumping systems.

I demand that Government provide potable water and sewerage connections to the Lot boundary, just like every other residential development in Hong Kong.

- (3) The Traffic Impact Assessment (TIA) states that the roads both within and outside DB have plenty of spare capacity to cater for a population increase from 25,000 to 29,000. However, the TIA ignores the essential fact that, under the existing OZP, DB is declared to be "primarily a car-free development". As such, road capacity is irrelevant.

- Golf carts are the primary mode of personal transport, and are capped at the existing number.

I demand that the Government consider whether it is safe to allow increased traffic in competition with slow-moving golf carts that offer no collision protection to occupants.

I demand that Government review the sustainability of capping golf carts at the current level while increasing population. Golf carts are already selling for over HK\$2 million. (Personal note: I am NOT in favor of increased golf carts on the roads of Discovery Bay).

- No provision has been made for vehicle parking (distinct from golf cart parking) on the Lot, and vehicles are currently parked illegally at different locations.

I demand that Government review vehicle parking before any population increase.

- (4) HKR claims in the Applications that it is the sole owner of the Lot. This is untrue. There are presently over 8,300 assigns of the developer who co-own the Lot together with HKR.

I demand that HKR withdraw the Applications and make revisions to recognise the co-owners. (Personal note: I don't know how this claim works, but if we property owners are also considered owners not only of our individual units in different villages, but for small parts as a whole in Discovery Bay, then the application should be amended).

- (5) Under the DMC, City Management is supposed to represent the Owners (including HKR) in all matters and dealings with Government or any utility in any way concerning the management of the City. Despite this condition, HKR continues to negotiate direct with Government and utilities, and conclude secret agreements to which the owners have no input or access. The water and sewerage agreements, plus the lease to run the water and sewage pipelines outside the Lot, have already been mentioned, but there are more.

I demand that the LPG supply agreement with San Ildefonso be made public.

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~~I demand that the proposed bus depot at Area 10b be declared a public bus depot, and ensure that henceforth franchised bus operators have the right to run bus services between Discovery Bay and other places.~~

I also have concerns on the following issues:

Given the fact that the only access to Area 6f is through Parkvale Drive which is a Village Passage way of Parkvale Village, HKR should explain the ways to deliver Construction Materials and to dispose Construction Wastes.

How will HKR minimize the disturbance to existing residents and hikers during construction and operation periods?

Spaces for parking and loading/unloading facilities are not provided in the proposal.

Existing open area at Woodland Court, Woodgreen Court and Woodbury Court is already very tight. Any new residential developments must take into account present-day requirements under the Planning Standards and Guidelines.

If Staff Quarter is no longer required in DB, the vacant sites for such uses should consider to release for enjoyment of the existing residents so as to enhance the livability of the area.

The Master Plan for Discovery Bay is an integral part of the Land Grant (IS6122 in the Land Registry). The Land Grant requires that no development or redevelopment may take place on the Lot until an approved Master Plan showing the development is in place. The current Master Plan is dated 28 February, 2000. It is not compatible with either the current outline zoning plan or the current development on the lot. In order to protect the interests of the current 8,300+ assigns of the developer, it is essential that the existing Master Plan and OZP are aligned with the existing development on the lot before 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. Problems that need to be addressed include incursion on Government land; recognition of the Existing Public Recreational Facilities; size and surrounding area of the land designated GI/C on the current OZP; configuration of the Area N2 at the inclined lift, etc.

This message has been classified as Internal by the sender.

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附件:

Page 59 (Continued) - 2000

5275

Ed Girdler,



G

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.

Further to my submission in the earlier round, 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 development will severely degrade the views, and quality of living in the nearby apartments, both during and after construction, and no satisfactory recompense to existing residents for this damage has been proposed.
8. Bearing in mind the number of questionable of approval-submissions for this development in earlier rounds of feedback which, as reported in the South China Morning Post, were suspiciously submitted in one large block by Non-residents of Lantau on the last day, I further recommend that the statistical reporting (showing the number of objections and approvals of this development) is improved to show separate totals for replies from Residents of Discovery Bay and those from non-residents of Discovery Bay, in order that the opinions of Discovery Bay residents may be seen clearly.

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 Ed Girdler Date: 8.12/2016

Name of Discovery Bay Owner / Resident: Owner

Address: [REDACTED]

寄件者:
收件日期:
收件者:
主旨:

Amy Yung
(85412) 2010-11-10 14:22:50
tobyde@pland.gov.hk
Re: Section 12A Application No. Y/I-DB/2 - Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

5276

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

Dear Sir,

5276

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 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.

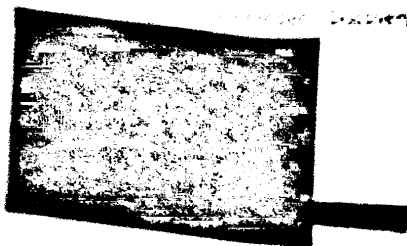
The proposed development as indicated in the Revised Concept Plan of Annex A is still unsatisfactory in terms of tower height, spacing and disposition in this revision. The two towers are still sitting too close to each other and will create a wall effect to the existing rural natural setting, and would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

Since the applicant is able to provide detailed responses to the comments for further review and consideration, the application for Area 61 should be withdrawn.

Very truly yours,

Wong Yung

5276



tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Mike McDonagh [REDACTED]
08日12月2016年星期四 16:17
tpbpd@pland.gov.hk
Section 12A Application No Y/I-DB/2 Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay
Area 6f Selina 16b Woodland Court.pdf

5277

Dear Sir ,

Please find enclosed (ref pdf) my comments on the above application.

Yours sincerely ,

M C McDonagh

The Secretariat

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point

(Via email)

or fax 2877 2452/2877 8441

Dear Sirs,

Section 12A Application No. Y1108/1

Area 6f, Lot 385 KFA East (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 co-owners of the Hong Kong Resort ("HKR"), Masterplan Limited, to address the objections raised by the Board 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: S. Iouy Date: 8th December, 2016

Name of Discovery Bay Owner / Resident: SELINA KWONG SIU-NGAN

Address: [REDACTED]

tpbpd

寄件者: Len Buch.
寄件日期: 06日12月 2007
收件者: Janamori, Amy Yung tpbpd@plaza.gov.hk
主旨: Area 6f (Behind Parkvale) - Objection Letter to TPS.pdf
附件: Area 6f (Behind Parkvale) - Objection Letter to TPS.pdf ATTACHMENT

5278

Dear Madam/Sir

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.

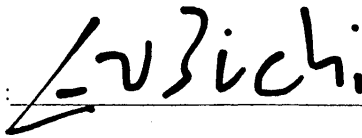
Kindly please note that I strongly object to the submission regarding the proposed development of the Lot. My main reasons of objection on this particular submission are listed as follows:-

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: 8-Dec-16

Name of Discovery Bay Owner / Resident: BUECHI, Lienhard

Address: 

12/20/84

Mr. [REDACTED]
Mr. [REDACTED]
Mr. [REDACTED]
Mr. [REDACTED]
Mr. [REDACTED]

Mr. [REDACTED]
Mr. [REDACTED]
Mr. [REDACTED]

5279

*I have read the attached subscription form and
wish to register my objection with the [REDACTED]*

Tham Moo Cheng

71b

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 comp, 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 data's regarding the design and construction of the STW and the discharge pipe and only basic data's 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 the emergencies of the STW.
- g. Specific 8 - HKR clearly is confusing the subject of discharge. The proposed STW method now proposed is a gravity sewage pipe. But it then states that it is a worst case scenario (especially during dry seasons) and gives a recommendation that is not recommended, during the subsequent detailed design stage to install a pump out of flow along the spillway and hence the feasibility of installing a pump out of flow, a nullah and box culvert directly. HKR is obfuscating the subject and it is up to the EPD to clearly state now which method it intends pursuing and to let the public know.

- 7. **EPD and Waste Management** - HKR continues to provide inadequate feedback, saying that the construction methodologies are yet to be developed in the construction 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 main 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 proposed development



3. Paragraph 10.15 of the application states that "The demand for and use of the road will increase as a result of the proposed very modest development intended for the village. In the context of Parkvale Village, we do not agree with this statement as it implies that all traffic and people generated by the proposed development will have to pass through our currently peaceful village. Not only will the considerable increase in 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 trucks 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 Midvale Lane, being a relatively narrow hill covered in asphalt, which is also the only means of access to Midvale Village

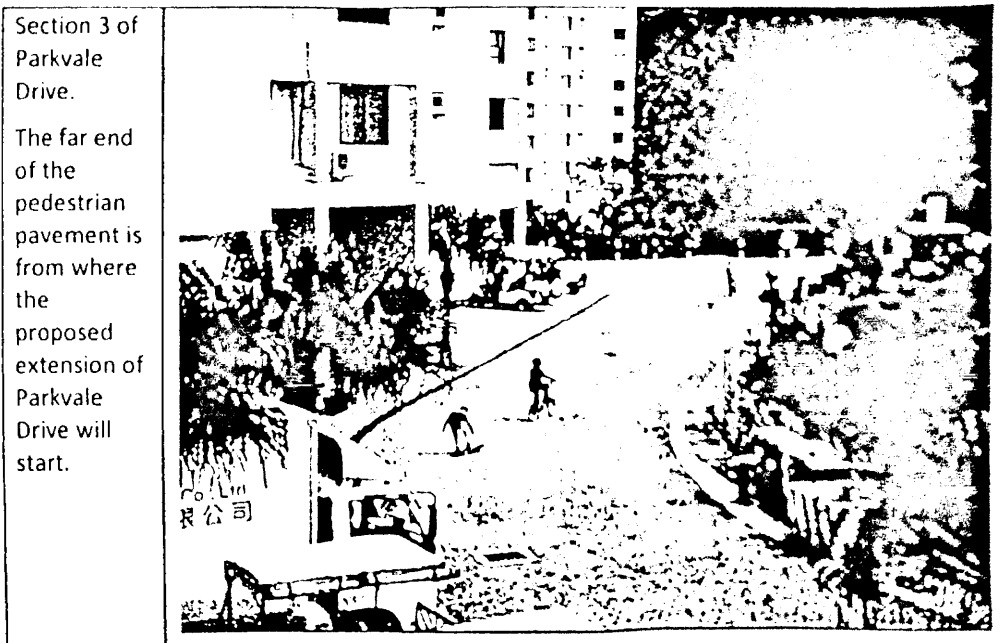
Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



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.



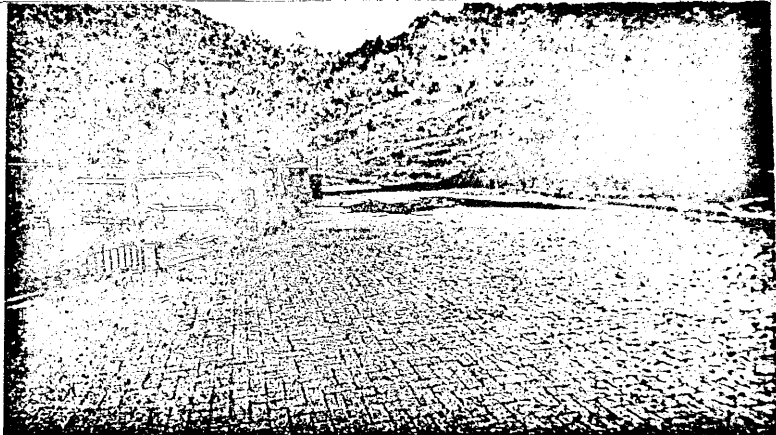
Section 3 - the "Passageway", as defined in the Parkvale Village Sub EIR, is the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, which is designed as a pedestrian pavement and made of paving stones and asphalt.



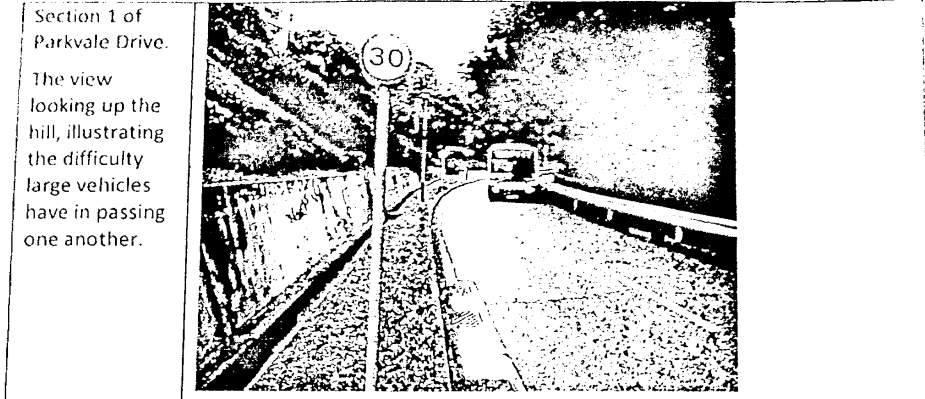
5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

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 Woodberry Court, Woodgreen Court and Woodland Court residential buildings.

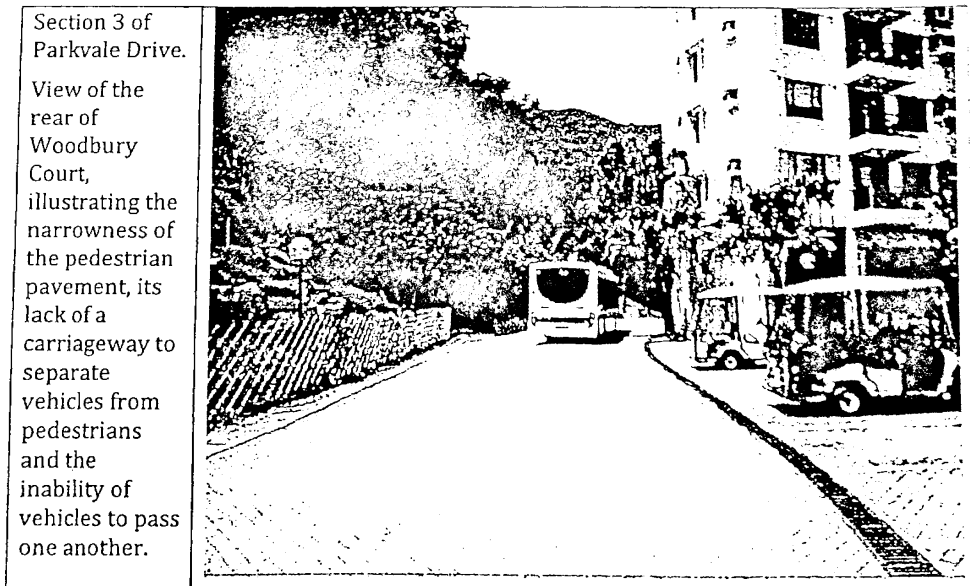
Section 3 of Parkvale Drive.
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



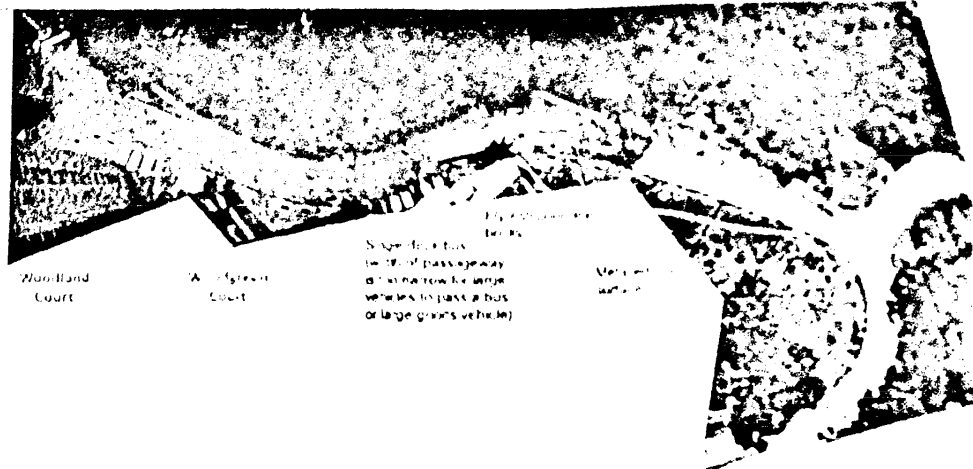
8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads 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.



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.



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.

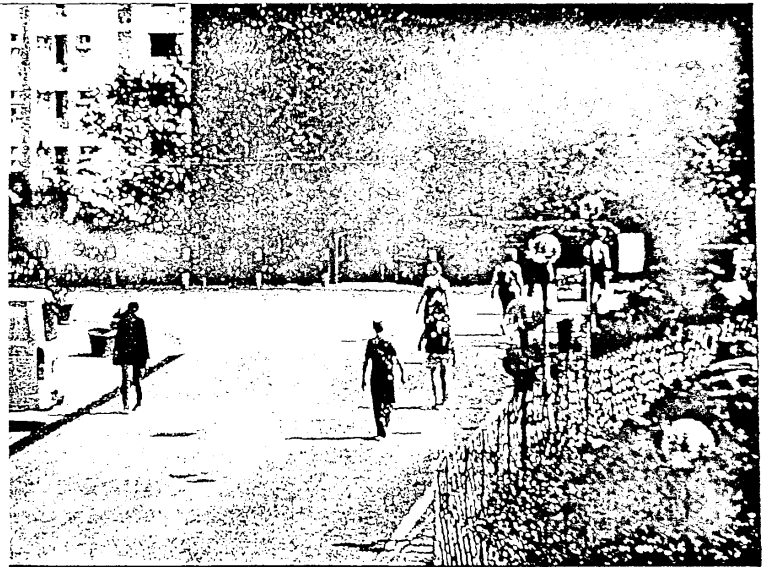


14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. 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 capacity to allow for efficient drainage, being constructed of concrete bricks laid on a non-engineered sand underlay. This renders the surface prone to subsidence and minor flooding during heavy rainfall.

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.

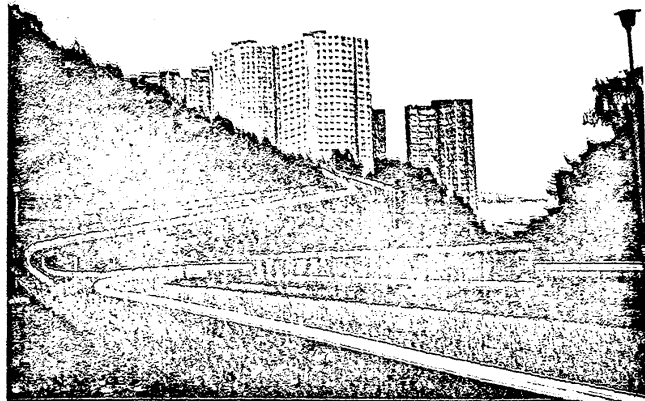


18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management 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 TP 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. PLANNING CONTROLS

1. Planning controls include the Master Plan, population ceiling and the rights of the common undivided shares under the DB Deed of Mutual Covenant.
2. Regarding the Master Plan (MP), it was pointed out in the meeting held on 12 July that, although it has been updated recently, it still does not include the new outline zoning plan (OZP) or the existing development restrictions that are required to protect the interests of the current 8,000 owners of the flats. The existing MP and OZP are aligned with the existing zoning and planning controls. Any consideration of any proposal to amend the OZP and MP is a matter of great importance and much risk that the rights of the other owners of the flats will be adversely affected. 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, 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 the ceiling 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 latest department comments.
5. HKR's original application noted that the current population of Discovery Bay is 19,585 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 Service 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 43/2 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, MP7.0B. 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 conditions 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

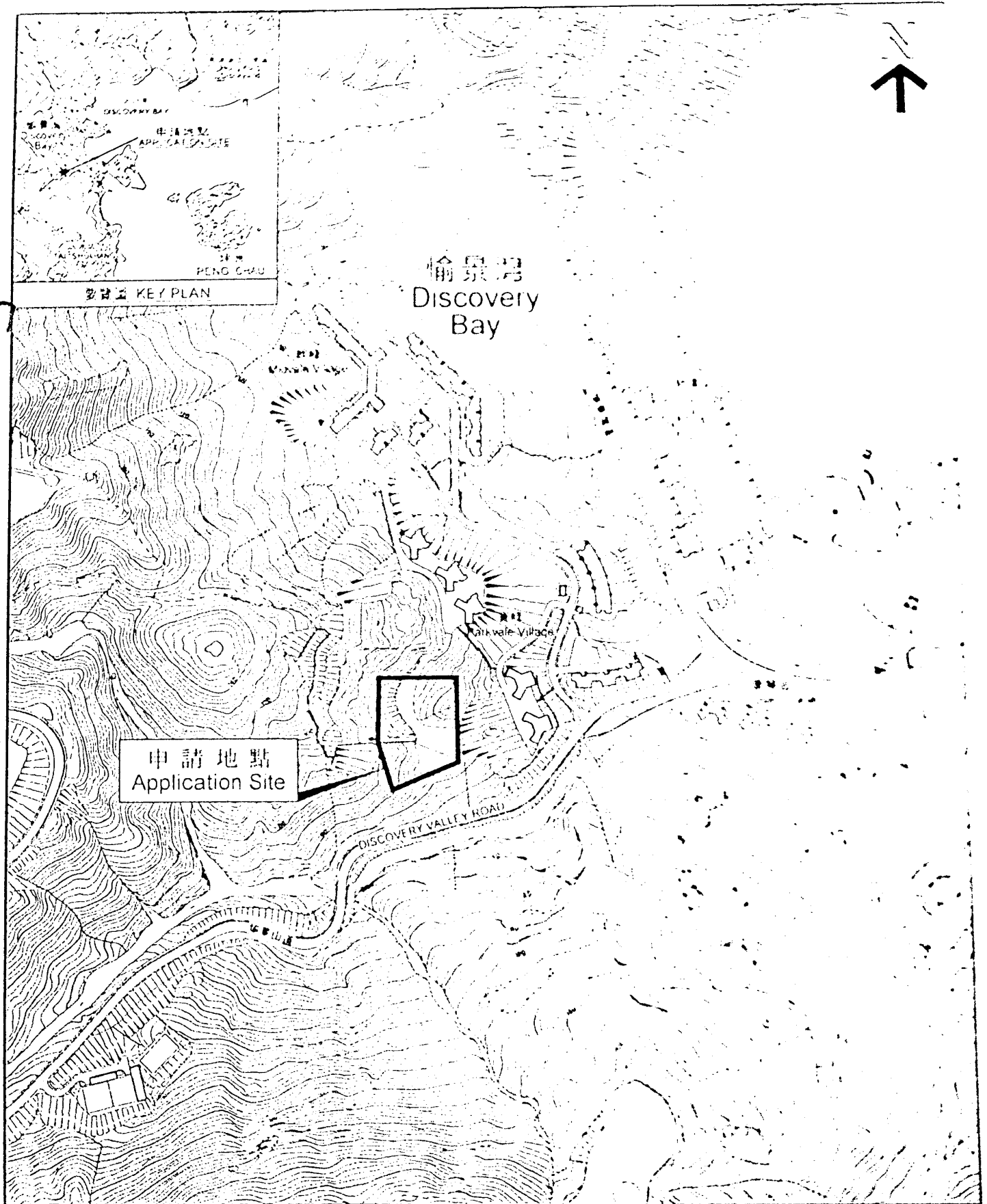
因應於 2016 年 10 月 27 日接獲的進一步資料而修訂的概括發展規範

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大眾參考而提供。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。

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.: Y1-DB2

備註 Remarks

於 2016 年 10 月 27 日，申請人提交進一步資料，以應部門對意見及建議的回應，包括修訂總綱藍圖、較明圖、實地設計總圖、環境影響評估、規劃設計、綠化、排水及渠務、水質技術報告、合成照片及公共休憩設施建議圖則及限制建築高度圖則。

On 27.10.2016, the applicant submitted further information providing 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 revised 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.

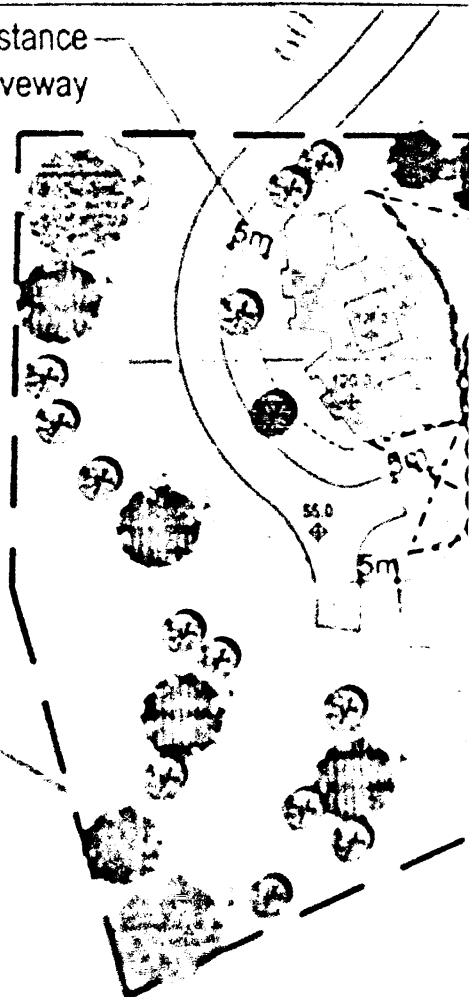
有關資料是為方便市民大眾參考而提供，對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責，若有任何疑問，應查閱申請人提交的文件。

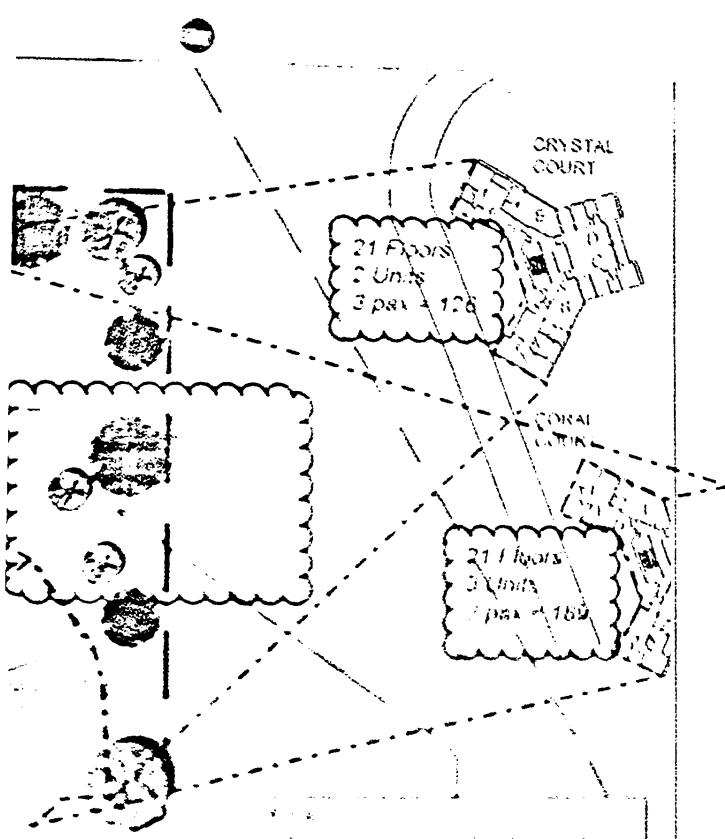
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5m Buffer distance
from driveway

Application Site
Boundary

AREA 61
PROPOSED RESIDENTIAL DEVELOPMENT - Co





Where are the area development water features that were indicated on other parts of the submission? The only three trees indicated should be planted in the areas that we are where is water feature. There is a main winding ridge

cept Plan

1. Appropriate for
 2. Appropriate for
 3. Appropriate for
 4. Appropriate for
 5. Appropriate for
 6. Appropriate for
 7. Appropriate for
 8. Appropriate for
 9. Appropriate for
 10. Appropriate for

B.L.

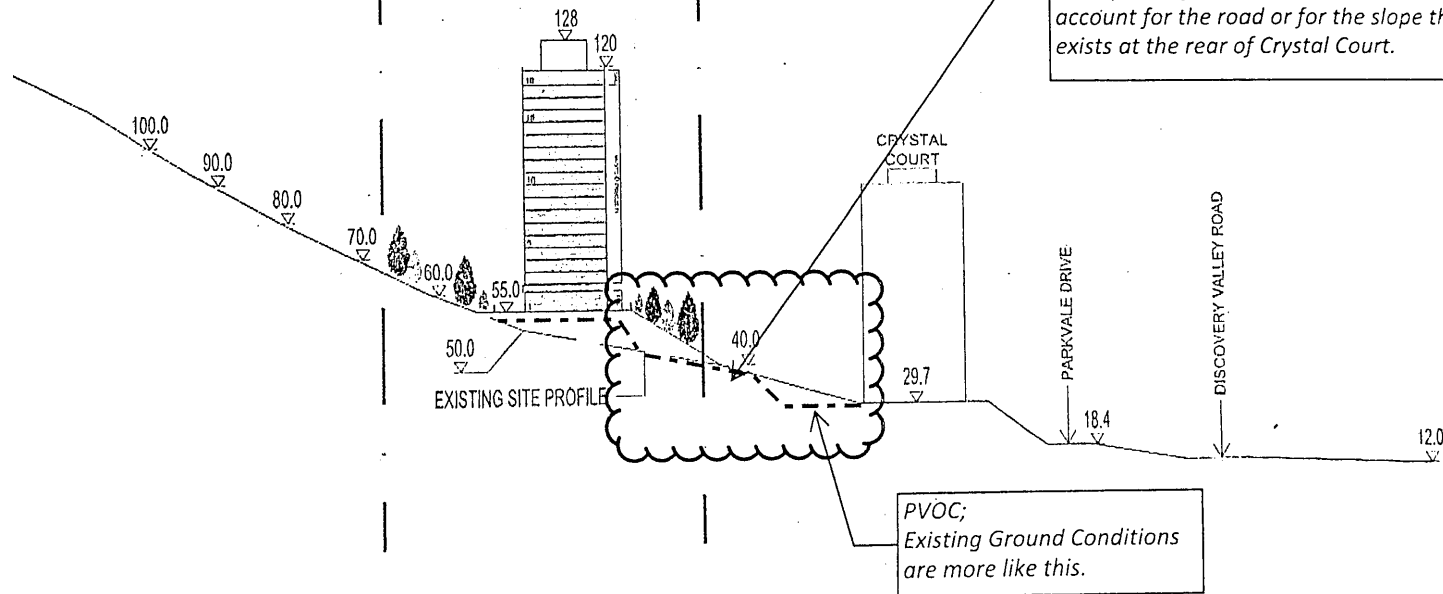
B.L.

申請編號 Application No.: Y/H-1212

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

0 20 40 50m
SECTION A-A

21 Floors
2 Units
3 pax = 126

21 Floors
3 Units
3 pax = 189

21 Floors
2 Units
3 pax = 126

21 Floors
3 Units
3 pax = 189

21 Floors
2 Units
3 pax = 126

4 Floors
2 Units
3 pax = 24

21 Floors
3 Units
3 pax = 189

4 Floors
8 Units
3 pax = 96

21 Floors
4 Units
3 pax = 252

21 Floors
2 Units
3 pax = 126

21 Floors
2 Units
3 pax = 126

PVOC;
Added sight lines and affected units.
Note that this is an underestimate of the
broader affected property numbers.

LEGENDS:

- "BROWN" - VILLAGE RETAINED AREA
- "YELLOW" - PASSAGE WAY
AS DESIGNATED IN SUB-DMC
- SUB-DMC BOUNDARY LINE
OF PARKVALE
AS DESIGNATED IN SUB-DMC

PVOC;
Note that it would not be possible to build
and operate this development without
significantly widening the designated
passageway, which is inadequate for heavy
traffic at present. Any widening works will
have a huge impact on the residents of the
Woods particularly a major safety risk and
cutting existing transportation routes. See
previous responses from PVOC.

5m Buffer distance
from driveway

Application Site
Boundary

申請編號 Application No.: Y / 1 - DB / 2

此頁摘自申請人提交的文件。

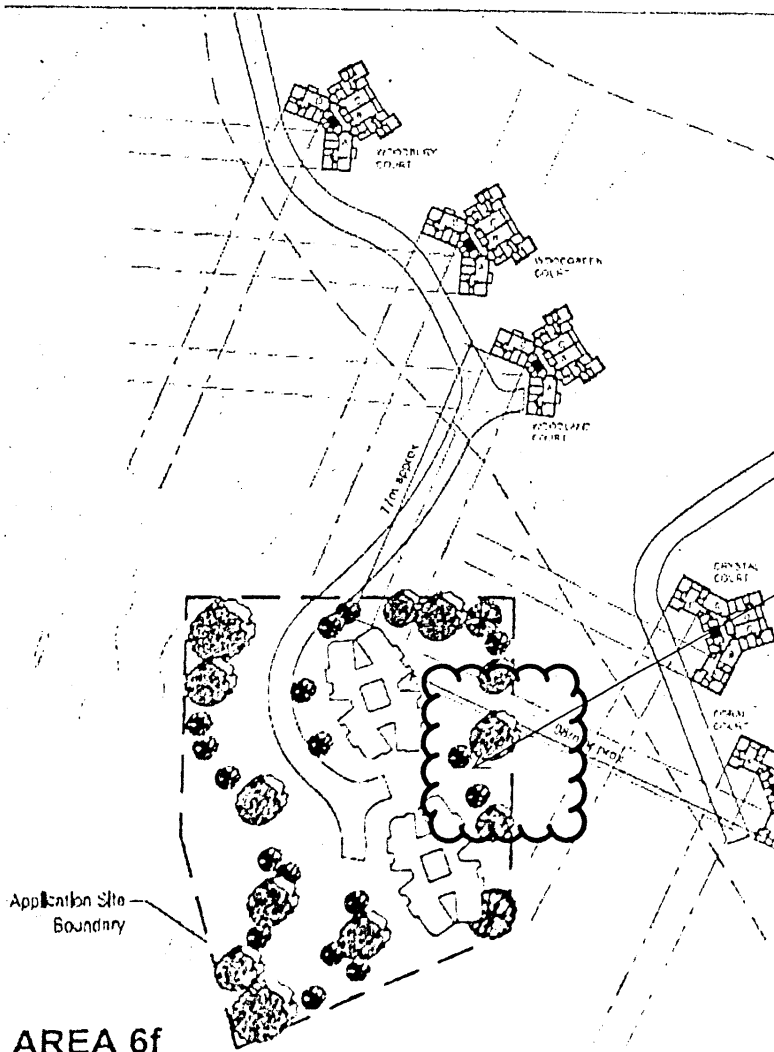
This page is extracted from applicant's submitted documents.

AREA 6f

PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan



PLAN



AREA 6f PROPOSED RESIDENTIAL DEVELOPMENT -

LEGENDS:

--- SUB-DMC BOUNDARY LINE
OF PARKVALE
AS DESIGNATED IN SUB-DMC

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.

申請編號 • Application No.

Y/T-D/B/2

2014年1月1日提交的文件

This page is extracted from applicant's submitted documents.

Concept Plan



0 20 40 60



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.

[illegible]

LEGEND

- BOUNDARY LINE
- EXISTING TREES
- PROPOSED TREES
- PROPOSED SHRUBS

Existing trees to be retained as buffer planting

Existing slope planting

Arrival area with feature paving

Staircase to/from hiking track

Arrival area with water feature

Existing trees to be retained as buffer planting

Children's play area

Existing trees to be retained as buffer planting

Grand staircase

Plaza

Cascade water feature

Terrace planters

Seating area

Seating area

Existing slope planting

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.



SCALE 1:350 @A3

TITLE:

LANDSCAPE MASTER PLAN

PROJECT:

DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

REV. 0
OCTOBER 2010

FIGURE

B.1



PVOC;
This is not correct levels
as per the Lands
Department Survey.

PVOC;
Incorrect Statement

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

This is a Draft Application No. 100/2014
This page is extracted from application and is not a final document

SCALE 1:100
10m
5m
0m
10m
20m
30m
40m
50m
60m
70m
80m
90m
100m
110m
120m
130m
140m
150m
160m
170m
180m
190m
200m
210m
220m
230m
240m
250m
260m
270m
280m
290m
300m
310m
320m
330m
340m
350m
360m
370m
380m
390m
400m
410m
420m
430m
440m
450m
460m
470m
480m
490m
500m
510m
520m
530m
540m
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730m
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770m
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790m
800m
810m
820m
830m
840m
850m
860m
870m
880m
890m
900m
910m
920m
930m
940m
950m
960m
970m
980m
990m
1000m

TIME

SECTION A-A

PROJECT

DISCOVERY BAY OPTIMIZED DEVELOPMENT

FIGURE


Existing ground profile and the profile
proposed for the development

PLAN

132


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

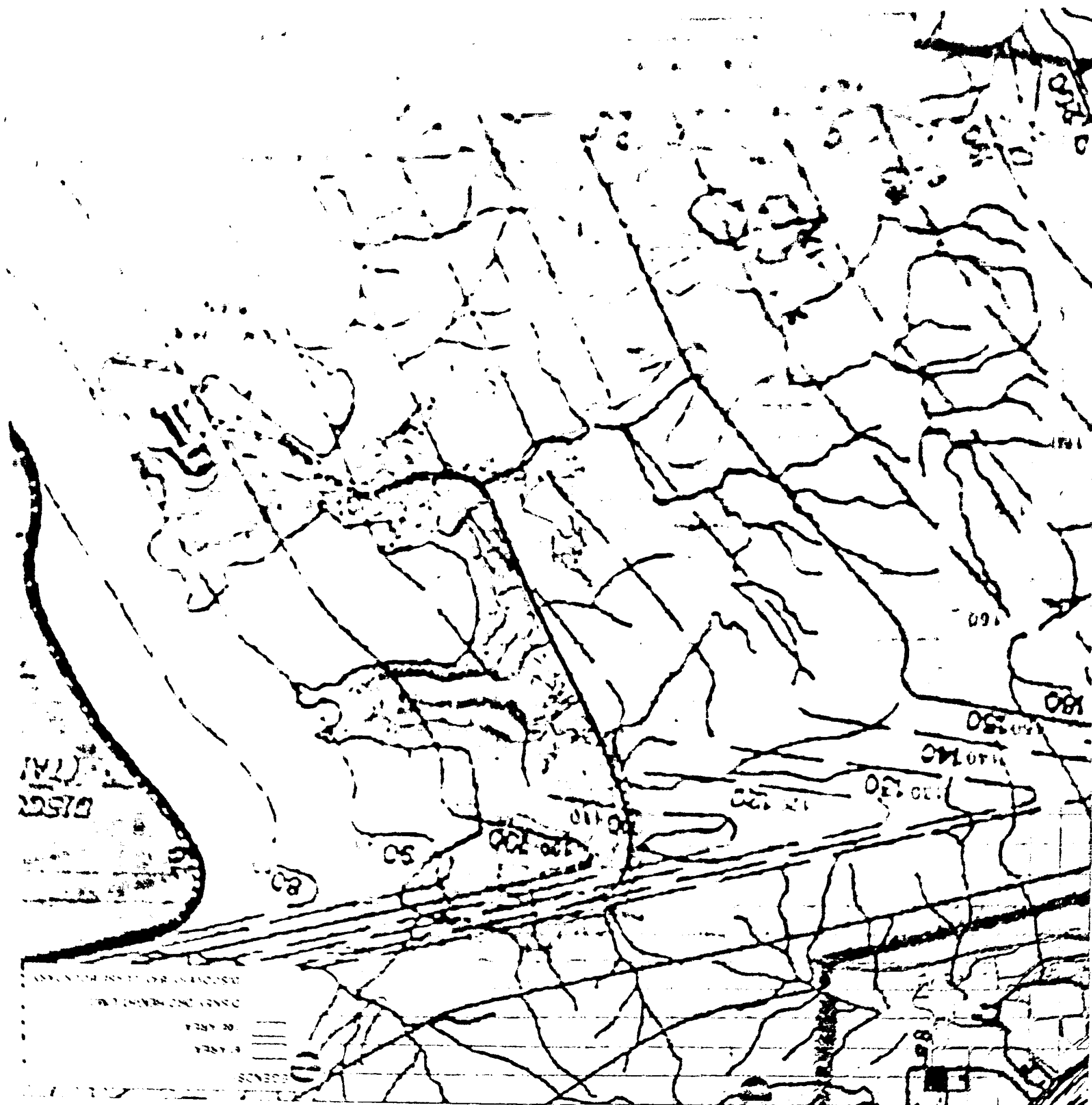




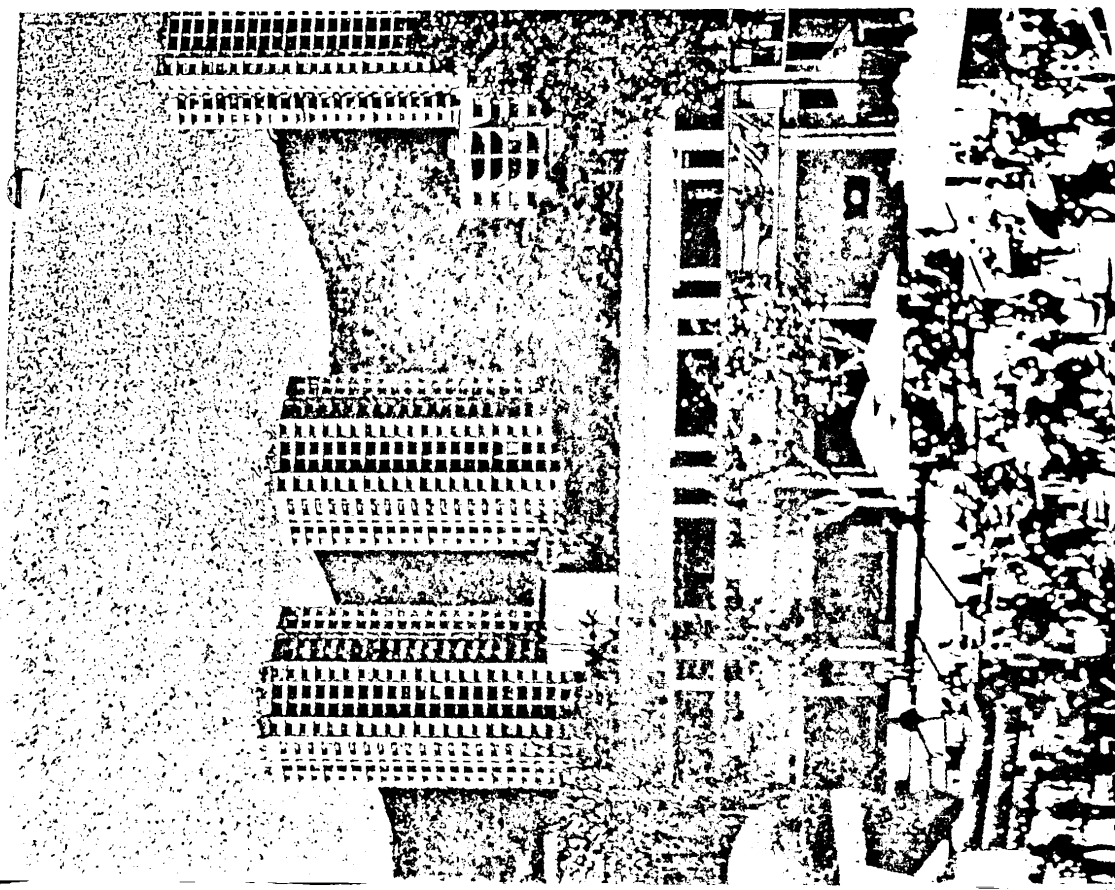
PART PLAN 3

PART PLAN 2

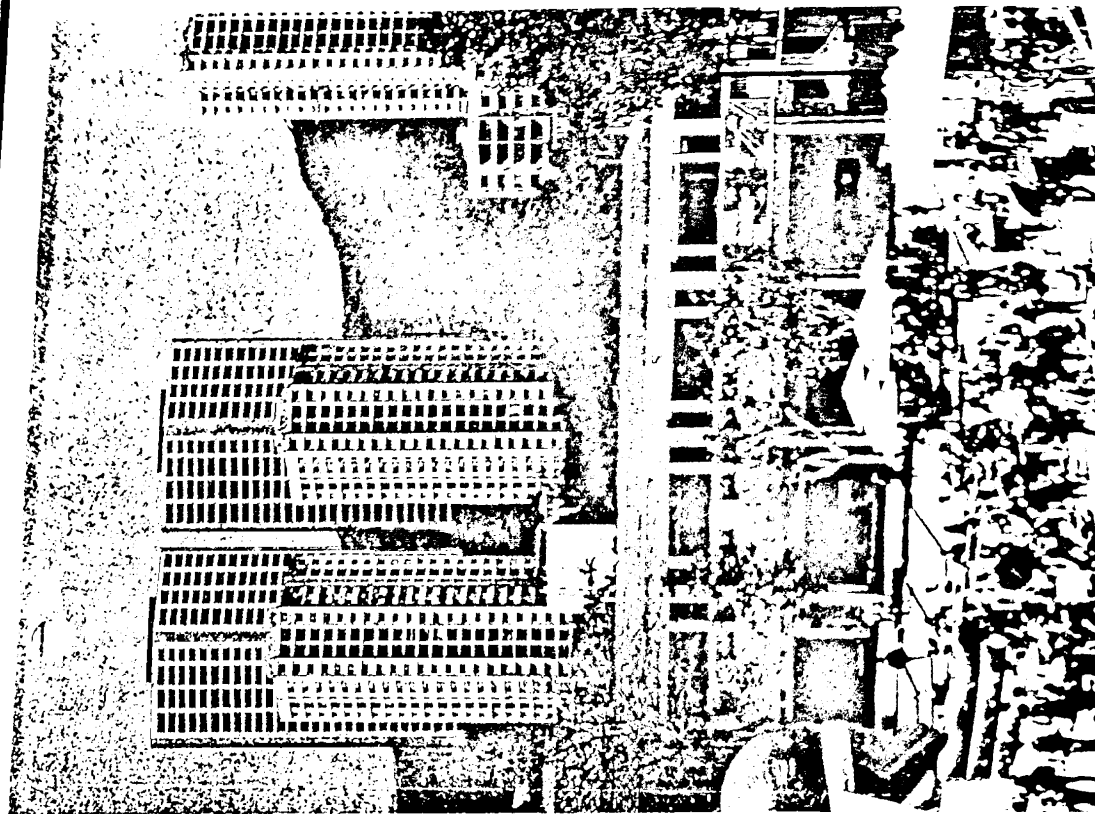








BEFORE

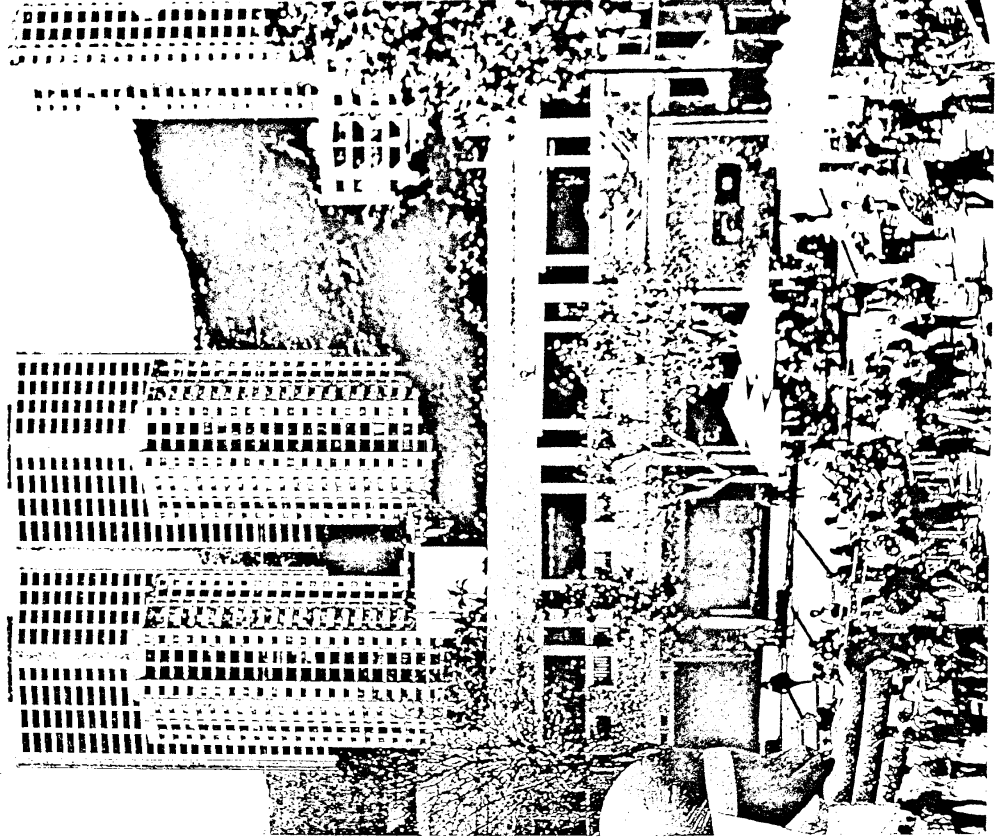


AFTER

VOC comments on

HKR5 6f Planning Proposal

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



Responsible to:

Photo-montages rare,
repetitive, and from the
look-out. The Photos, in
all, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840,

[illegible]

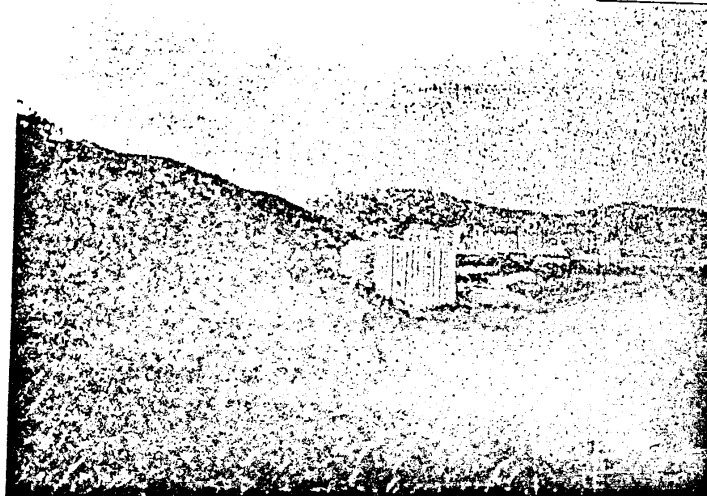
DOI: 10.1002/for

$$: \quad \cdot \quad / \quad ,$$

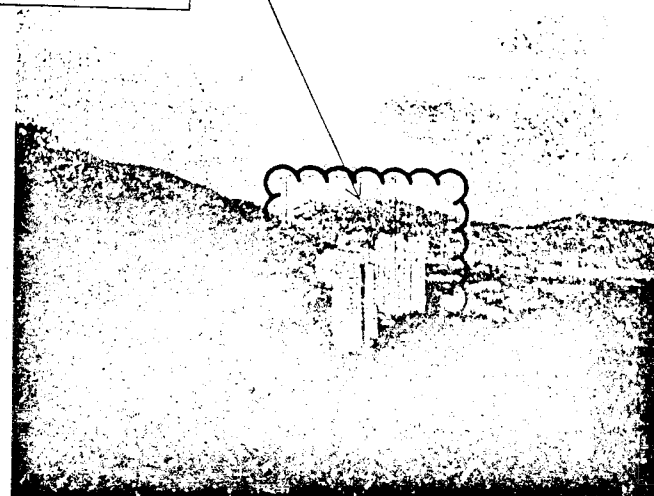
Notes:



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)

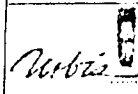


VP8: View North towards Application Site from Hiking Trail South of the Dam with Proposed Development

申請編號 Application No.: Y / 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 - VP8 (VSR REC7) FROM HIKING TRAIL SOUTH OF DISCOVERY VALLEY

GC/HA/DP/2006

URBAN

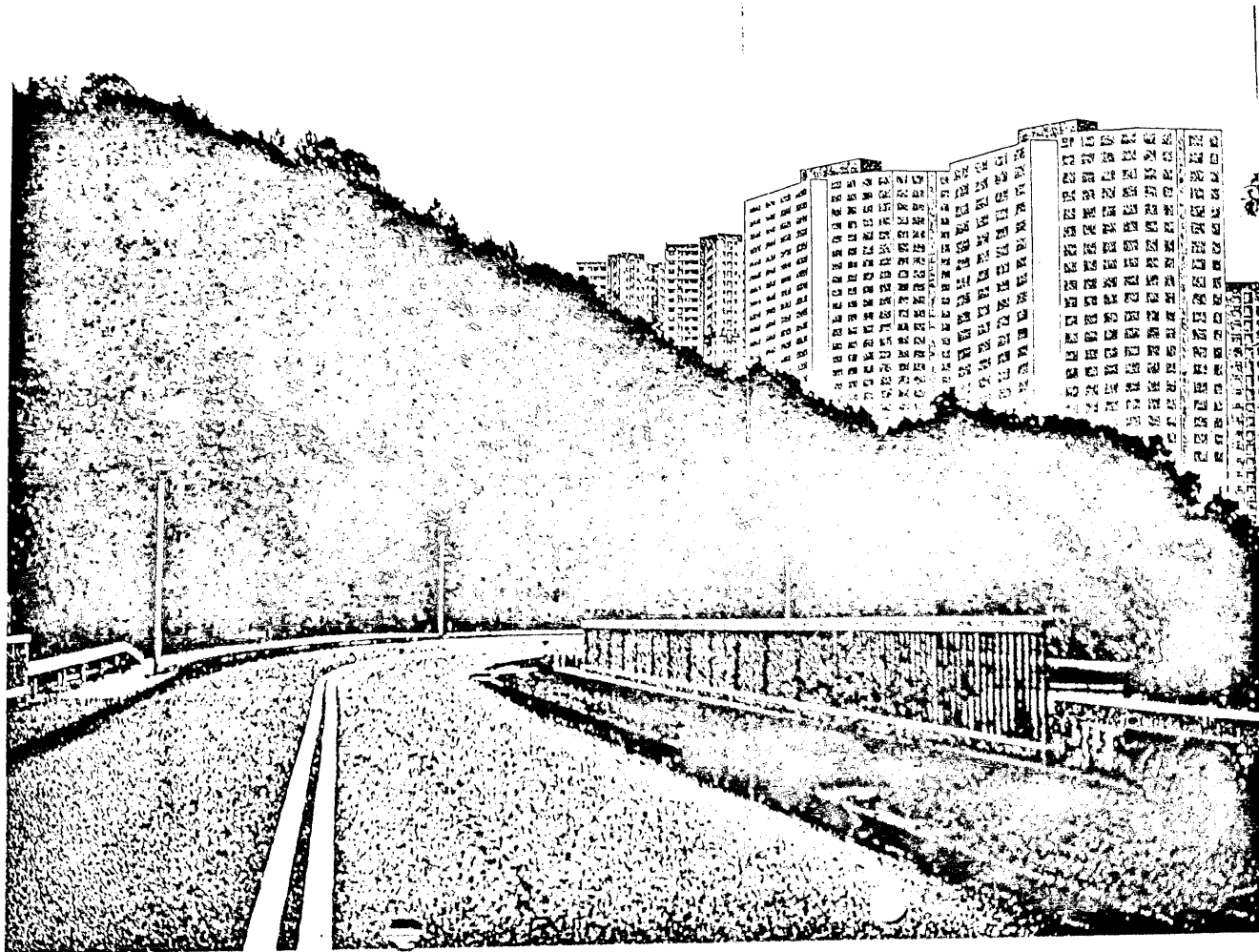
B.12

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



PVOC;

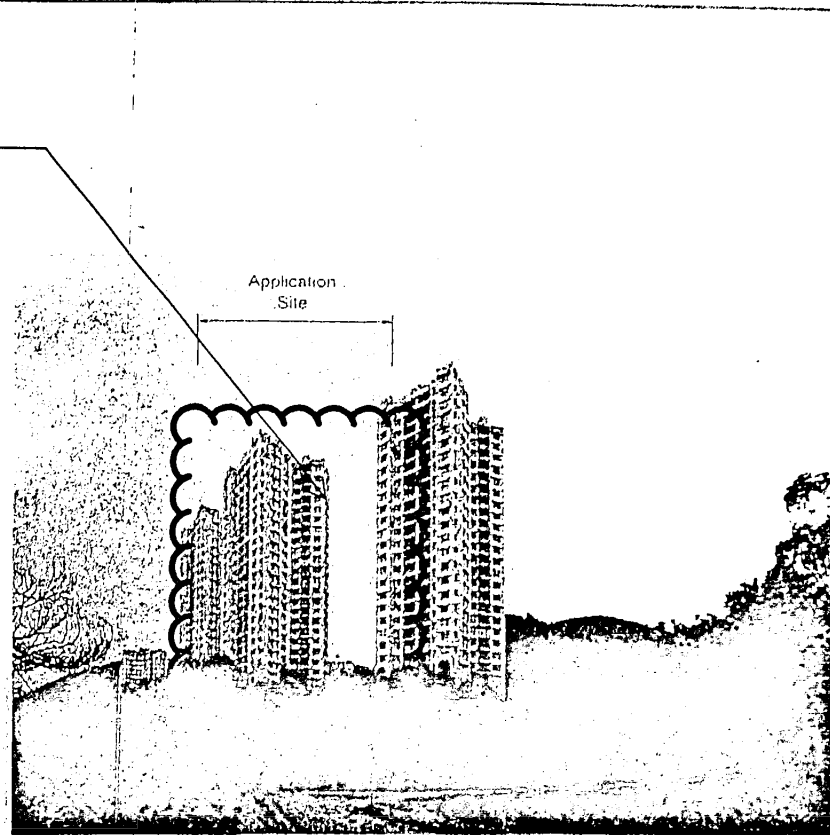
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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)

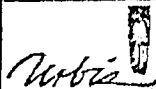


VP15: View West towards Application Site from Middle Lane with Proposed Development

申請編號 Application No. : Y/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 - VP15 (VSR T3) FROM MIDDLE LANE

PROJECT

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

OCTOBER 2016

ANNEX

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。

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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"/>

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 long term 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 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。

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附件名:
附件日期:
收件者:
主题:
附件:

[REDACTED]
City of Concord North 141

tyxdo@pland.gov.hk

PARKVALE OWNERS COMMITTEE for 6f

PVCC Third Comments on the Section 12A Application further information (1).pdf

5280

I have read the attached submission from the PARKVALE OWNERS COMMITTEE for 6f and I wish to register my objection with the TPB accordingly

Brian John Bunker

[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 developer to

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 EIA 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 5 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

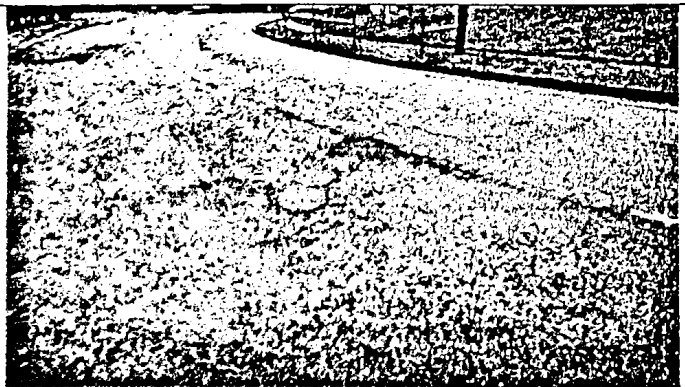


3. Paragraph 10.15 of the application notes that *"The 476 units and 1,190 populations increase as a result of the proposal is very modest development intensities"*. In the context of Parkvale Village, we do not agree with this statement, as it is proposed that all traffic and people generated by the 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.

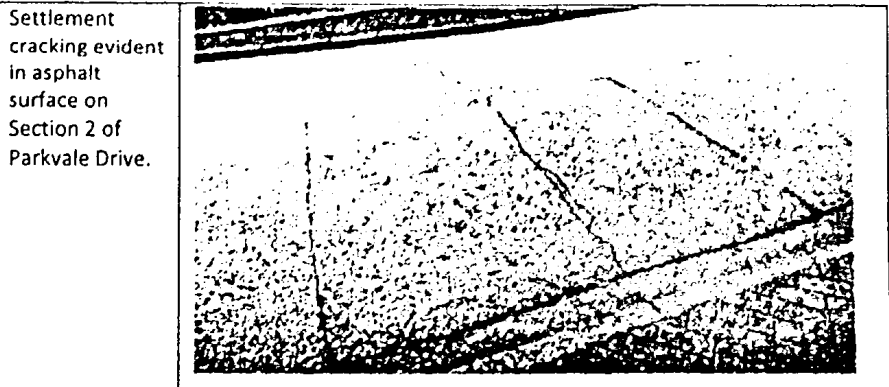
4. Parkvale Drive comprises three sections, being:

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.

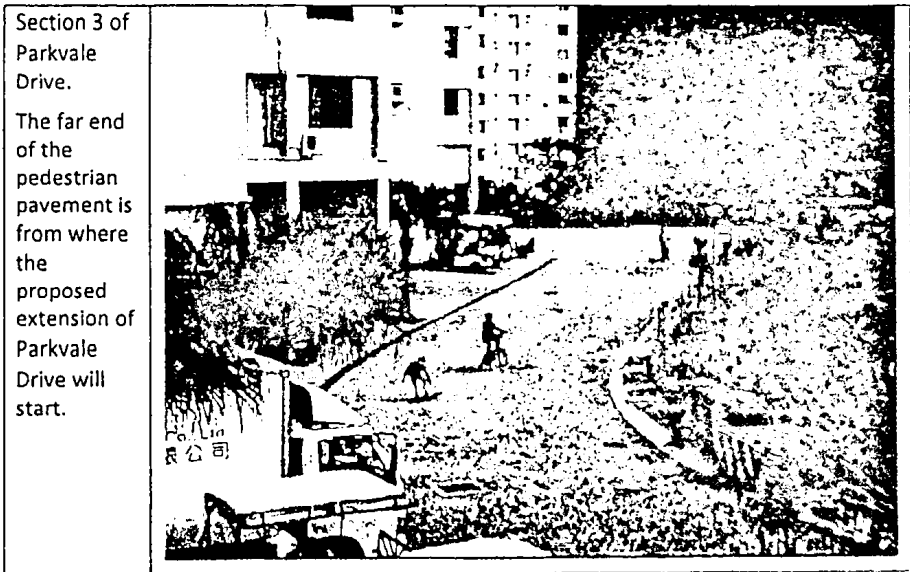
Settlement
cracking evident in
asphalt surface on
Section 1 of
Parkvale Drive



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.

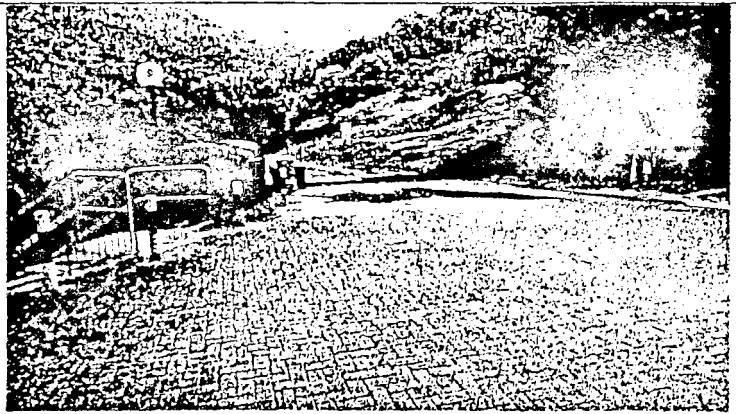


5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

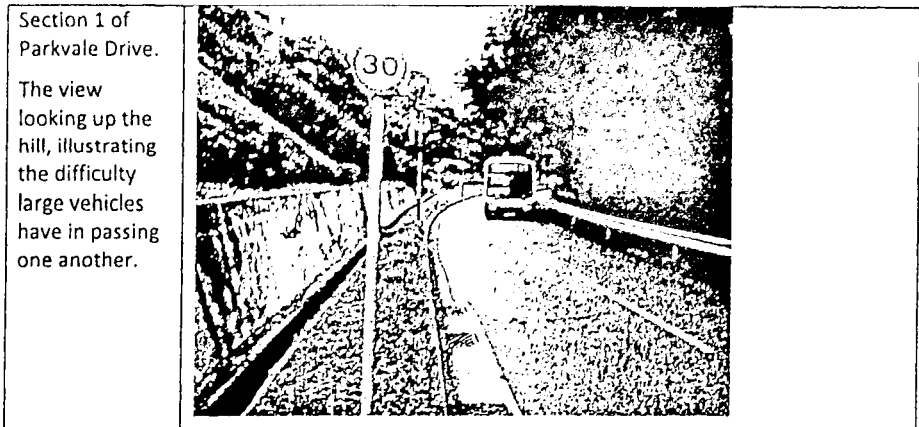
6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair 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.

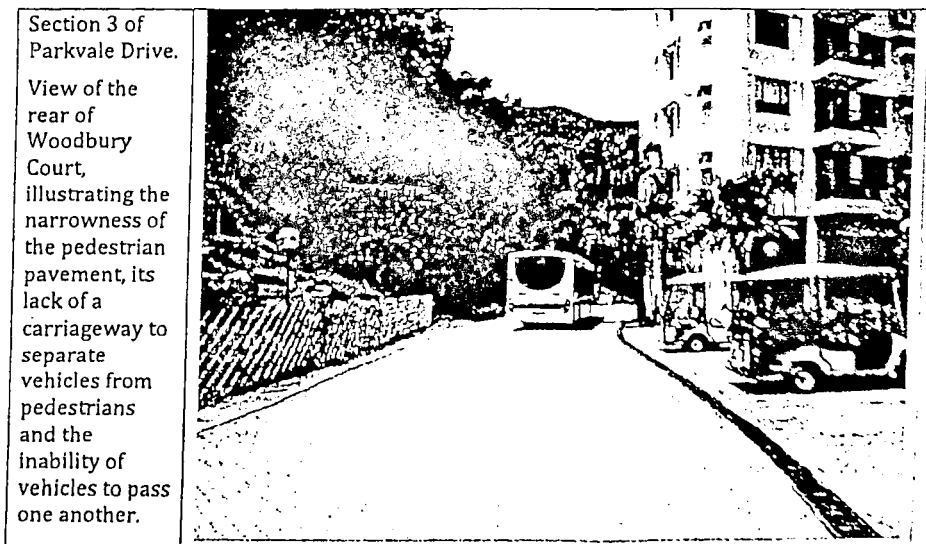
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



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.



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.



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 Bird's eye view of the pedestrian plaza from the intersection of the Woodbury Court, Woodgreen Court, and Woodland Court, illustrating that this section is a covered, paved pedestrian and golf cart area providing access to the entrance of the building. It is a covered area, and is used by local bus services and delivery vehicles which may require the use of one of the only three unloading bays. It is not a properly engineered, sealed and drained area to allow for efficient drainage being constructed of concrete on sand and gravel or sand and gravel on sand underlay. This renders the surface prone to subsidence and water pooling during heavy rainfall.

16 Safety Section 3 pedestrian pavement of Caravan Lane being the access to the Woodbury Court and Woodgreen Court from the intersection of Woodland Court.

Transportation being a major concern of the community, the project will be subject to a thorough review by the community and the relevant authorities.

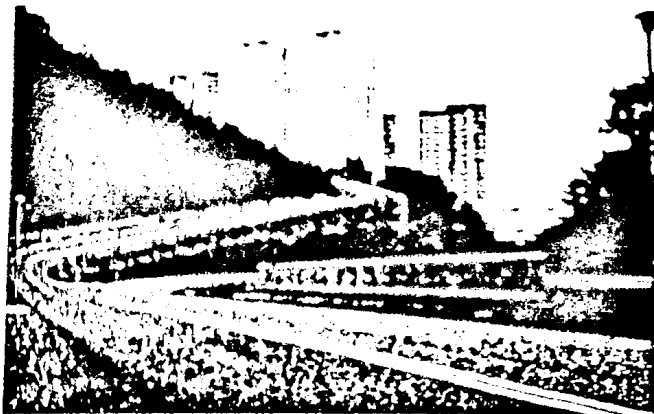


18. **Alternative Access to Area 61** After the project was approved by the local community, HRP had traffic impact studies conducted on the proposed road. It was proposed as an alternative access to Area 61 from Discovery Valley Road. At a meeting of the Council of Parkville Council on 12/11/2016, an employee of HRP Services Management Limited, a wholly owned subsidiary of HRP, stated that HRP was considering this alternative. Subsequent to the meeting, HRP sent an email to the Chairman of the Council which stated that:
19. "We are aware of the potential traffic impact to the neighbourhood. As such, HRP is favourably considering to build either a temporary or permanent haul road from Discovery Valley Road."
20. However, despite HRP'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 HRP states

that there are no impacts on the water and the environment from the proposed alternative access. We consider this as being a potential concern.

21. Furthermore, no Government Department has been consulted on the proposed alternative access, despite the concerns regarding the proposed alternative access, particularly in relation to Area 6f and the alternative access, which we have already mentioned in our previous application and in our comments on the public inquiry.
22. The alternative access, from Discovery Valley Road, is a potential alternative access to 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



4. The consultants have not explained in their June and October submissions, that discharging the effluent into the sea will be a sub-optimum approach to be considered at the final stage of the assessment process. The consultants have also stated that the proceeds directly from the proposed sewage treatment plant will be HK\$44.5 million per day of sewage will be treated and discharged into the sea. The consultants have also stated that the proceeds directly from the proposed sewage treatment plant will be HK\$44.5 million per day of sewage will be treated and discharged into the sea. This option would appear to be the most cost-effective option for the consultants. It is also noted that HKR will adopt this option without giving the community the full information that it will build a gravity pipe, which presently pumps the sewage to a low-lying area.
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 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 (FW/P). 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.

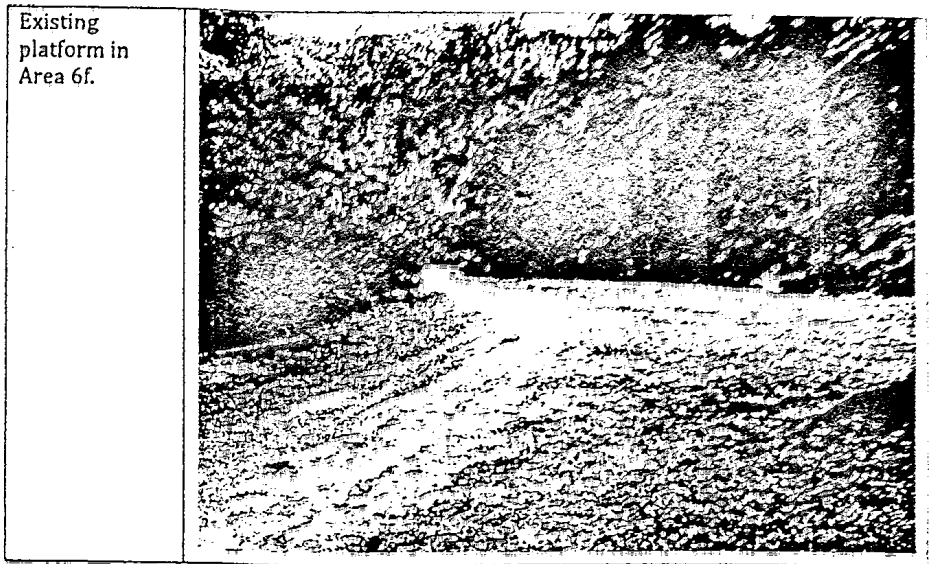
I. PROVISION OF OTHER UTILITIES

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

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

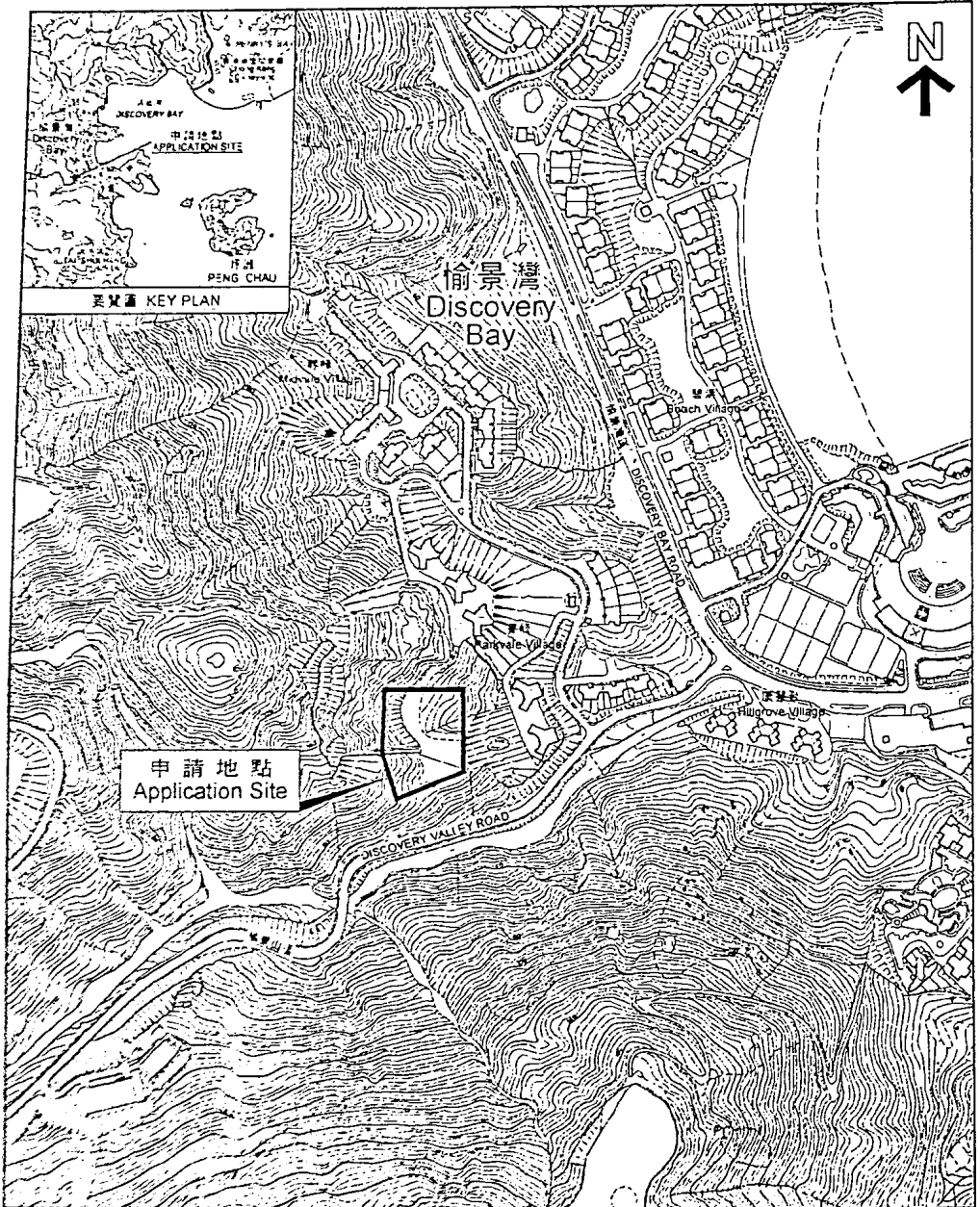
Revised broad development parameters in view of
 the further information received on 27.10.2016

(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)	
		- 米 m	
		- 米(主水平基準以上)mPD	
(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.

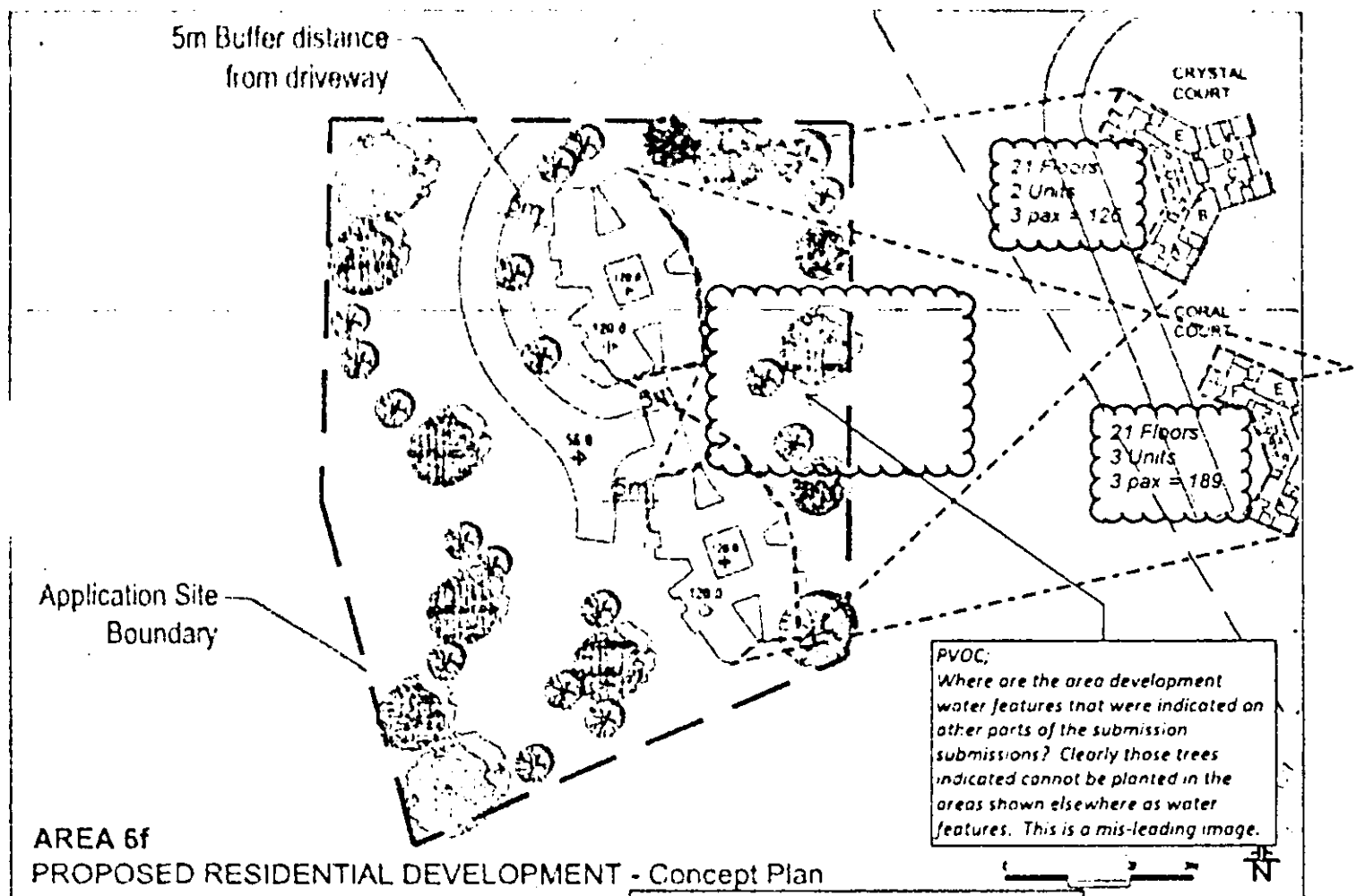
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

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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申請編號 Application No.: Y/1-DB/2

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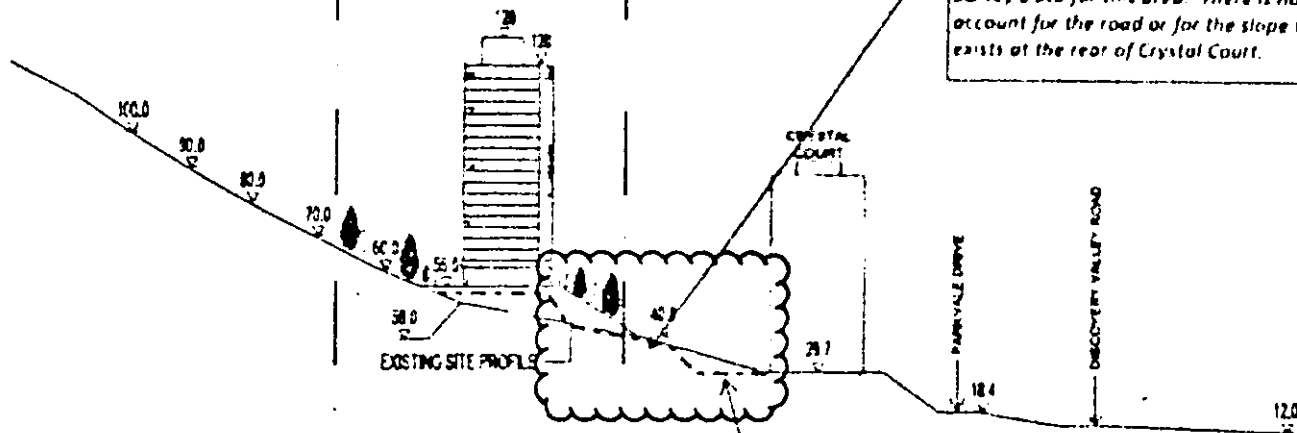
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B.L.

B.L.

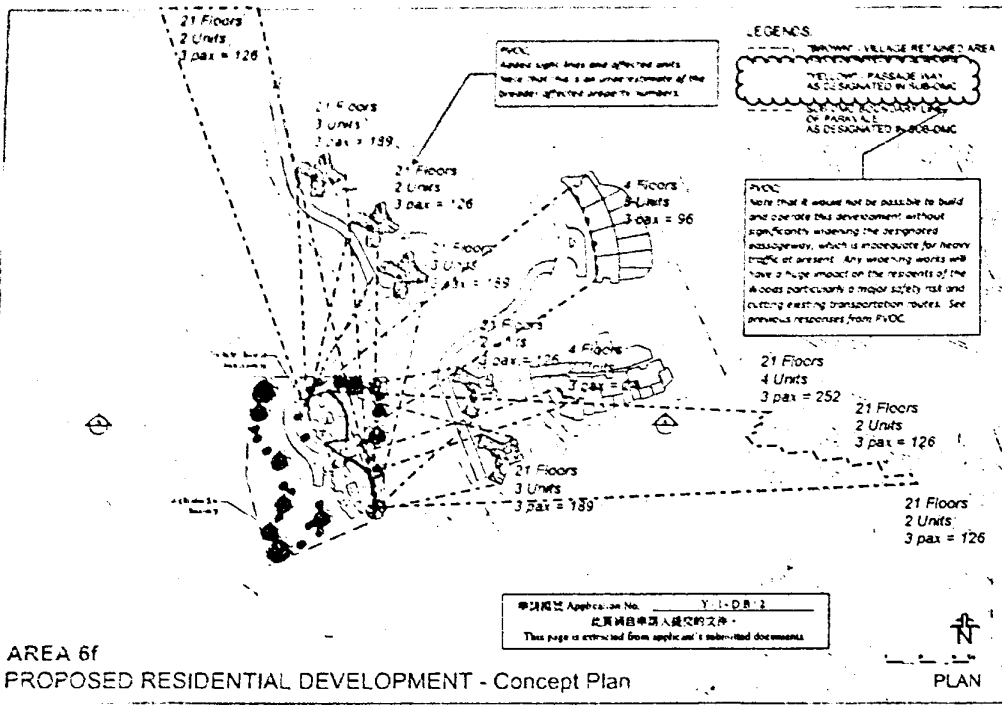
申請編號 Application No. Y11/2022
新界區西貢區大埔區的地段
This page is extracted from applicant's submitted documents

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.

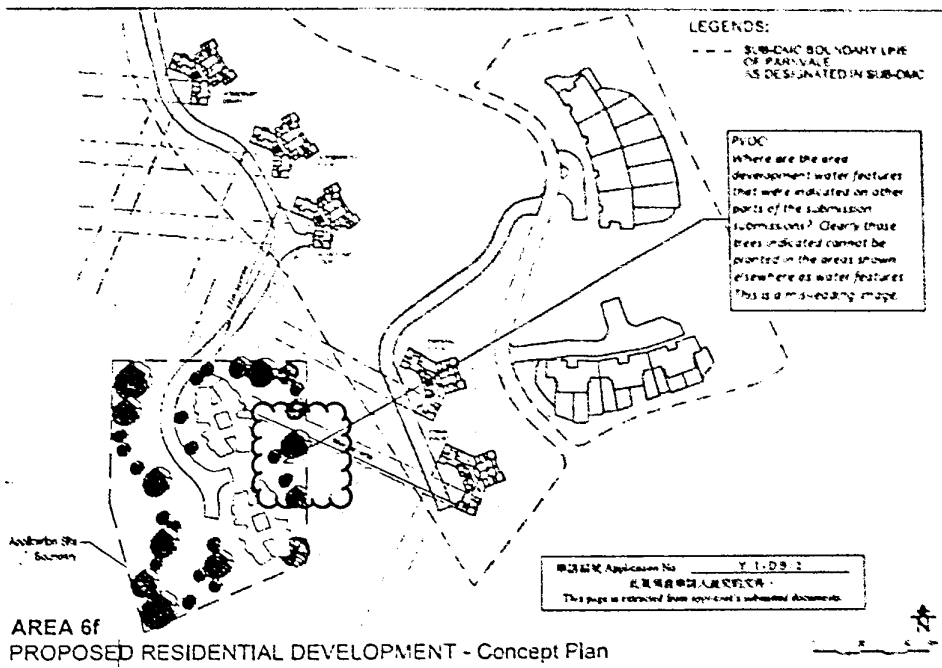


AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT

SECTION A-A



0



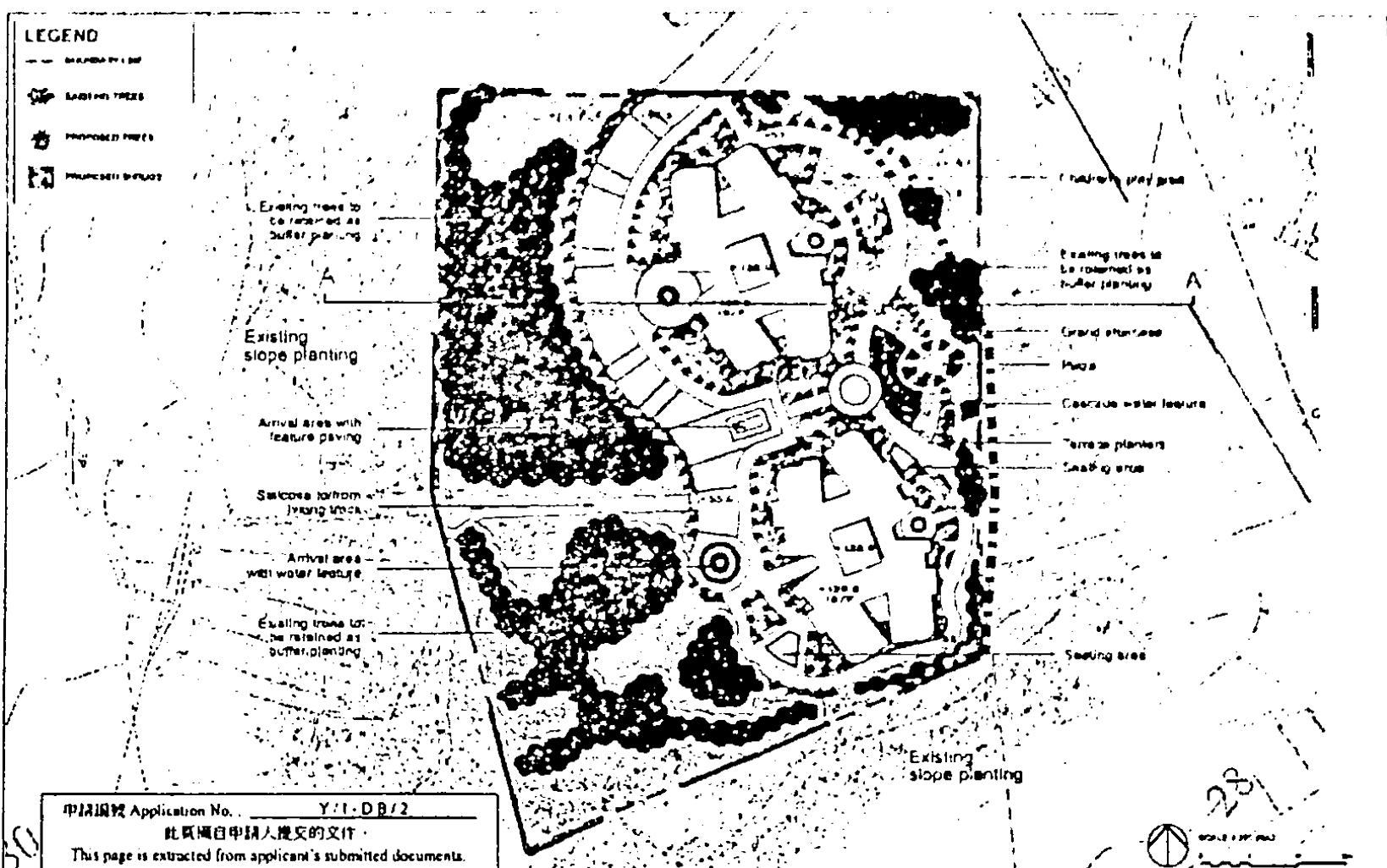
申請編號 Application No. Y-1-2012-1
 此頁係由申請人提交之文件
 This page is extracted from applicant's submitted documents

PVOC
 Approximate Location
 of Retaining Wall? The
 excavation for
 construction will
 remove these
 highlighted trees

LEGEND
 EXISTING TREE GROUPS
 TO BE MAINTAINED
 EXISTING TREE GROUPS
 TO BE REMOVED
 EXISTING TREE
 TO BE MAINTAINED
 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		Project No. PTN/6/P/15A7
TREE TREATMENT PLAN		Scale 1:1000 (A3)
Date: 10/10/2012 Drawn by: [Signature] Checked by: [Signature] Approved by: [Signature]		Project No. PTN/6/P/15A7 Date: 10/10/2012 Drawn by: [Signature] Checked by: [Signature] Approved by: [Signature]



申請編號 Application No. Y/T-DB/2
 此圖源自申請人提交的文件
 This page is extracted from applicant's submitted documents.

TITLE	LANDSCAPE MASTER PLAN	REV. 0 OCTOBER 2004	PAGE B.1
PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F		

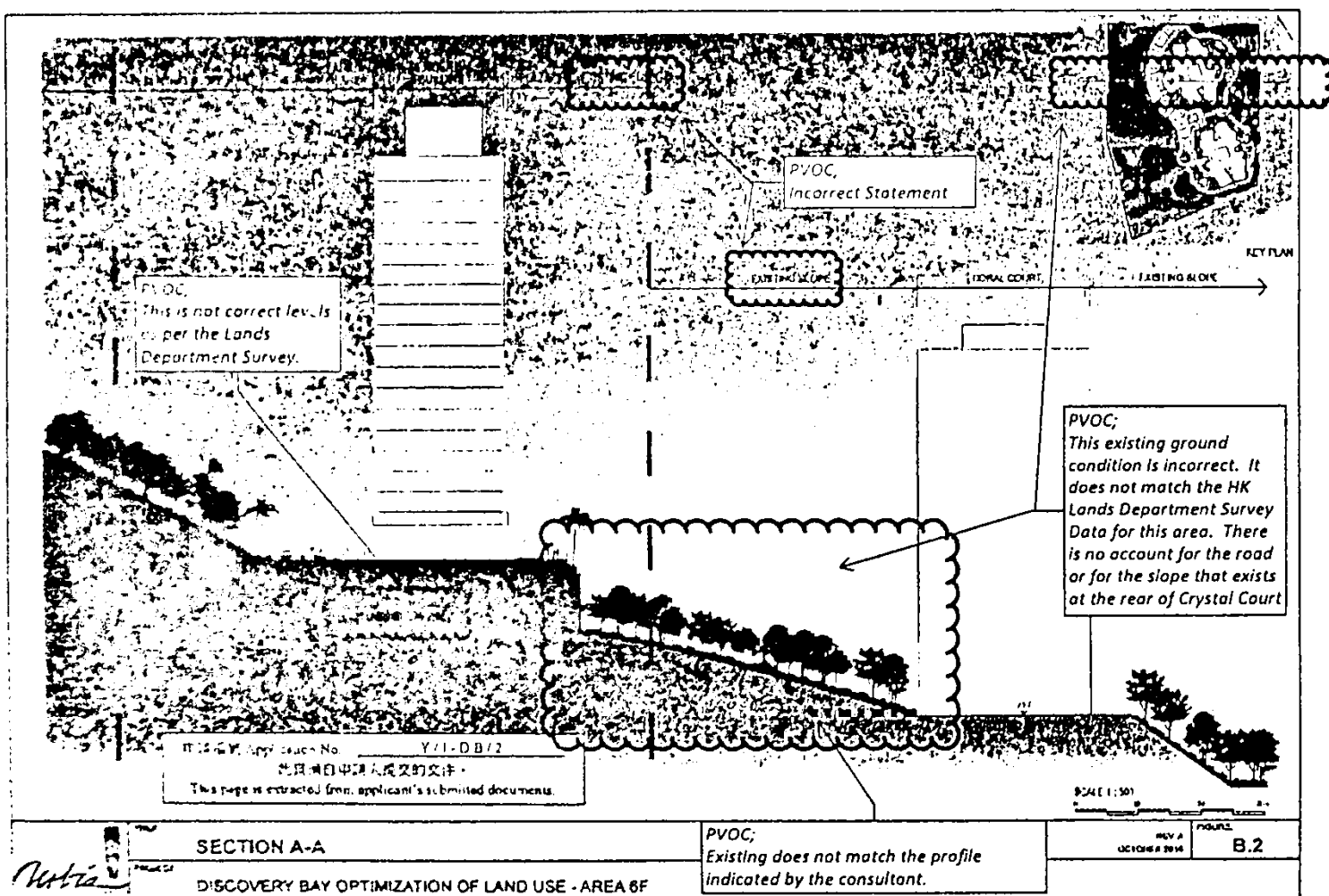
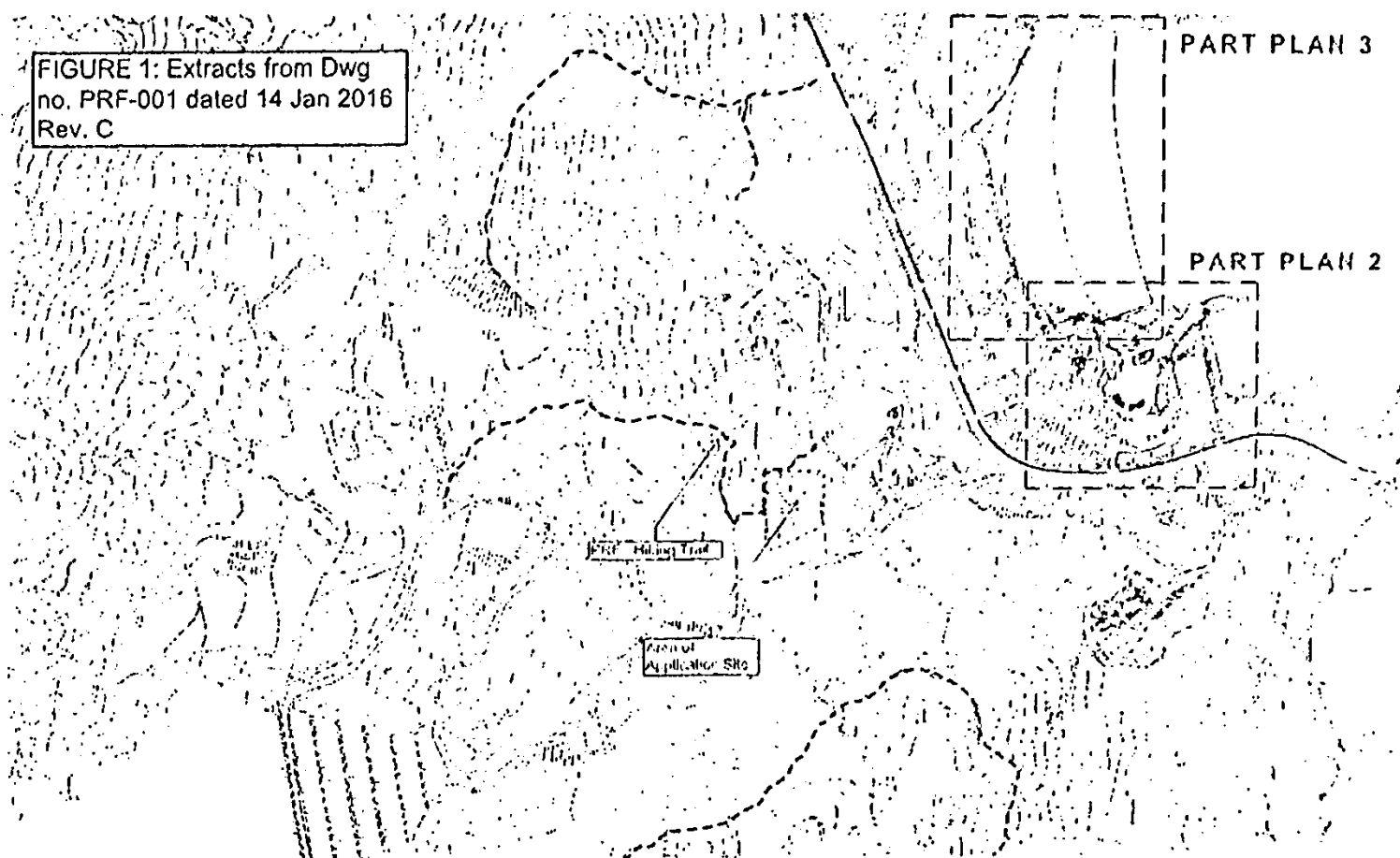
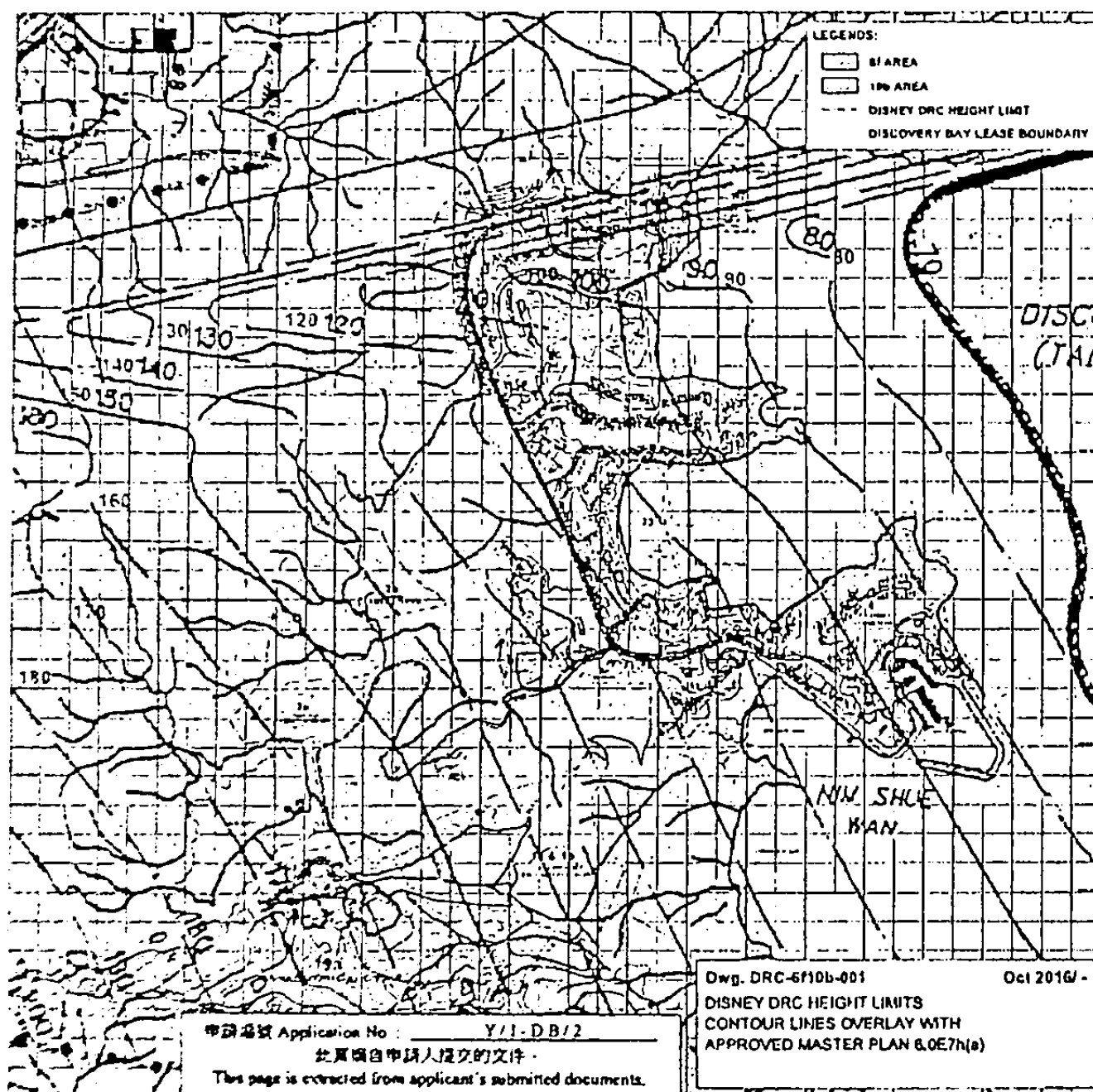


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



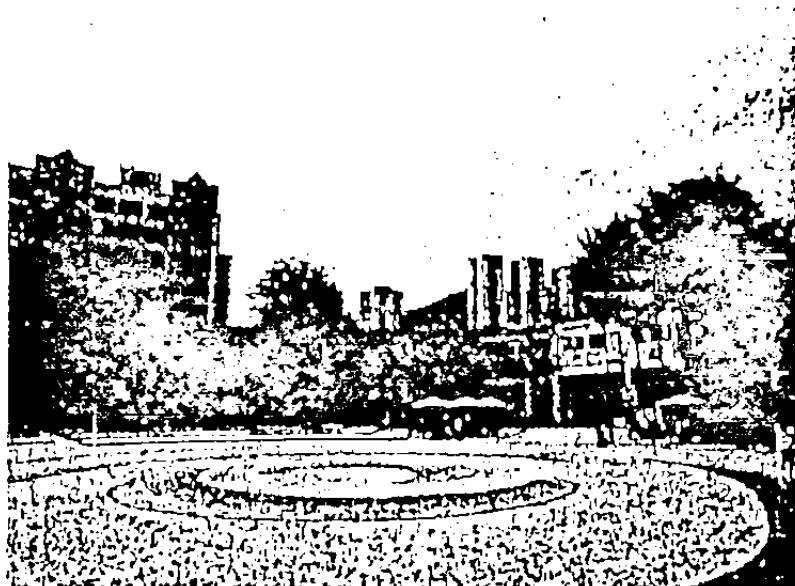
申請編號 Application No.: Y/1-DB/2
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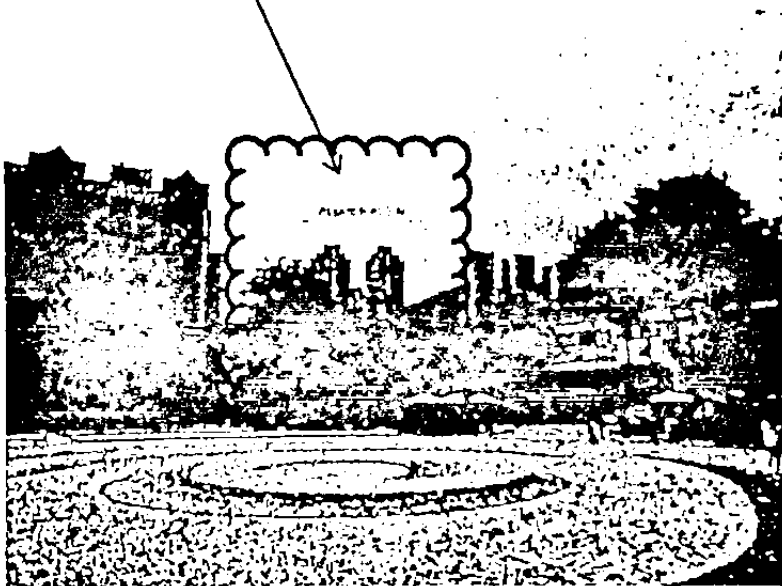
申請編號 Application No: Y/I-DB/2
此頁摘自申請人提交的文件。
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Dwg. DRC-6/10b-001 Oct 2016/-
DISNEY DRC HEIGHT LIMITS
CONTOUR LINES OVERLAY WITH
APPROVED MASTER PLAN 6.0E7h(a)

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

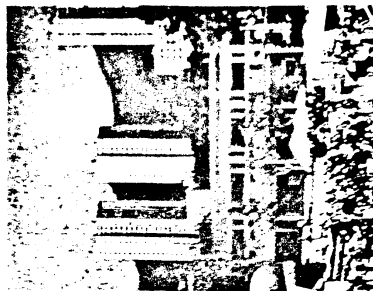
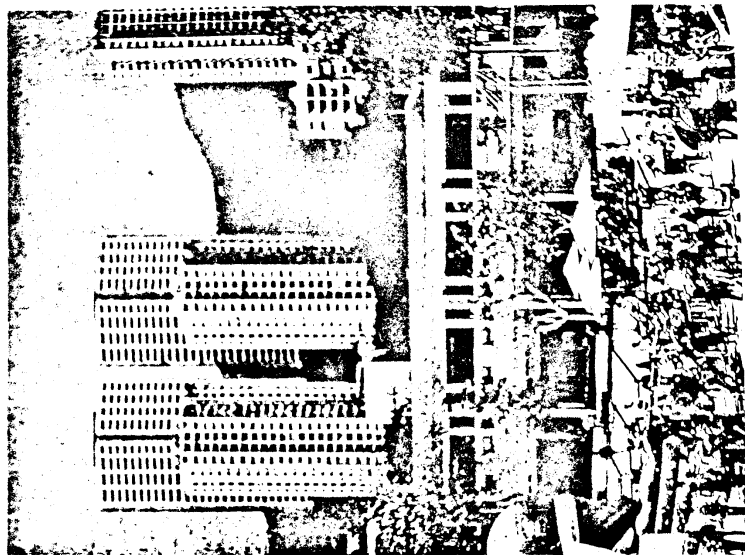


VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



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。
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100 comment. in
 HOURS of Planning Project
 FIG. 1.1 BEFORE & AFTER IMPRESSION: ROMA PLAZA



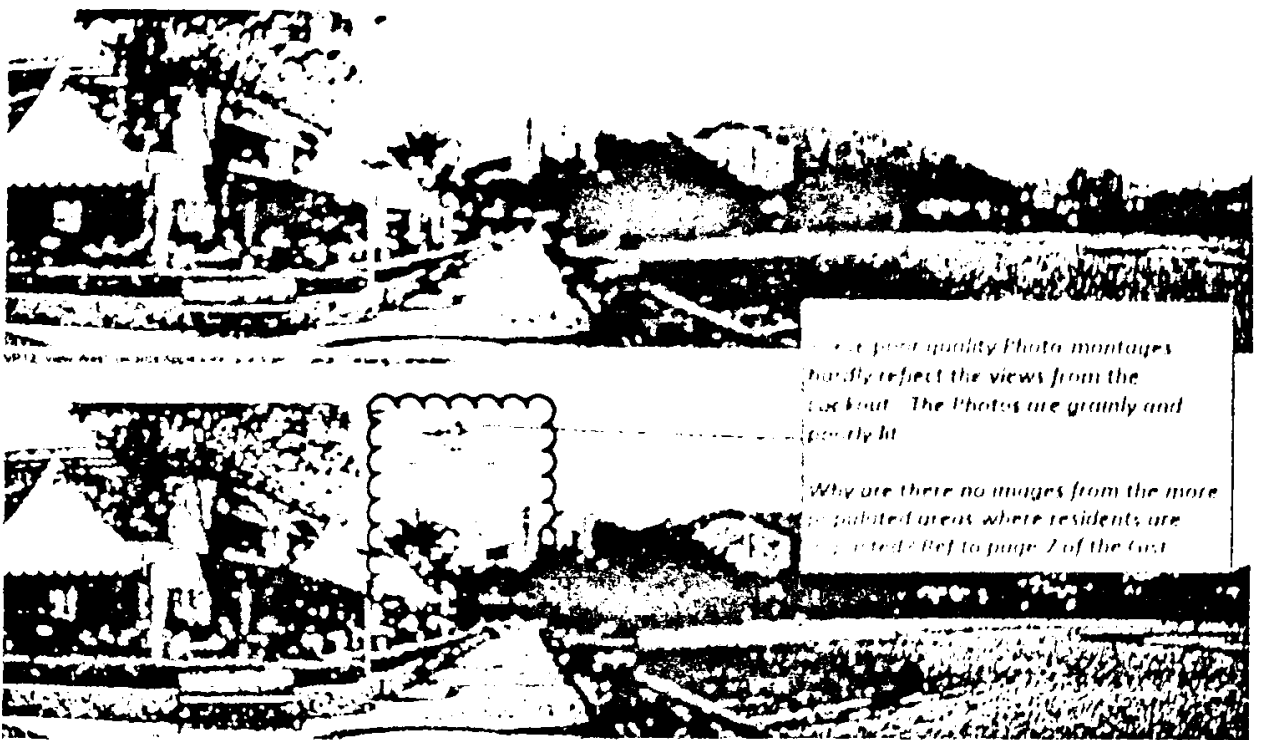
Figure 1: Photomontage showing the proposed development from the Lo Fu Tau Pergola Lookout.



Figure 2: Photomontage showing the proposed development from the Lo Fu Tau Pergola Lookout, with a callout box indicating a specific area.

中國地產 Application No. Y1001
 此圖照由中國地產提交
 This page is extracted from applicant's submitted documents

	<p>PHOTOMONTAGE - VPS (VSR REC4) FROM LO FU TAU PERGOLA LOOKOUT</p> <p>DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 3F</p>	<p>B.10</p>
--	---	-------------



VP12 View West (from 2012 Application) - 2012 Application

VP12 View West Island's Neighborhood from D-Deck with Proposed Development

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 text



7544

PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK

14 SEP 2010

PAGE 1 B 14

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F

申請編號 Application No. Y11-DB12

對策圖(中文) 1/1/2/1/1

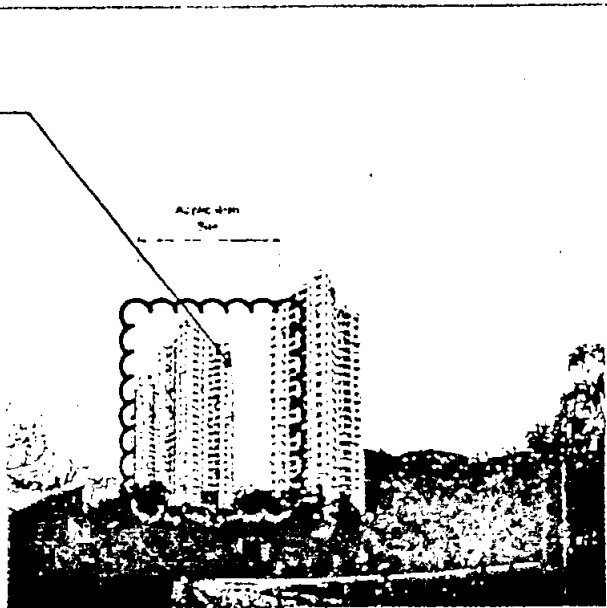
This page is extracted from applicant's submitted documents.

PHOTOMONTAGE - VPH (VSR NEG) FROM MINING TRAIL SOUTH OF DISCOVERY VALLEY

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
 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/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)	<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"/>
園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<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.

ify)

摘錄圖則 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
就行人的交通影響評估 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; Poor quality Photo-montages do not make for a true visual impact assessment, why has this not been provided for the sensitive receivers?

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。若有任何錯誤，應查閱申請人提交的文件。

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5280

③

tpbpd

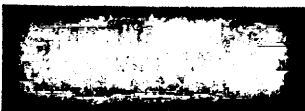
寄件者: susan fernie
寄件日期: 06日12月2010年星期五 7:42
收件者: tpbpd@pland.gov.hk
主题: Application No. YH-DB/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application further information . pdf

5281

Dear Sir/Madam,

I have read the attached submission from Parkvale Village Owners' Committee for area 6f. I totally agree with all the points raised in the attached submission. I wish to register my objection with the TPB accordingly.

Yours faithfully,
Mrs Susan E Fernie



①

①


tpbpd

寄件者:
寄件日期:
收件者:
主旨:
附件:

Kenneth Wannell
09日12月2016年星期五 9:11
tpbpd@pland.gov.hk
Application No. YH-DB-2 Area 65
PVOC Third Comments on the Section 12A Application for information.pdf

5282

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

Ken Wannell




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

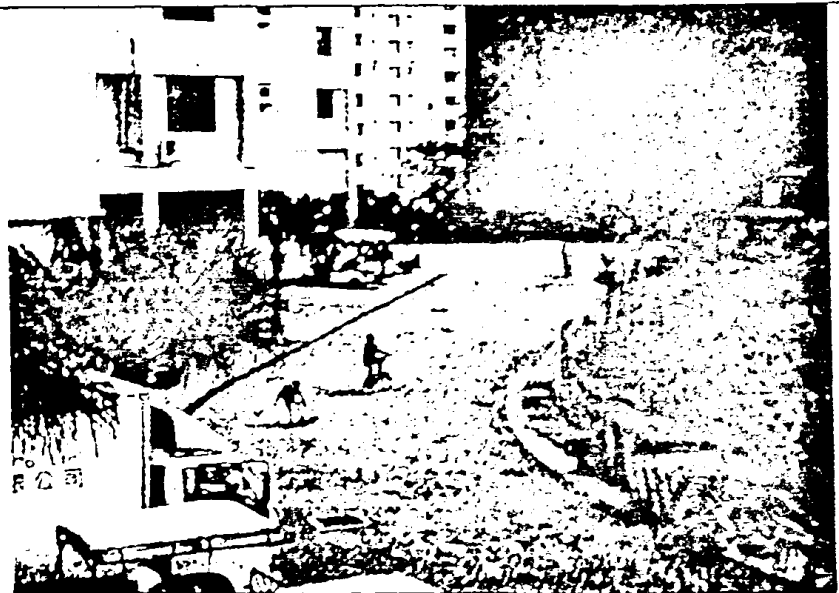
Settlement
cracking evident
in asphalt
surface on
Section 2 of
Parkvale Drive



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.

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.

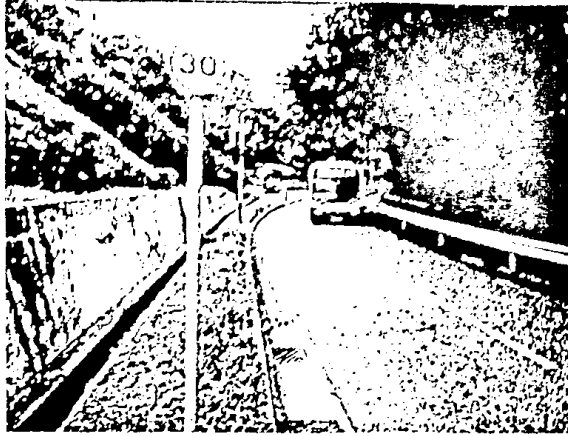
Section 3 of Parkvale Drive.
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



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.

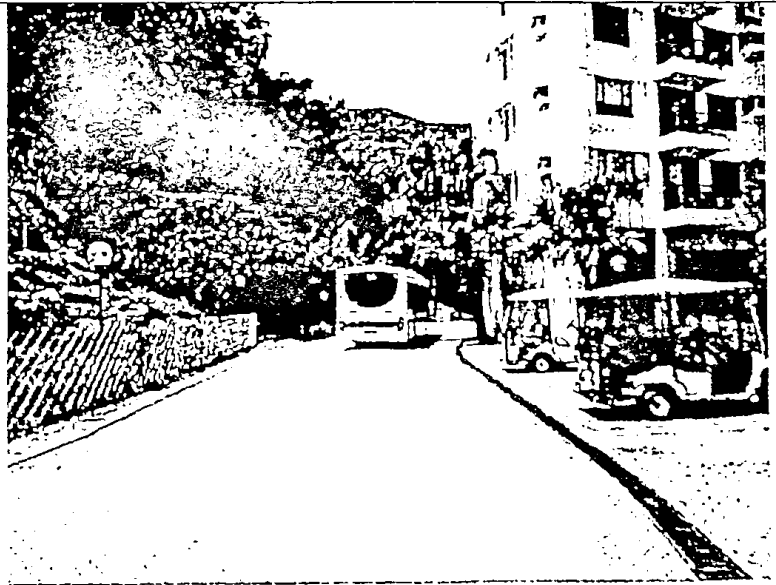
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



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.

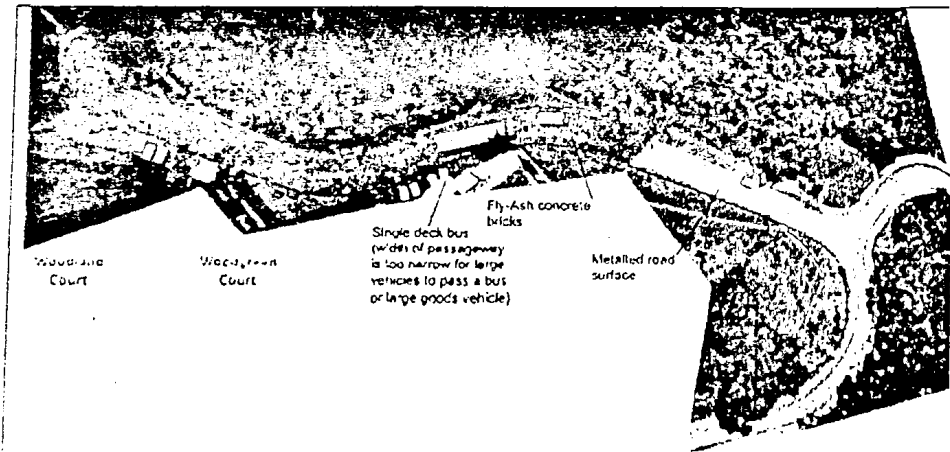
View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



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.



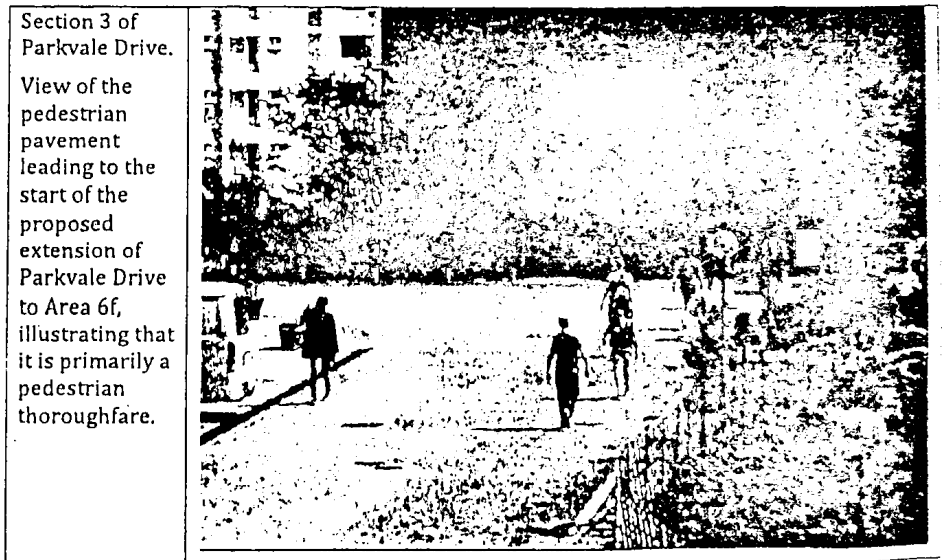
14. **Emergency Access** - In the event of a vehicle accident or a blockage on Parkvale Drive by two or more large vehicles in conflict, there would be no access for emergency vehicles, whether ambulances, fire appliances or police, to an emergency at either the construction site, the Woodbury Court, 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.

15. **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.

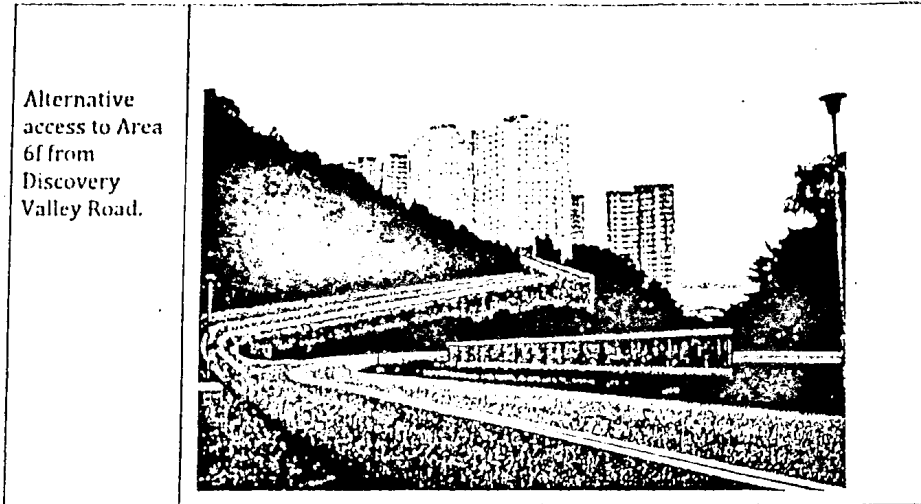
17. The Passageway is a cul-de-sac and is primarily a pedestrian thoroughfare, although it is shared with parking spaces for a few golf carts and three goods vehicle unloading spaces, which were added out of necessity following the opening of the DB Tunnel Link. The Passageway also serves as a turning 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 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, 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 TP 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 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 MKR'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 區支屬約份第 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	
(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)		

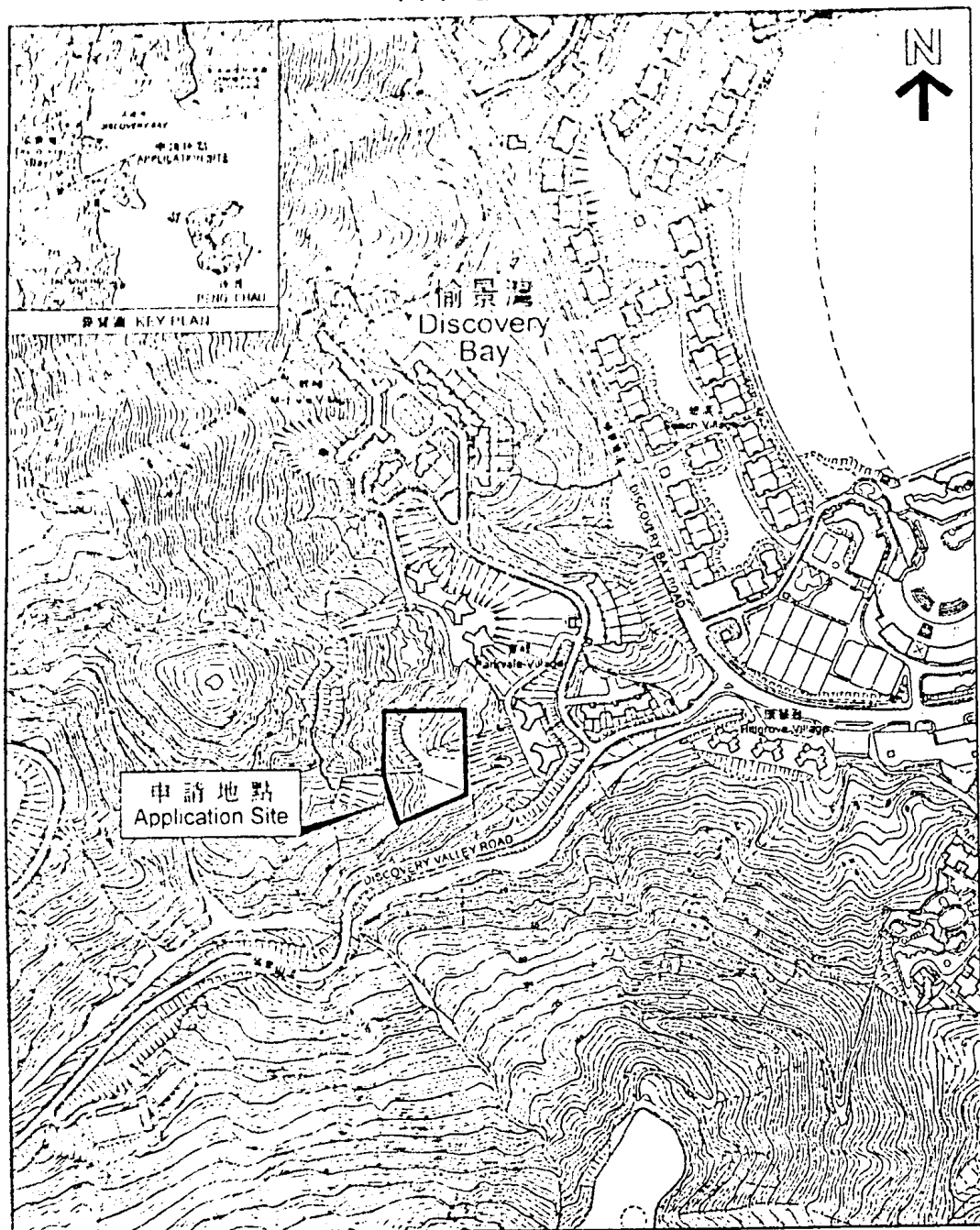
* 有關資料是為方便市民參考而提供。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



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.



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、環境設計總圖、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

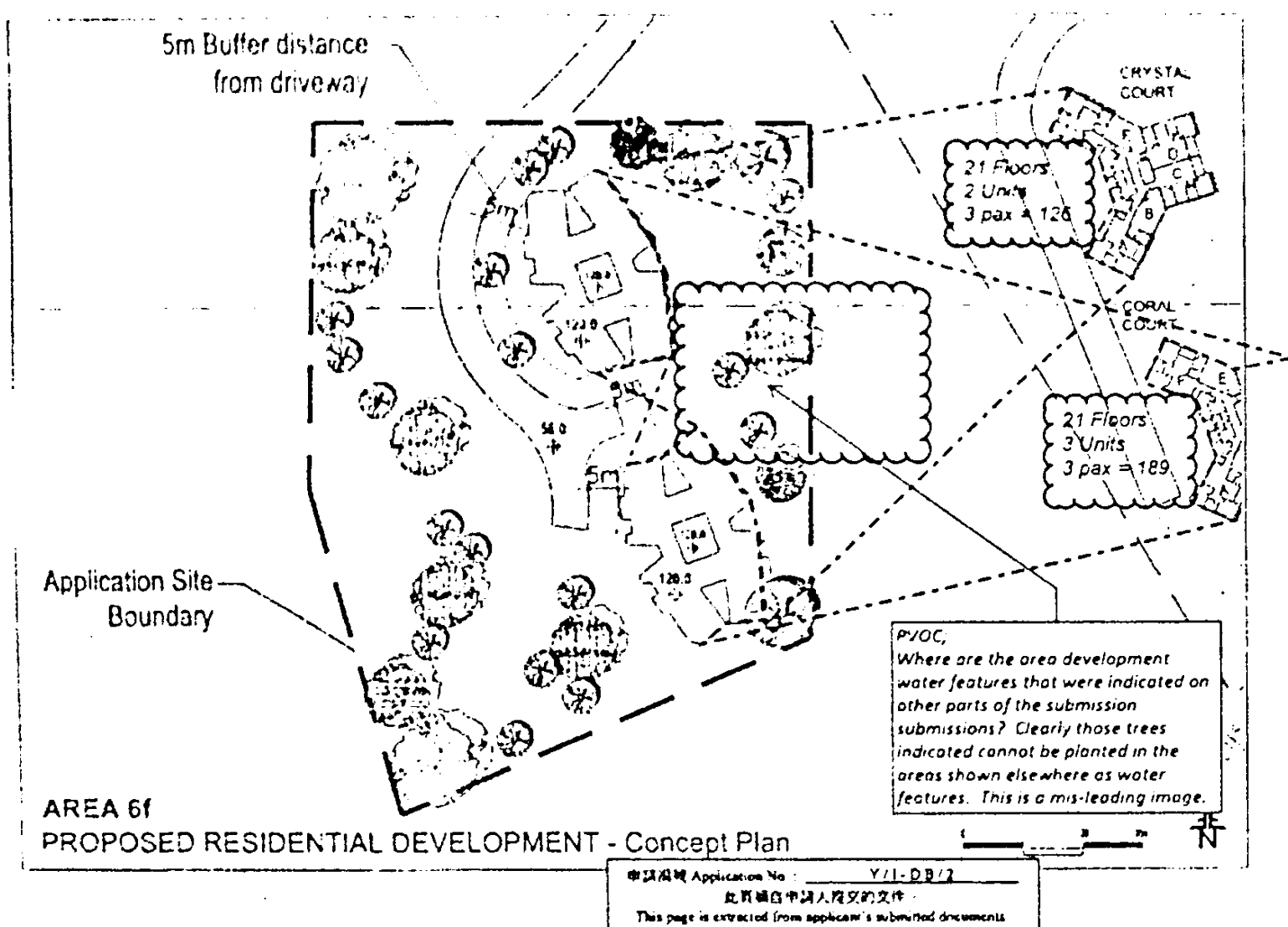
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

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。

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B.L.

B.L.

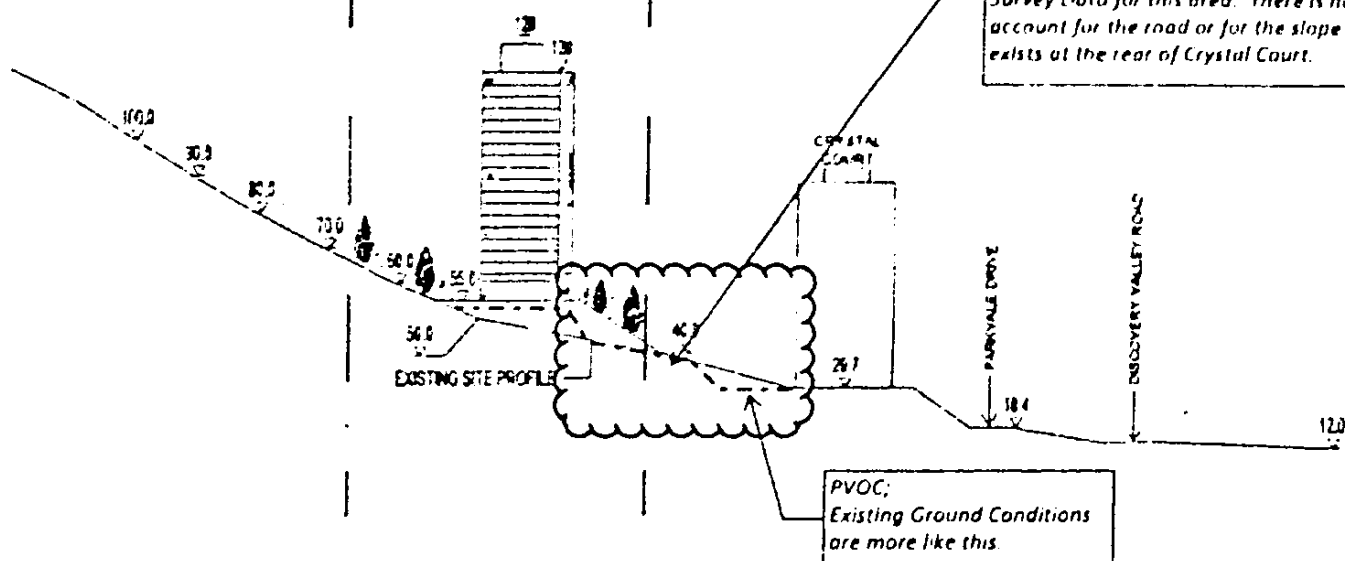
申請編號 Application No. Y/L-DB/2

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PVOC,

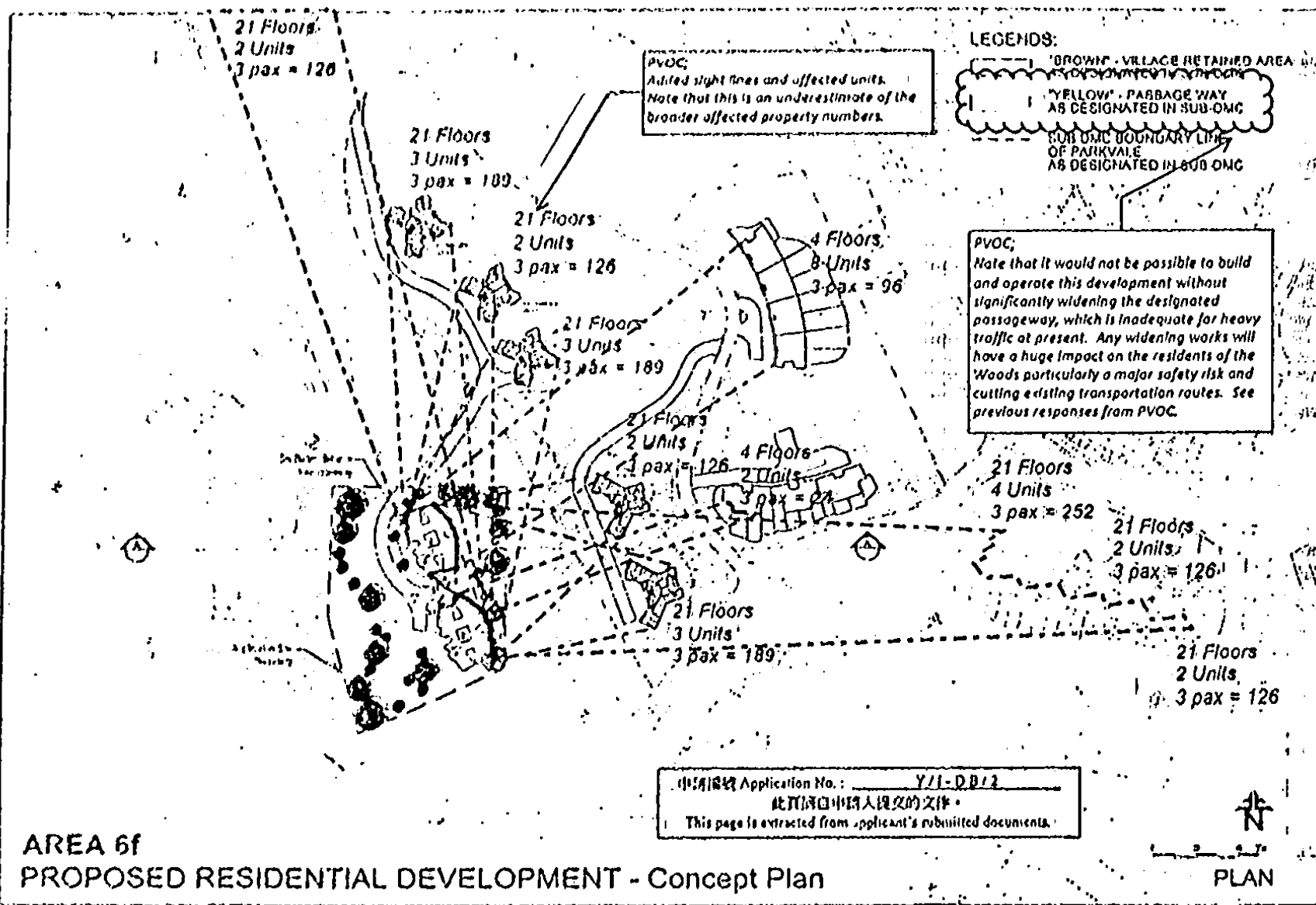
This existing ground condition is incorrect. It does not match the HK Lands Department Survey Data for this area. There is no account for the road or for the slope that exists at the rear of Crystal Court.

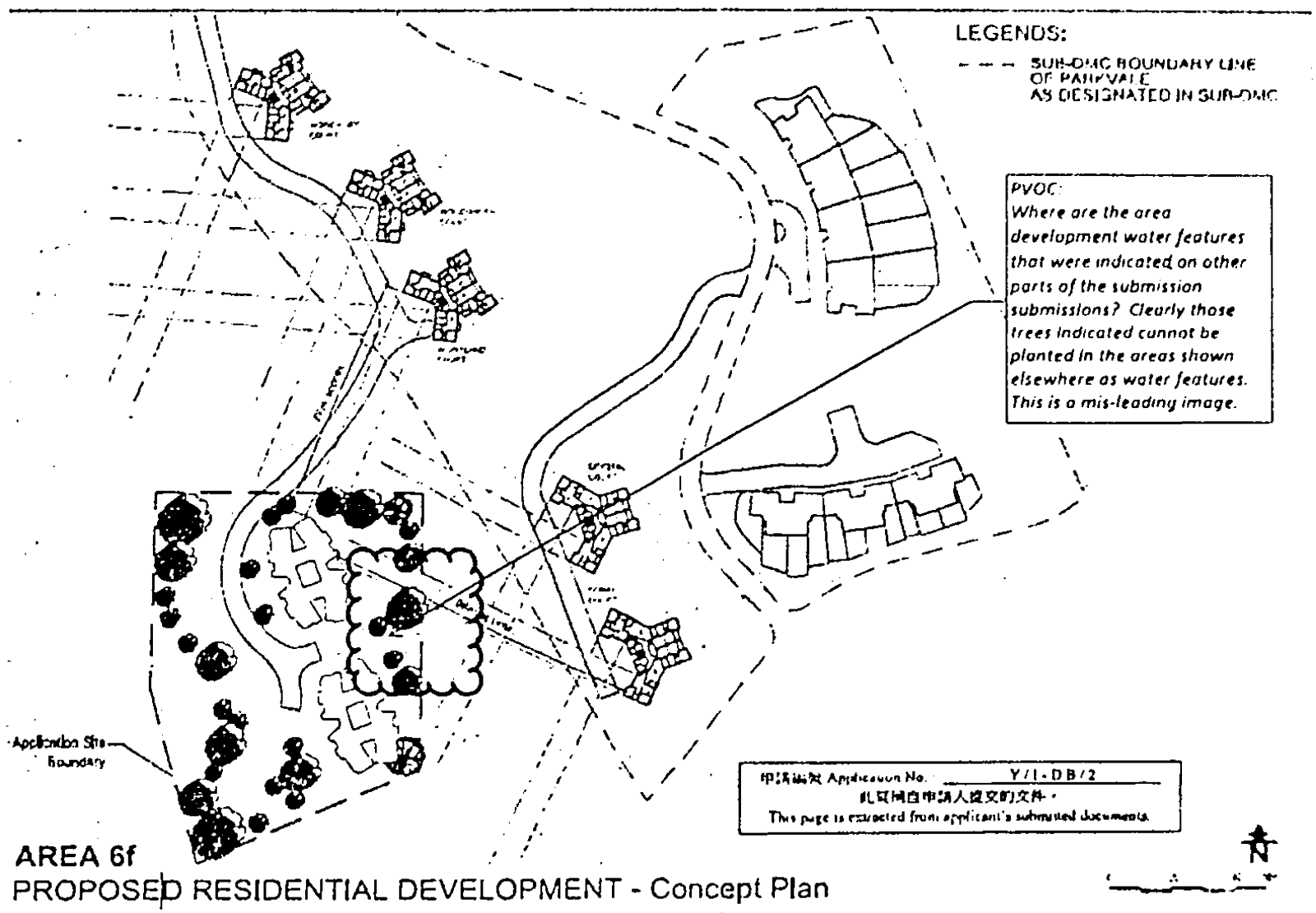


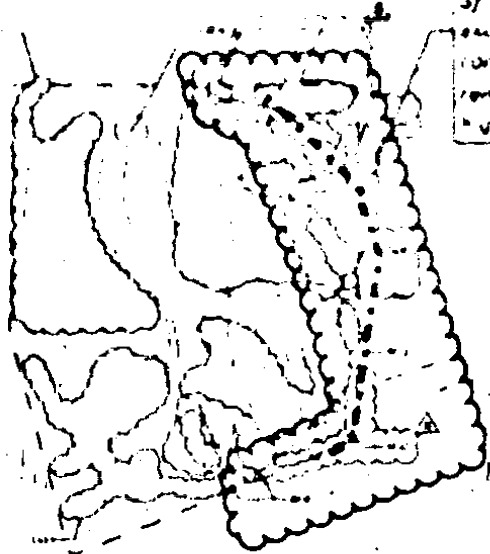
AREA 6f

PROPOSED RESIDENTIAL DEVELOPMENT

SECTION A-A







Approximate location of retaining wall. The excavation for construction will remove those highlighted trees.

LEGEND
 SCALLOPED LINE BOUNDARY TO BE MAINTAINED
 DOTTED LINE BOUNDARY TO BE REMOVED
 SOLID LINE BOUNDARY TO BE MAINTAINED
 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 SF				Drawing No. P116/M/9/1502	
TREE TREATMENT PLAN				Scale 1:500 (A3)	
Drawn by	Checked by	Approved by	Date	Rev	Rev

Wobis

LEGEND

- PROPOSED ROAD
- CS PROPOSED PARKING
- PROPOSED POLE
- PA PROPOSED PLANTING

Existing trees to be retained as buffer planting

Existing slope planting

Active area with feature paving

Staircase from Chung Toi

Active area with water feature

Existing trees to be retained as buffer planting

Existing trees to be retained as buffer planting

Existing trees to be retained as buffer planting

Gravel storm area

Plaza

Gravel side water feature

Terrace gardens

Seating area

Seating area

Existing slope planting

申請編號 Application No. Y/L-DB-2
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LANDSCAPE MASTER PLAN

DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 5F

REVISED
OCTOBER 2014

FIGURE
B.1

Urban

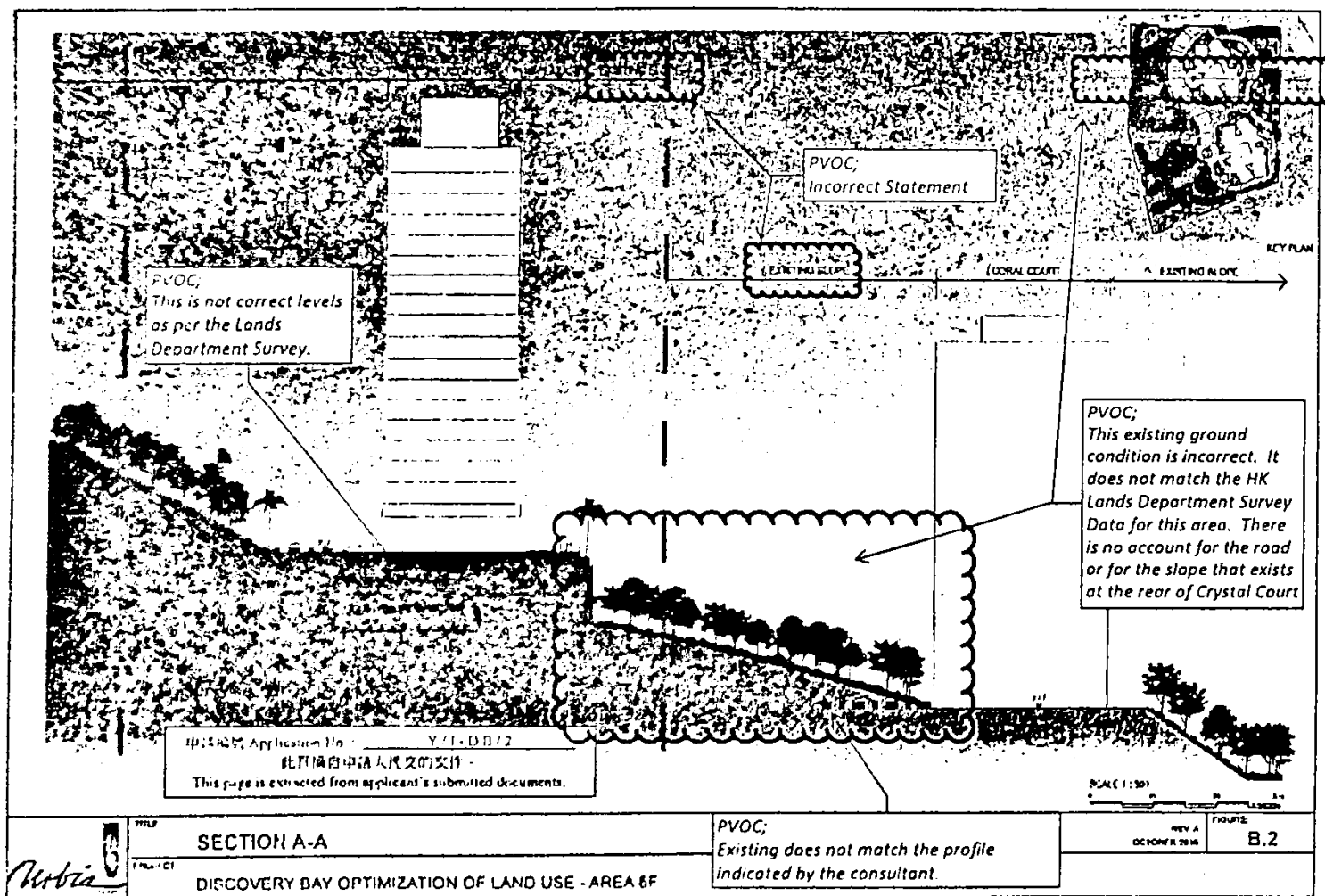
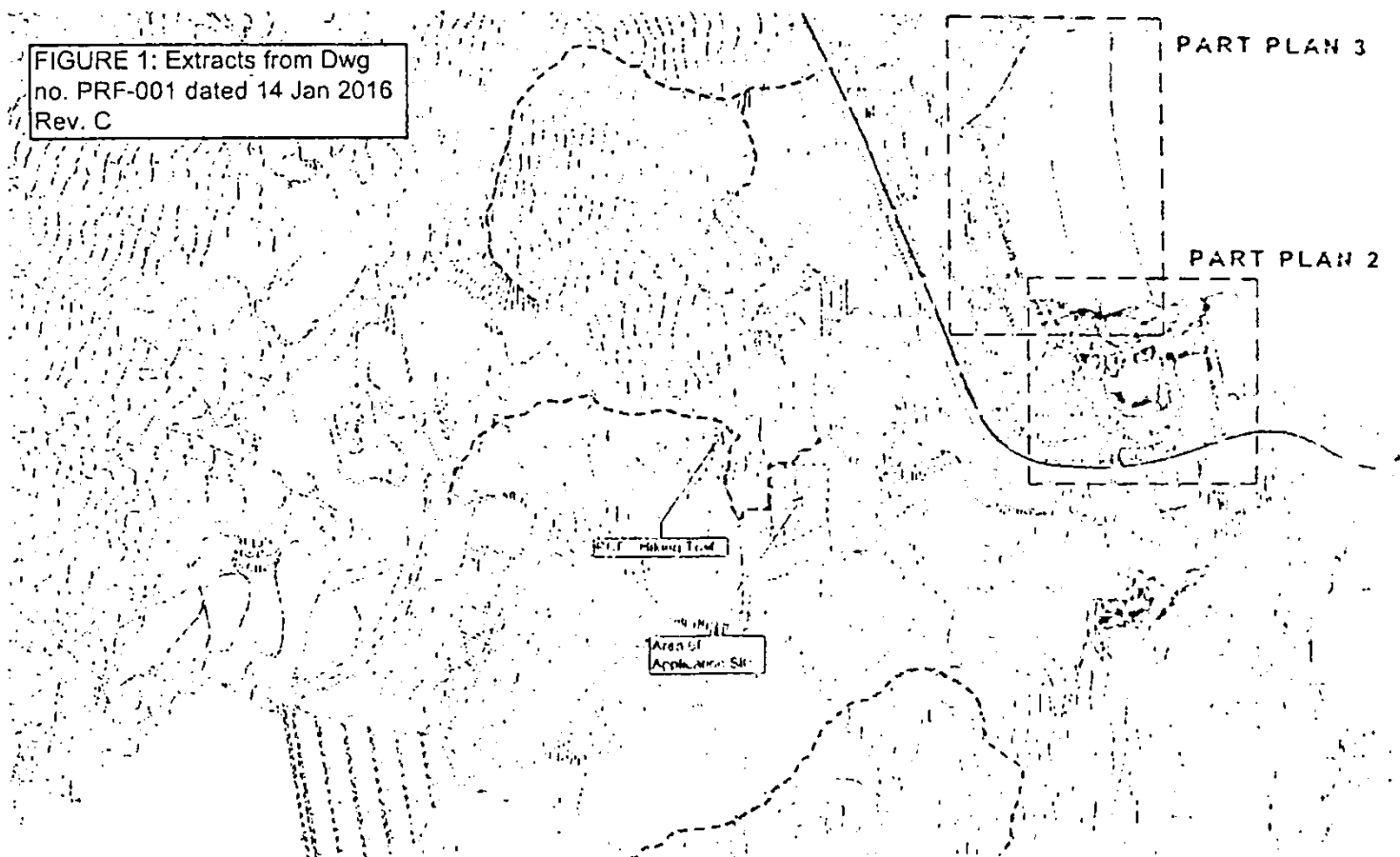
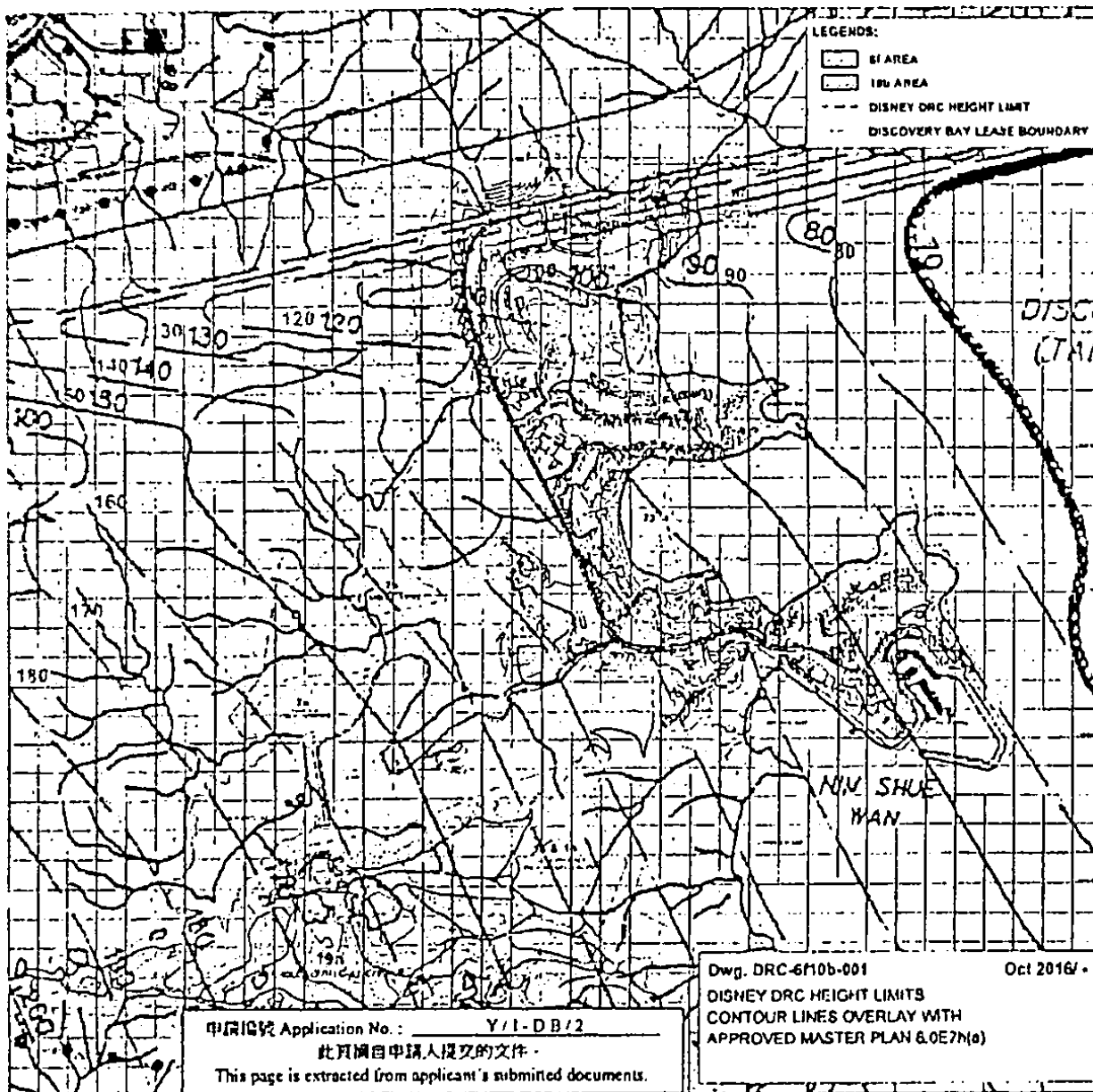


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



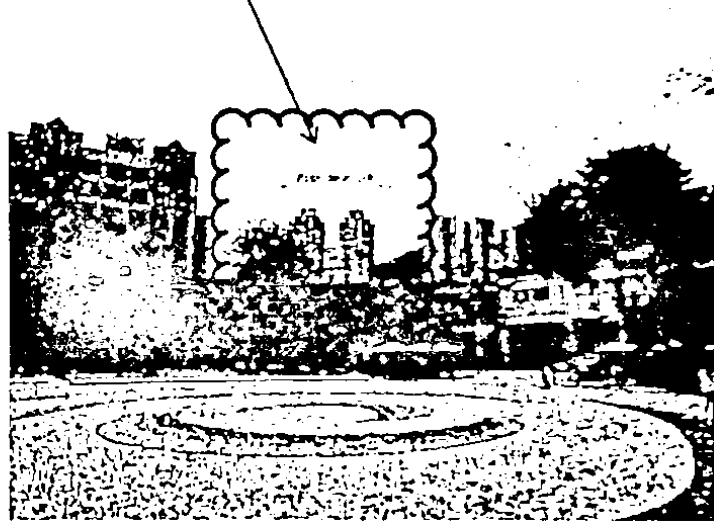
申請編號 Application No. Y/I-DB/2
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This page is extracted from applicant's submitted documents.



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




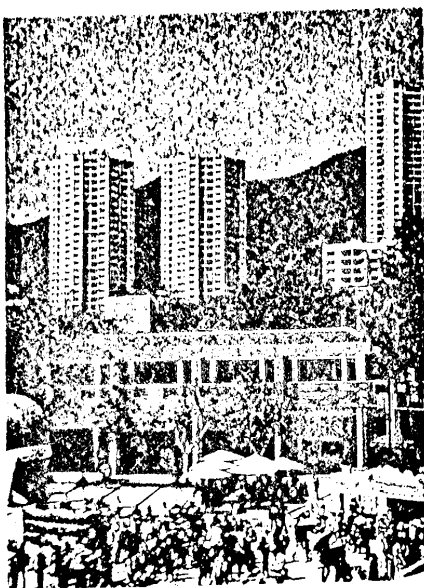
VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



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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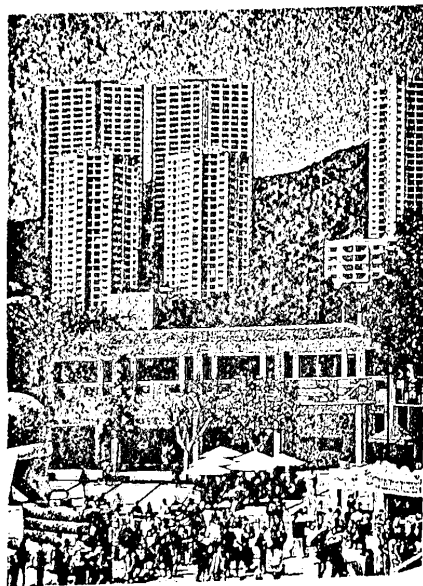
	TITLE	PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	FIGURE	8.9
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	OCTOBER 2018	



BEFORE

VOC comments on

HKRs 6f Planning Proposal



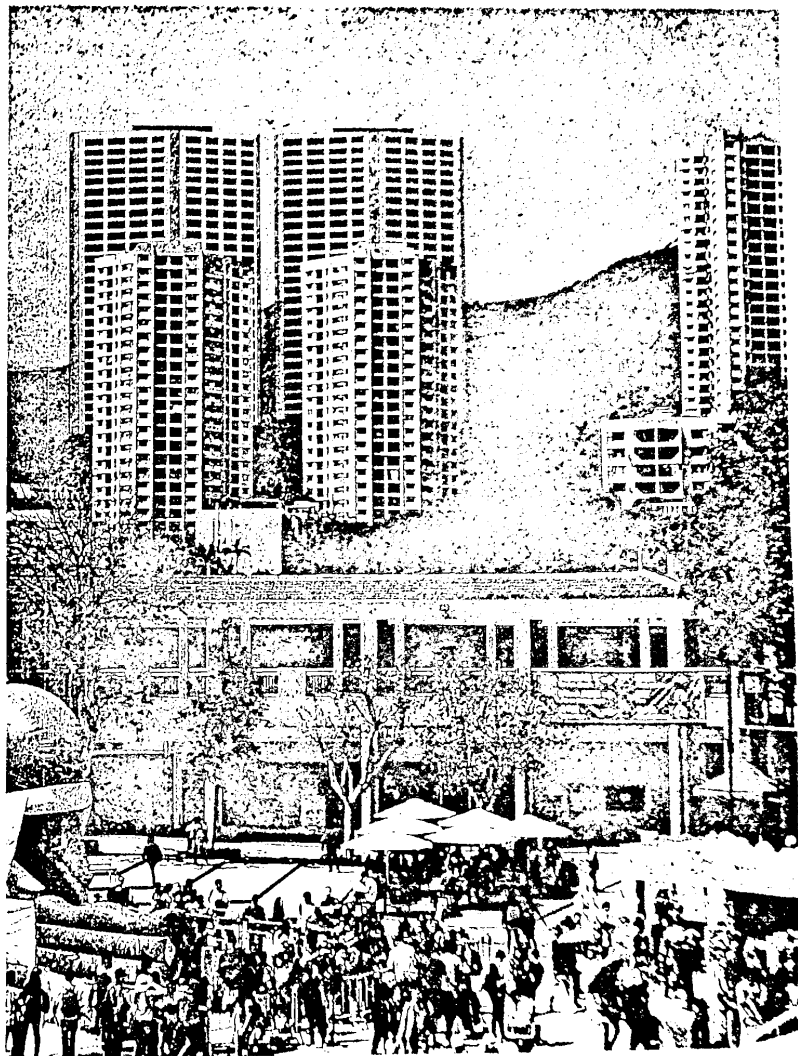
AFTER

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA

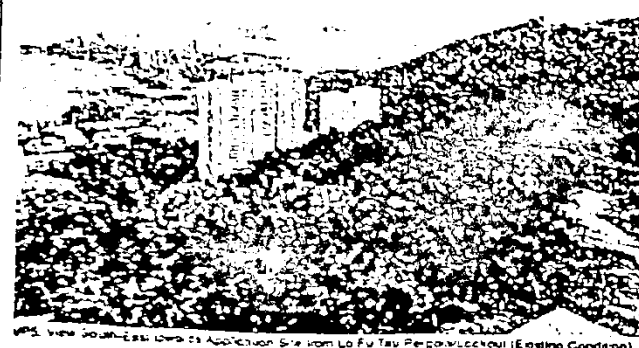
1

VOC comments on
HKRs of 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/I-DB/2
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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.

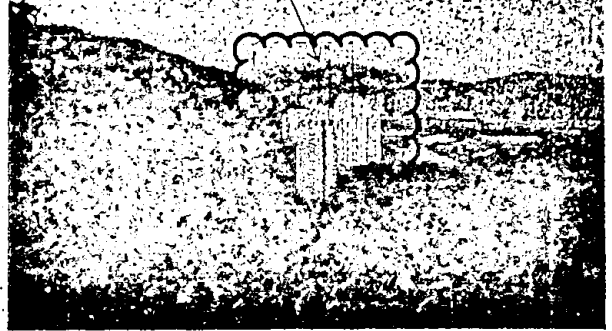
申請編號 Application No.: Y/I-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



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



VP8 View North towards Application SRA from Hiking Trail South of the Dam (Existing Condition)



VP8 View North towards Application SRA from Hiking Trail South of the Dam with Proposed Development

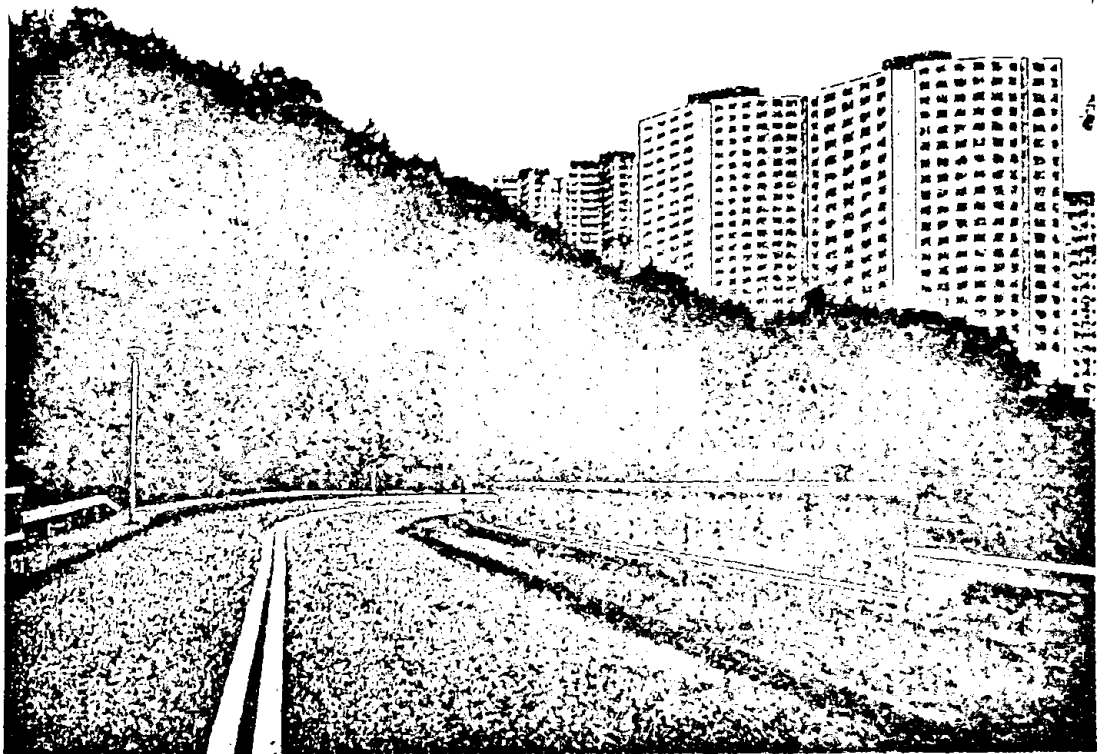
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This page is extracted from applicant's submitted documents.

Notice

PHOTOMONTAGE - VP8 (VSR REC7) FROM HIKING TRAIL SOUTH OF DISCOVERY VALLEY	DECEMBER 2011	FIGURE B.12
DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F		

VOC comments on
HKRs 6f Planning Proposal

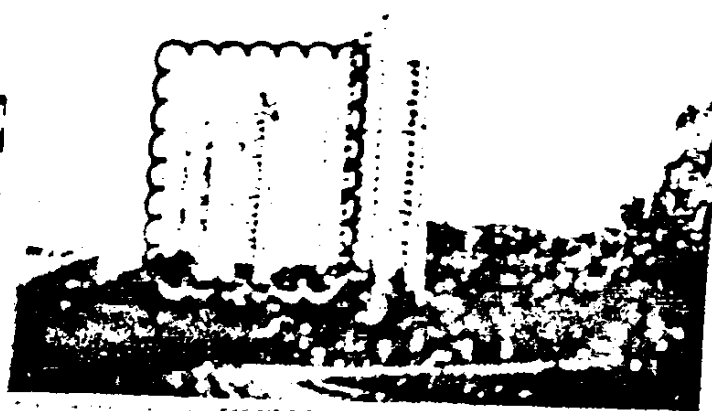
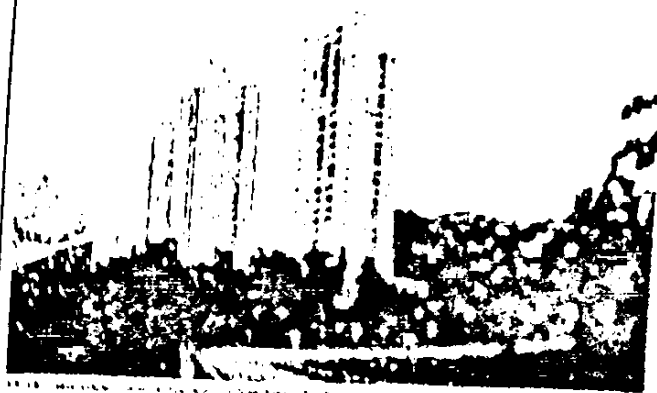
Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



Why is this Photo mounting used there are very few incidents at this location who would be affected

Why are there no images from the more populated areas where incidents are imputed see page 11

these poor quality photo montages hardly reflect the scene from the lookout. The photos are grainy and blurry, it



This page is extracted from application submitted by user

The page is extracted from application submitted for records

Notes	FILE	PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE	DATE	B 17
	PROJECT	DISCOVERY BAY OPTIMIZATION OF L AND LBE - REFINEMENT OF AREA OF		

申請編號 Application No. Y11PB2

與申請地點 有關之其他申請之申請編號

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

申請編號

Application No.

發展、使用、計劃

Proposed Use/Development

城市規劃委員會的決定(日期)

Decision of

Town Planning Board (Date)

此處提供之資料，乃為有關申請之資料，以供有關當局參考。此處提供之資料，乃為有關申請之資料，以供有關當局參考。

The information is provided for the reference of the relevant authorities. The information is provided for the reference of the relevant authorities.

申請編號 Application No. 111003

申請人提交之圖則、繪圖及報告
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/总体规划圖 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)

☐ ☐

立面圖 Elevation(s)

☐ ☐ MISSING

顯示建議發展情況的合成照片 Photomontage(s) showing the proposed development

☐ ☒

總綱設計總圖/總綱設計圖 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.

ity)

提取土地 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

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.

回應部門意見 Response

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.

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 to one

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. Consultation 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 ~~an~~ *an* ~~important~~ *important* ~~issue~~ *issue* ~~as~~ *as* ~~the~~ *the* ~~public~~ *public* ~~is~~ *is* ~~a~~ *a* ~~major~~ *major* ~~concern~~ *concern* ~~for~~ *for* ~~this~~ *this* ~~development~~ *development* ~~and~~ *and* ~~has~~ *has* ~~not~~ *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 EIA 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 SLO. 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 5 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.





The first of the three photographs is a close-up of a textured surface, possibly a wall or a piece of fabric, with a dark, irregular shape in the center. The second photograph is a close-up of a textured surface, possibly a wall or a piece of fabric, with a dark, irregular shape in the center. The third photograph is a close-up of a textured surface, possibly a wall or a piece of fabric, with a dark, irregular shape in the center.



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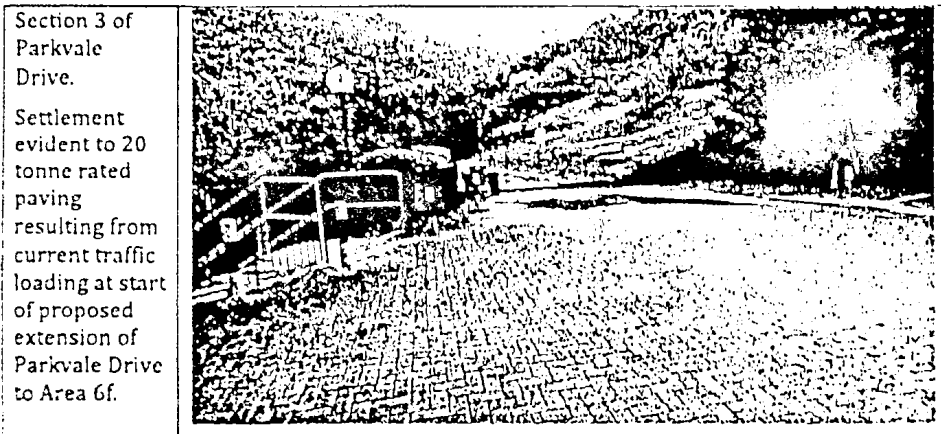


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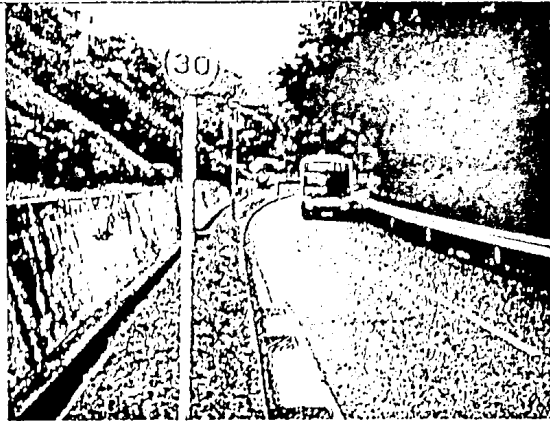
6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair 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 or other 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.

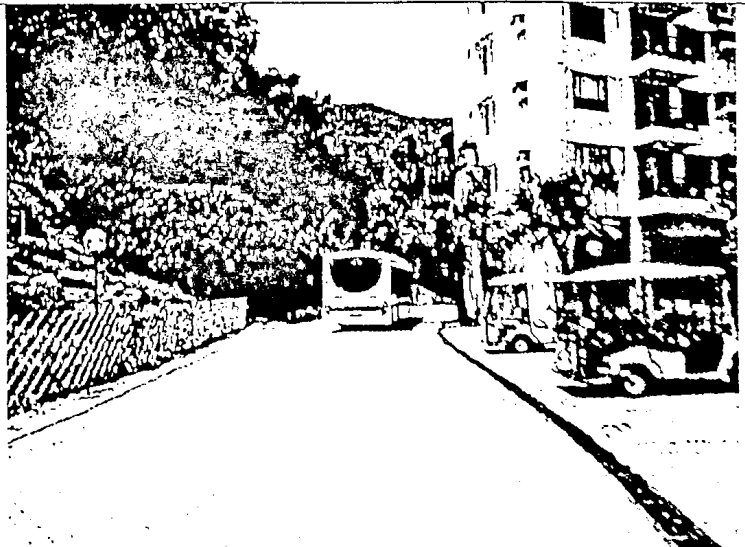
The view looking up the hill, illustrating the difficulty large vehicles have in passing one another.



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.

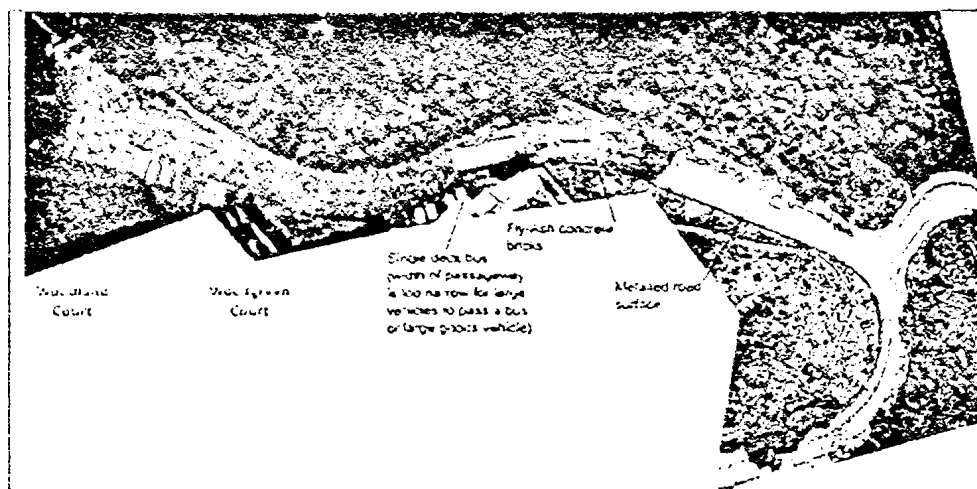
View of the rear of Woodbury Court, illustrating the narrowness of the pedestrian pavement, its lack of a carriageway to separate vehicles from pedestrians and the inability of vehicles to pass one another.



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.



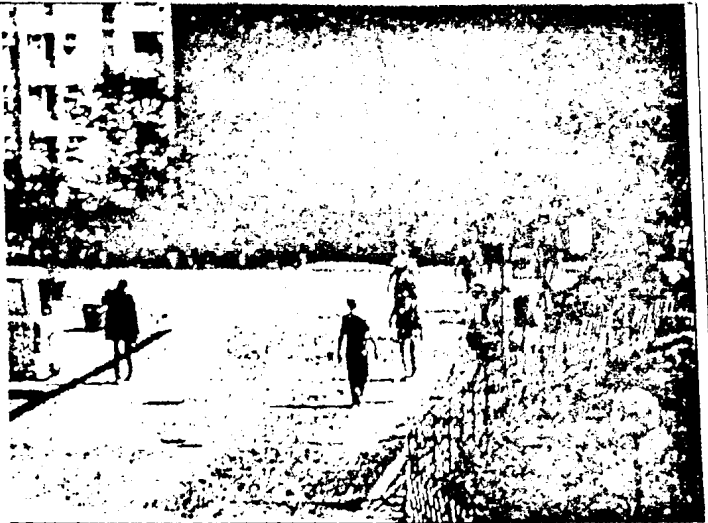
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. 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.

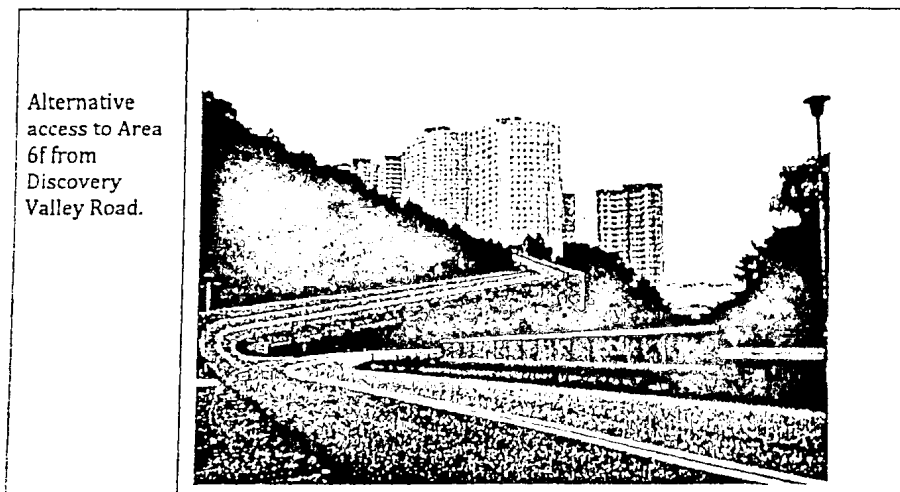
View of the
pedestrian
pavement
leading to the
start of the
proposed
extension of
Parkvale Drive
to Area 6f,
illustrating that
it is primarily a
pedestrian
thoroughfare.



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 124 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 STW will*



[illegible][illegible]

These studies indicate that the use of the proposed system is a viable alternative to the current system. The system is easy to use and the results are accurate. The system is also easy to maintain and the results are accurate. The system is also easy to maintain and the results are accurate.

[illegible]

1. The first of these is the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-alignment. This is due to the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-alignment.

[illegible][illegible]

Reference may be made to the letter dated 20th March 1974 for the reply to the letter dated 14th March 1974. The letter dated 14th March 1974 was not sent to the Director General of the Department of the Environment, and the letter dated 14th March 1974 was not sent to the Director General of the Department of the Environment.

[illegible][illegible]

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

1. SLOPE SAFETY AND BUILDING CONCEPT

1. We have pointed out above that HKR has been asked to submit a Geotechnical Assessment. Furthermore, we pointed out that the City of Auckland's Department of the Environment (DE) had requested a Geotechnical Assessment Report as a condition of the application to be submitted by HKR to the Auckland Council for the proposed development. HKR has refused to submit a Geotechnical Assessment Report prior to implementation. We said that HKR's refusal would be noted.
2. Despite this Further Information stating that site formation is a pre-requisite for the development of Area 6f, HKR continues to ignore CHC'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 Woodstock 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 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



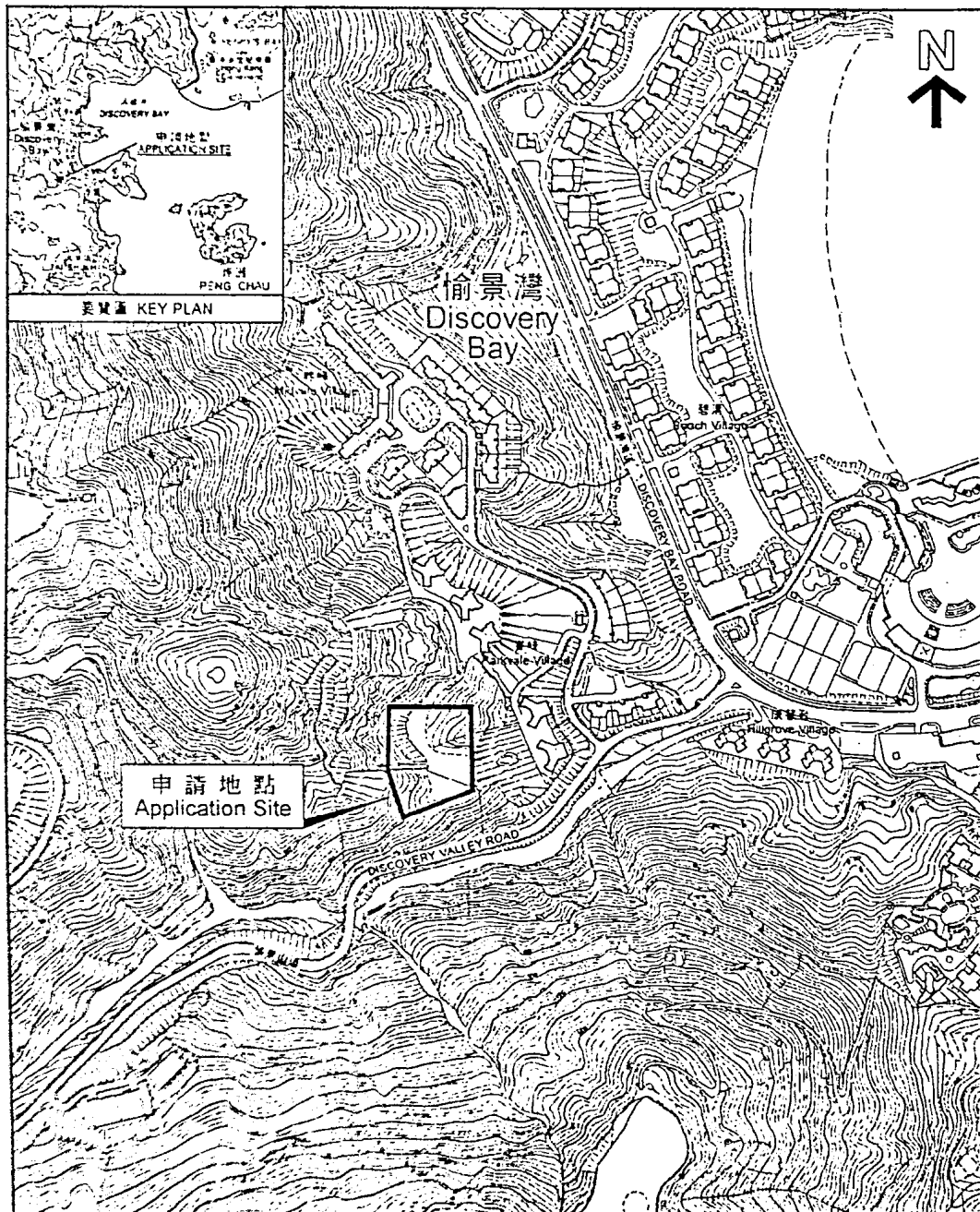
PVH Comments on Application number V/1 001/2

Annex 1: Comments on HRR's diagrams and photographs.

5282

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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。

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.

5m Buffer distance
from driveway

Application Site
Boundary

AREA 6f

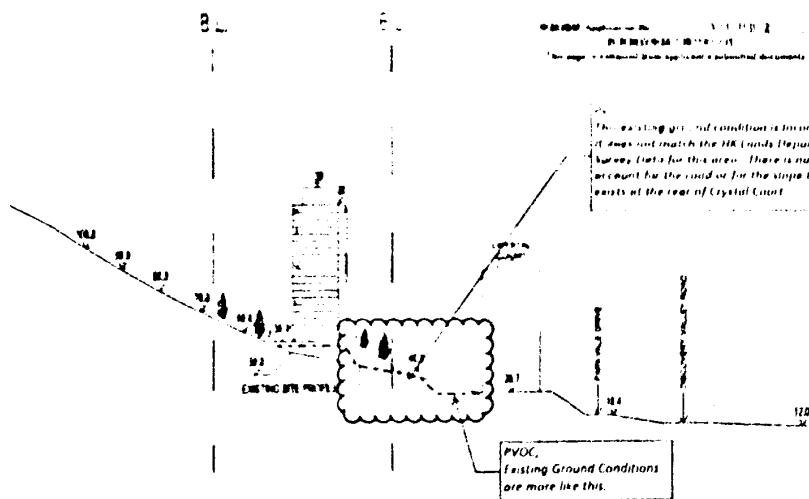
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

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 misleading image.

申請編號 Application No. YL18811
此頁為向申請人提交的文件

This page is extracted from applicant's submitted documents

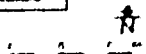




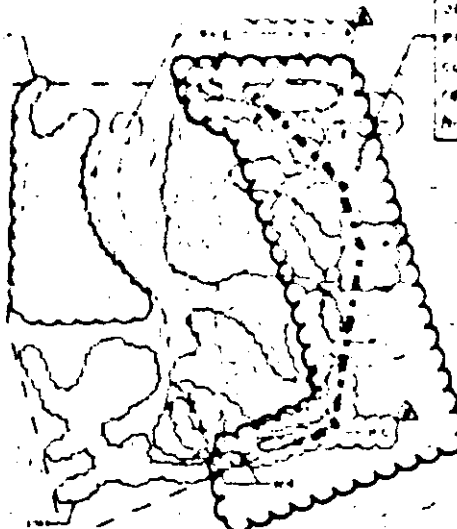
01 JAN 4 1967
 11 JAN 4 1967
 20 JAN 4 1967

April 1968, The
Boundary

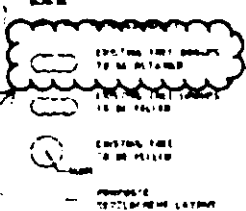
AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan



申請編號 Application No. Y/L 2012
 此頁摘自申請人提交的圖則
 This page is extracted from applicant's submitted documents



PvOC
 Approximate location
 of retaining wall. The
 provision 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.

Job No. DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 5F				Drawing No. TREE TREATMENT PLAN		Drawing No. PT30/M/19/1542	
Date 15/08/2012				Scale 1:1000 (A3)		Signature 	
Checked by [Signature]				Approved by [Signature]		Date 15/08/2012	

LEGEND

- EXISTING ROAD
- EXISTING TRAIL
- PROPOSED TRAIL
- PROPOSED BUFFER

Existing roads to be retained as buffer planting

Existing slope planting

Arrival area with feature paving

Sloped section with paving

Arrival area with water feature

Existing trees to be retained as buffer planting

Existing slope planting

Existing trees to be retained as buffer planting

Grand entrance

Plaza

Decorative water feature

Yan's garden

Seating area

Seating area

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

LANDSCAPE MASTER PLAN

PROJECT

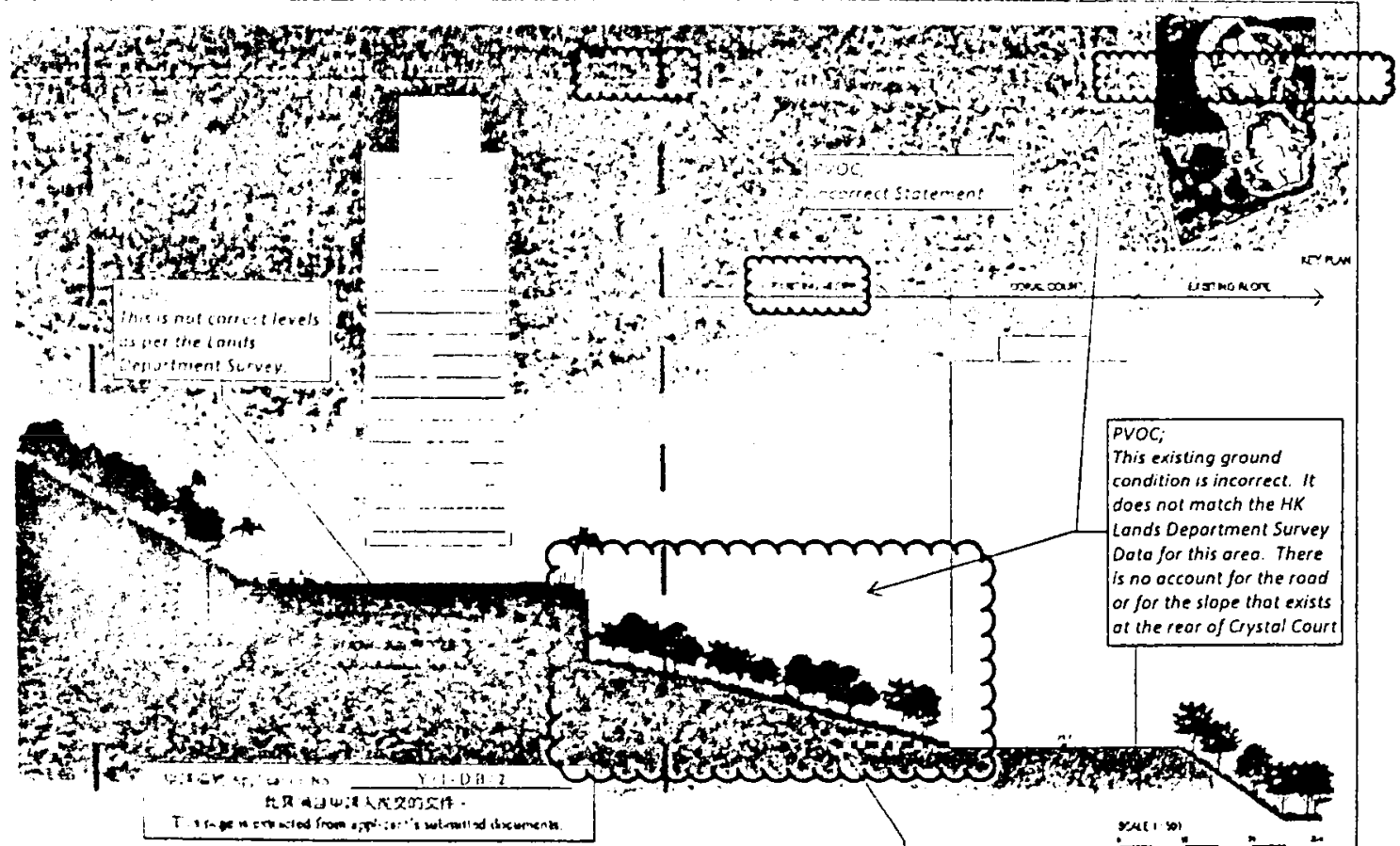
DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

NOV 8
OCTOBER 2018

PP. 1/10

B.1





此圖中所有之資料均係根據申請人提交之文件。
 This range is extracted from applicant's submitted documents.

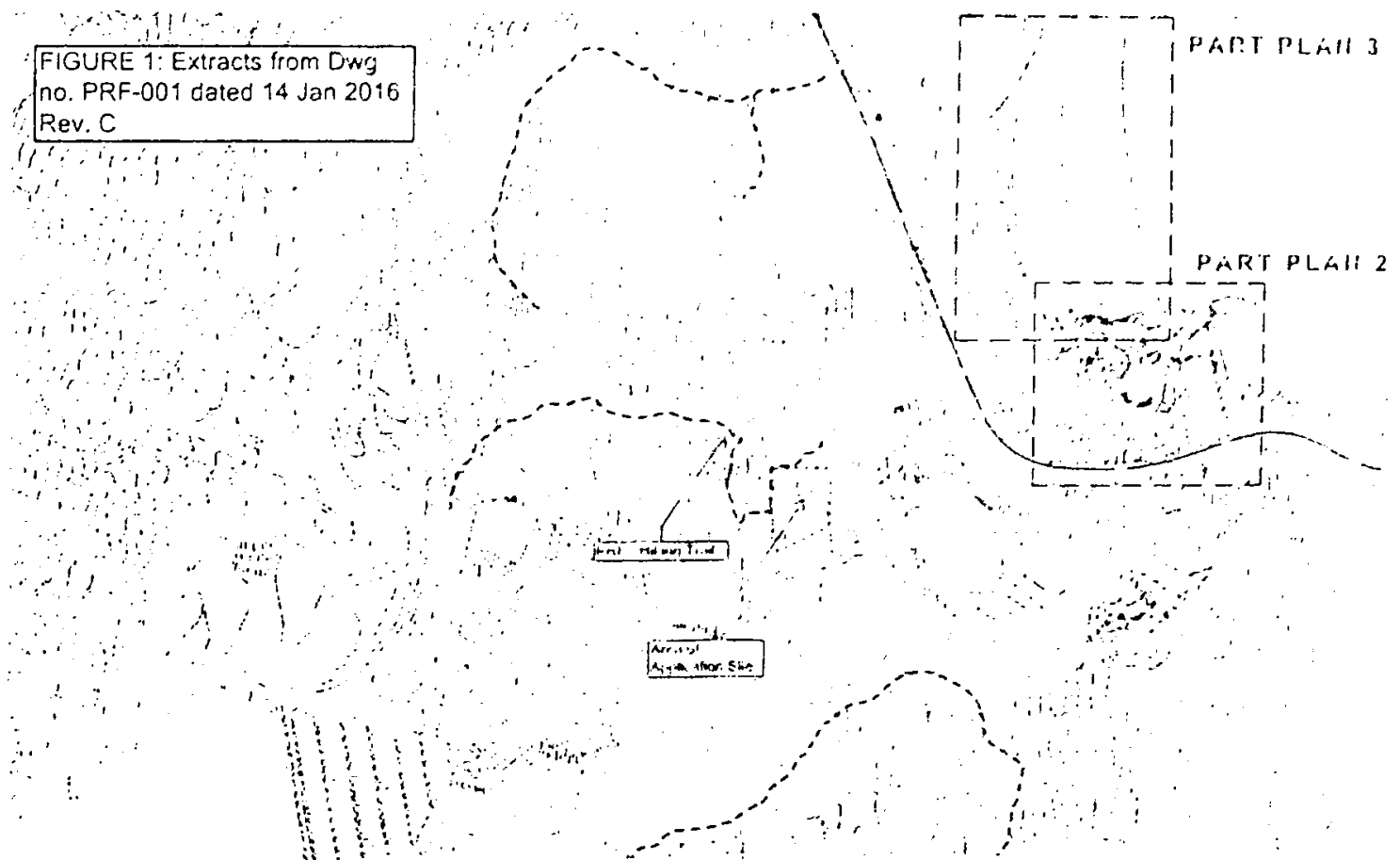
SECTION A-A

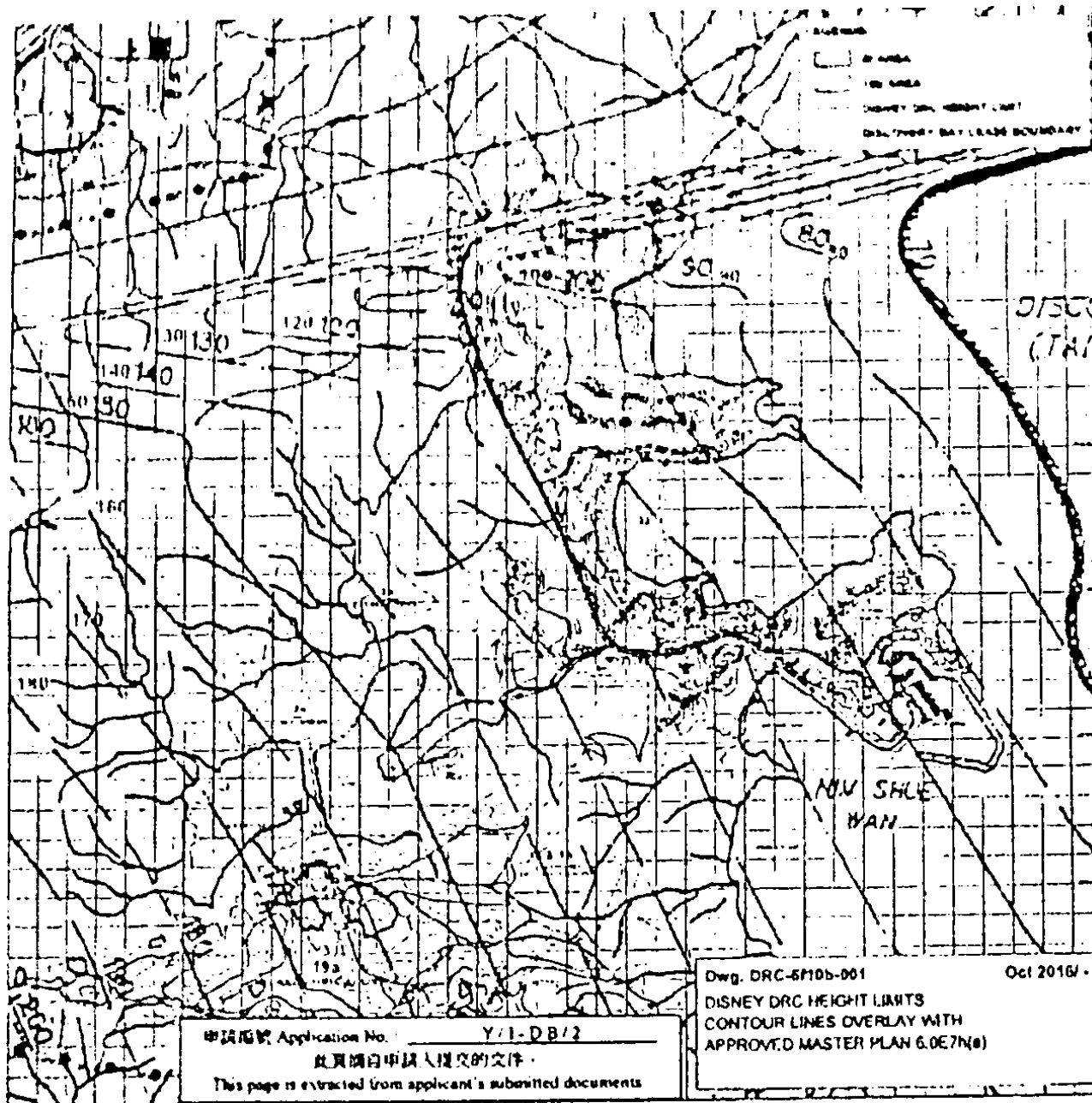
DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

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

B.2
 B.2

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

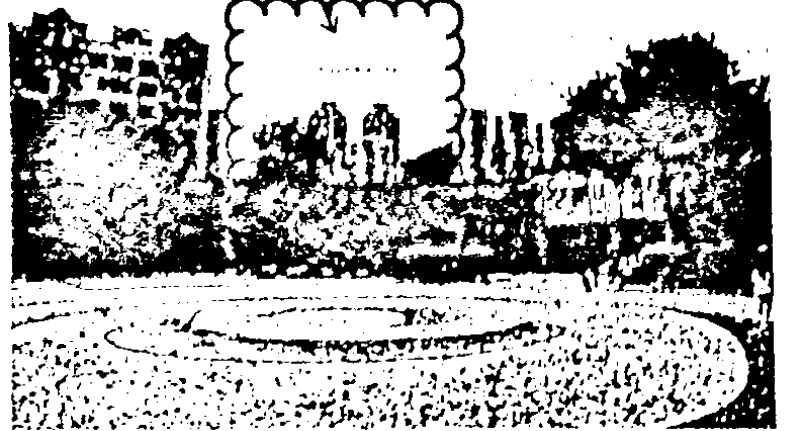




1/2016,
These poor quality
Photo montages hardly
reflect the views from the
Plaza on a clear day - see
attached.



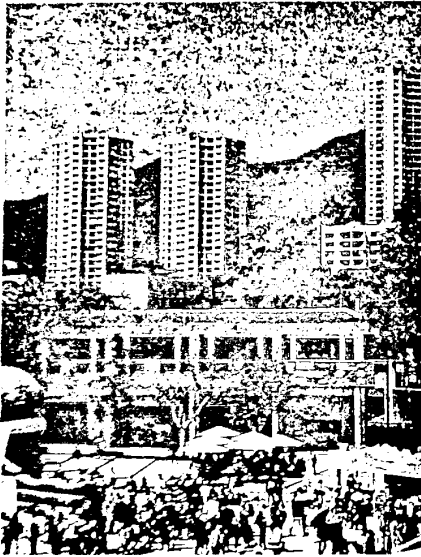
VP1 - View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



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

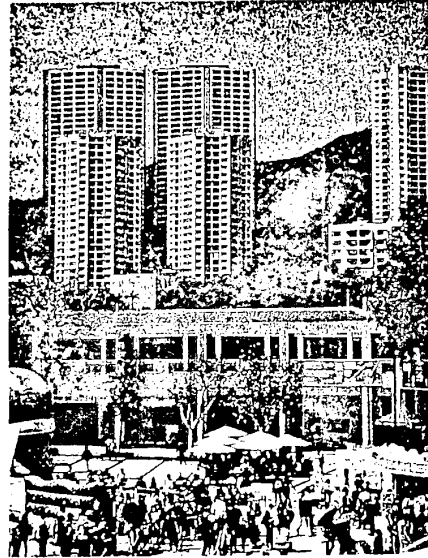
申請編號 Application No.: Y / 1 - D B / 2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.

Urban	TITLE	PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA	PAGE	B.9
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F	OCTOBER 2016	



BEFORE

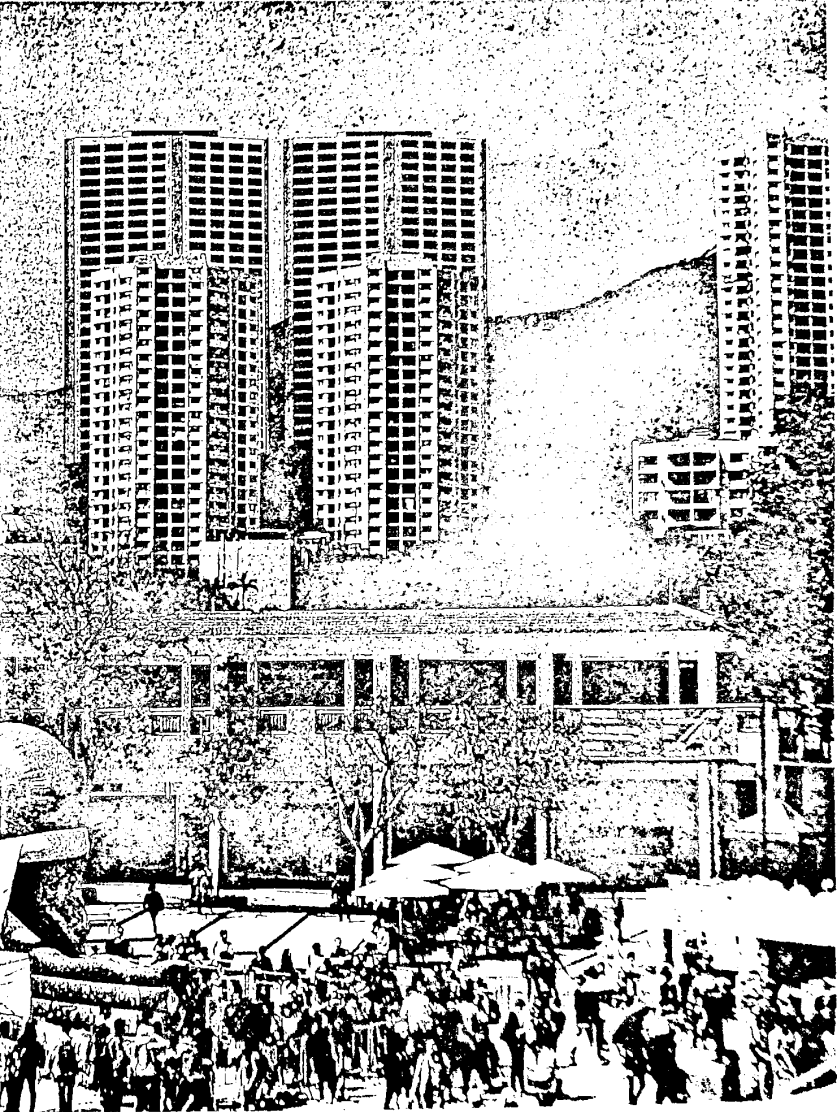
VOC comments on



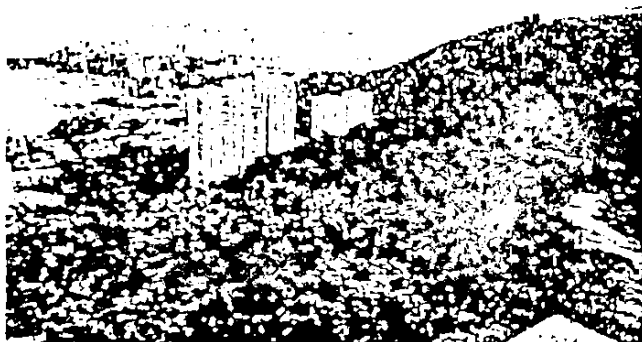
AFTER

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/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 2016	FIGURE B.10
PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF		




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.

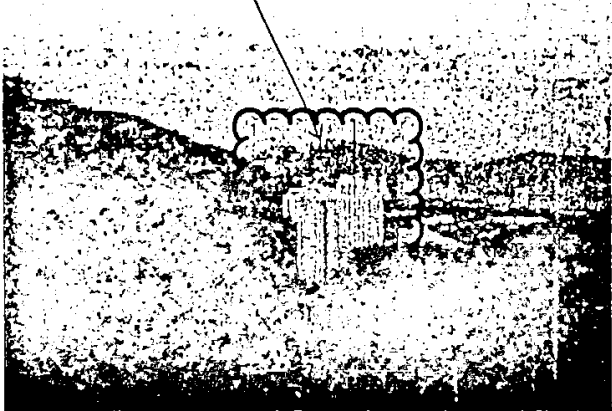
	TITLE	PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK	AREA	B.14
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F		

申請編號 Application No. : Y/1-DB/2
 此頁摘自申請人提交的文件。
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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/1-DB/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

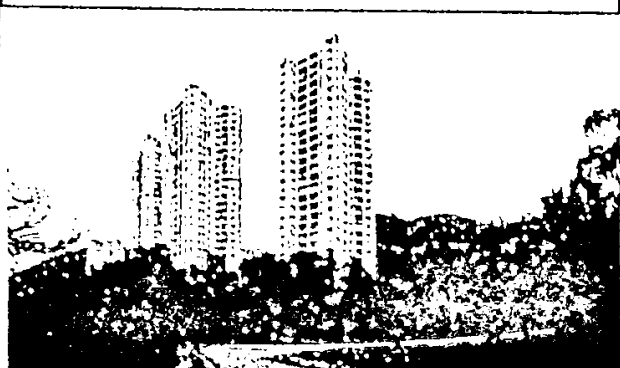


PVOC;

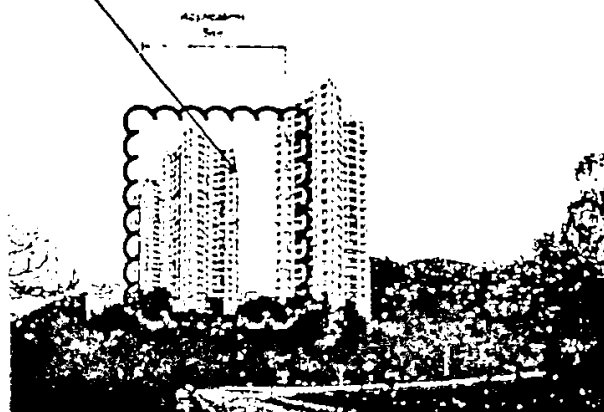
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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)

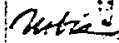


VP16 - View West towards Application Site from Middle Lane with Proposed Development

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.

	<p>FILE PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE</p>	<p>OCTOBER 2018 B.17</p>
	<p>PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F</p>	

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. Y11222

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

1 2
Chinese English

圖則及繪圖 Plans and Drawings

總綱發展藍圖/总体规划圖 Master layout plan(s)/ total 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

顯示建議發展的可視照片 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 long-term solution for traffic. These questions have not been addressed.

ity)

附錄圖則 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/或水質污染)

☐ ☒

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 as

PVOC, Poor quality Photo-montages do not make for a true visual impact assessment, why has this not been provided for the sensitive receivers?

☐ ☐ MISSING

排水影響評估 Drainage impact assess

☐ ☐ 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

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.

回應部門意見 Response

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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11

582

tpbpd

寄件者: Kenneth Wannell [REDACTED]
寄件日期: 09月12月2016年 星期五 9:21
收件者: tpbpd@pland.gov.hk
主旨: FW: Application No. Y/I-D3/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application further information.pdf

5283

I have read the attached submission from the PARKVALE OWNERS COMMITTEE for 6f and I wish to register my objection with the TPB accordingly

Ken Wannell
[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 (FSO) 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. Site 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 QZP 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.

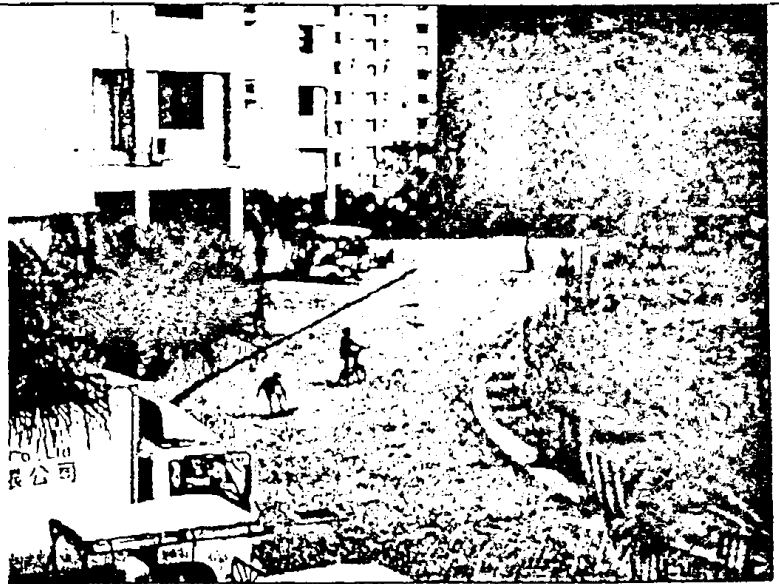
Settlement
cracking evident
in asphalt
surface on
Section 2 of
Parkvale Drive.



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.

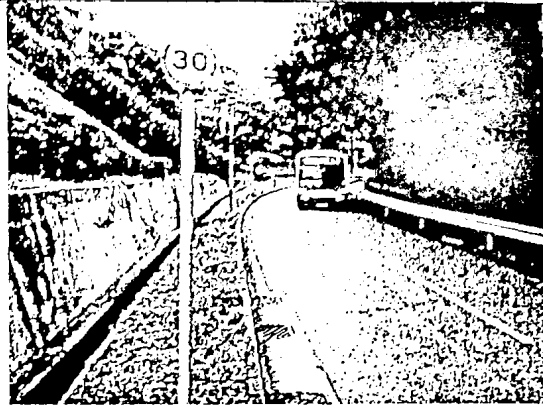
Settlement evident to 20 tonne rated paving resulting from current traffic loading at start of proposed extension of Parkvale Drive to Area 6f.



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.

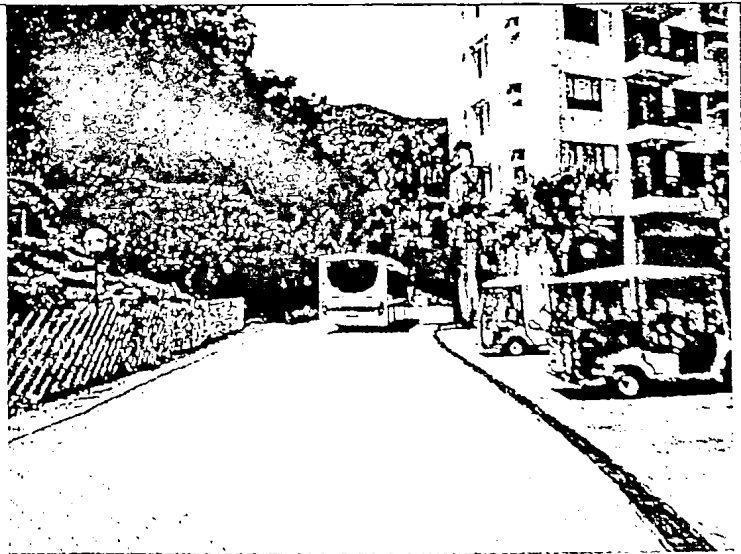
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



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.

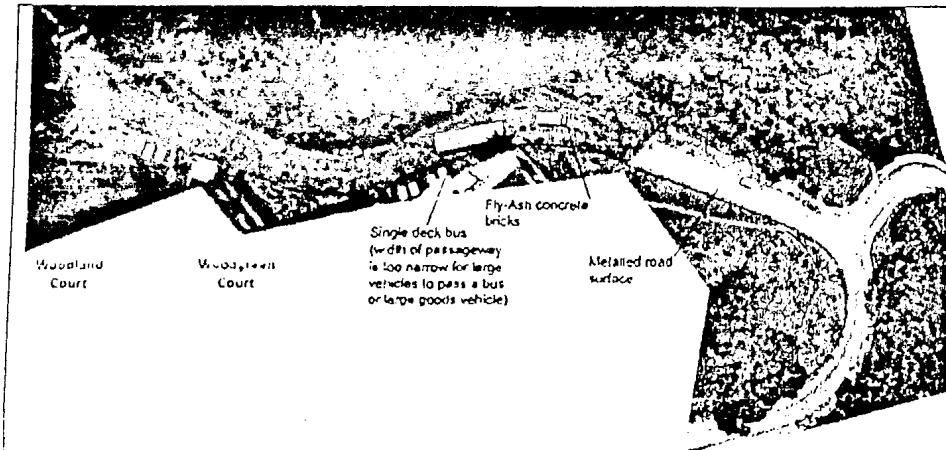
View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



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.

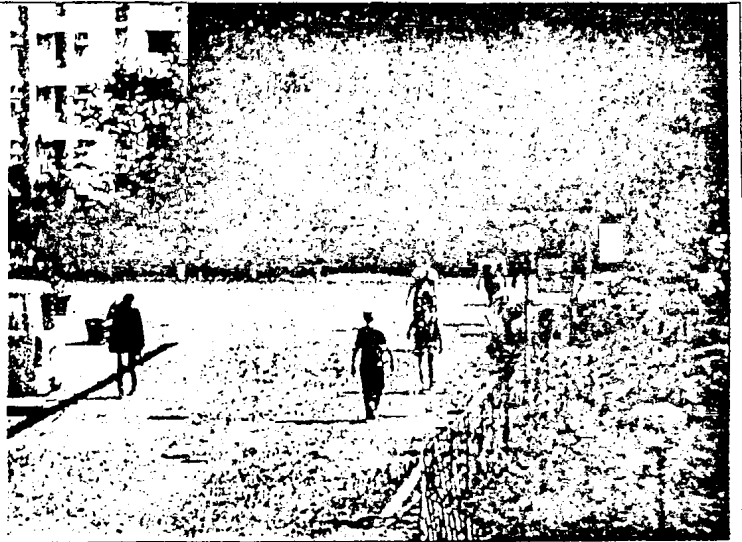
16. **Safety** - Section 3 pedestrian pavement of Parkvale Drive, being the access to the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, is a quiet family pedestrian area that is used by children and young families for cycling, ball games and general recreation. It is also 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.

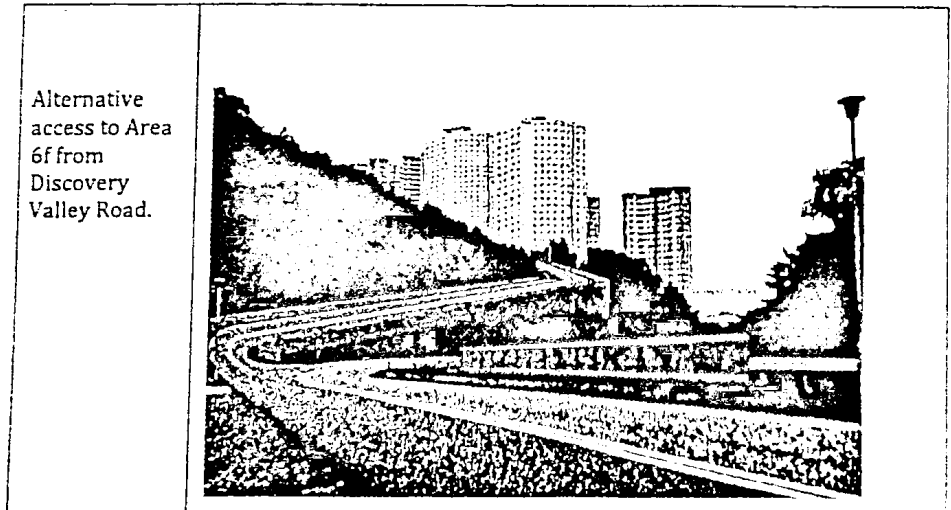
View of the pedestrian pavement leading to the start of the proposed extension of Parkvale Drive to Area 6f, illustrating that it is primarily a pedestrian thoroughfare.



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 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 sea, 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 treatment 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 124 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 *"Study on Drainage, Sewerage and Water Supply"*, paragraph 5.6.1.4, stated that *"As this new STW 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.

1. 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 25 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 日獲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/商等而提供。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/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.

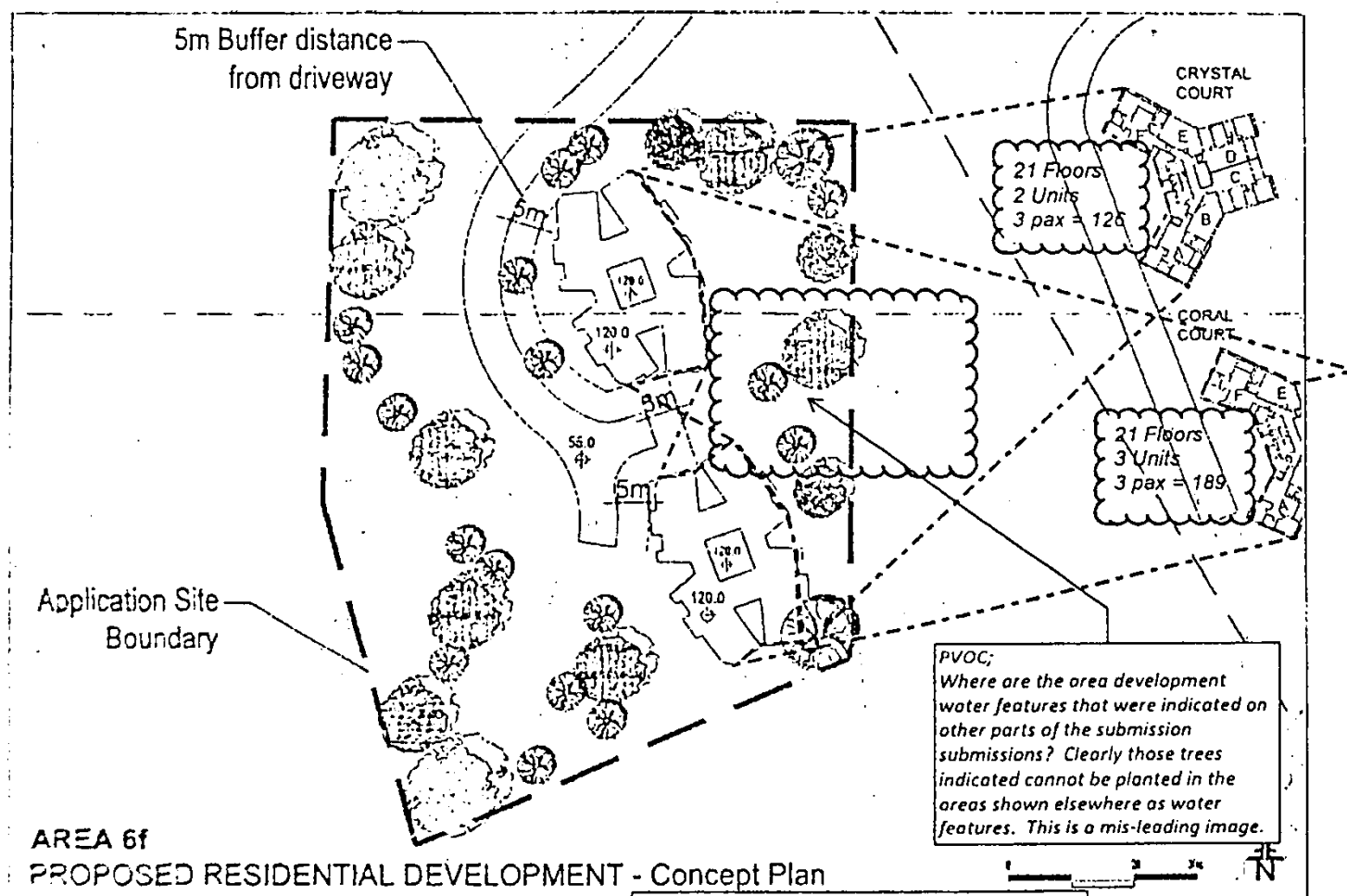
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

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。

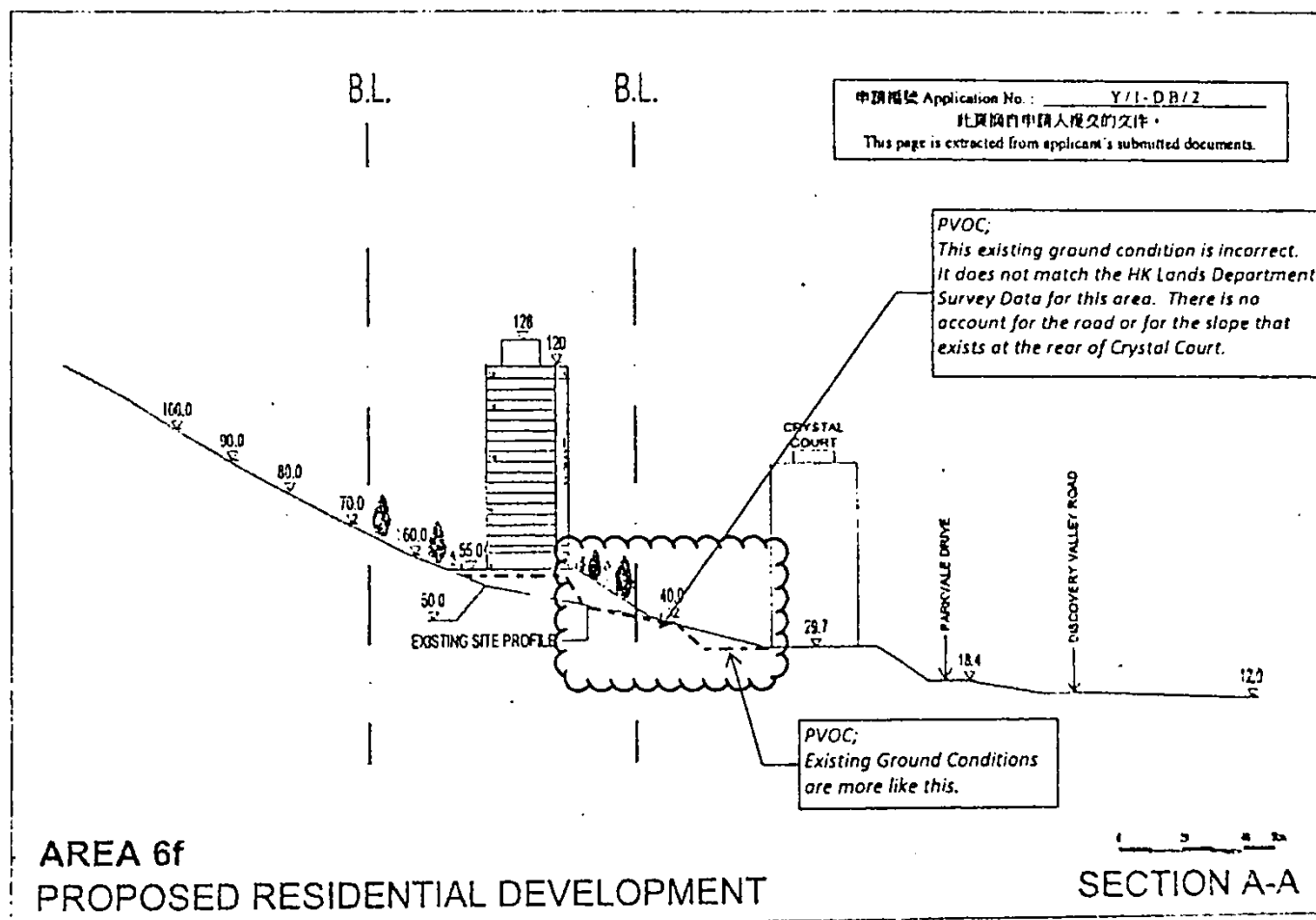
The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission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

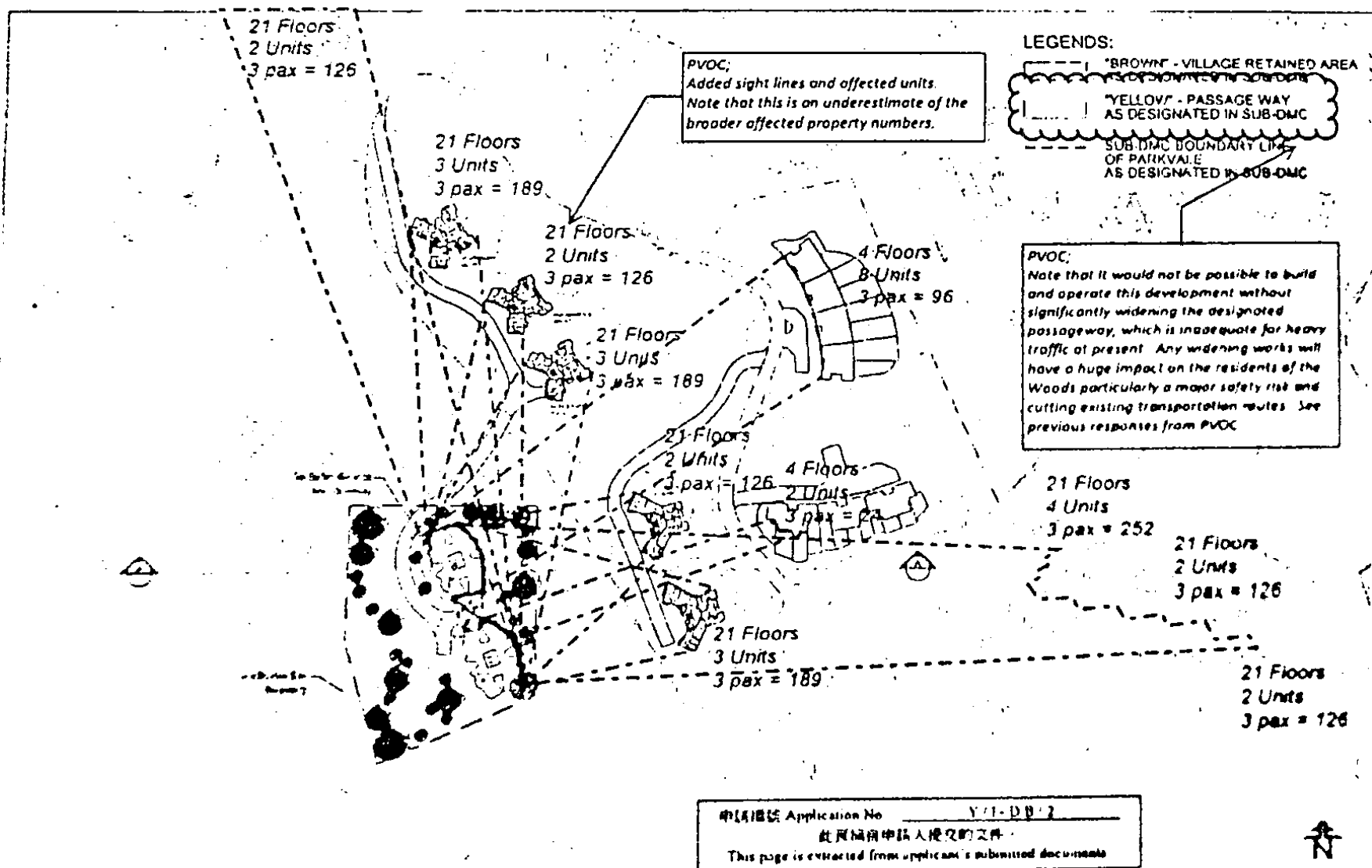


申請編號 Application No. : Y/11-D8/2

此頁摘自申請人提交的文件。

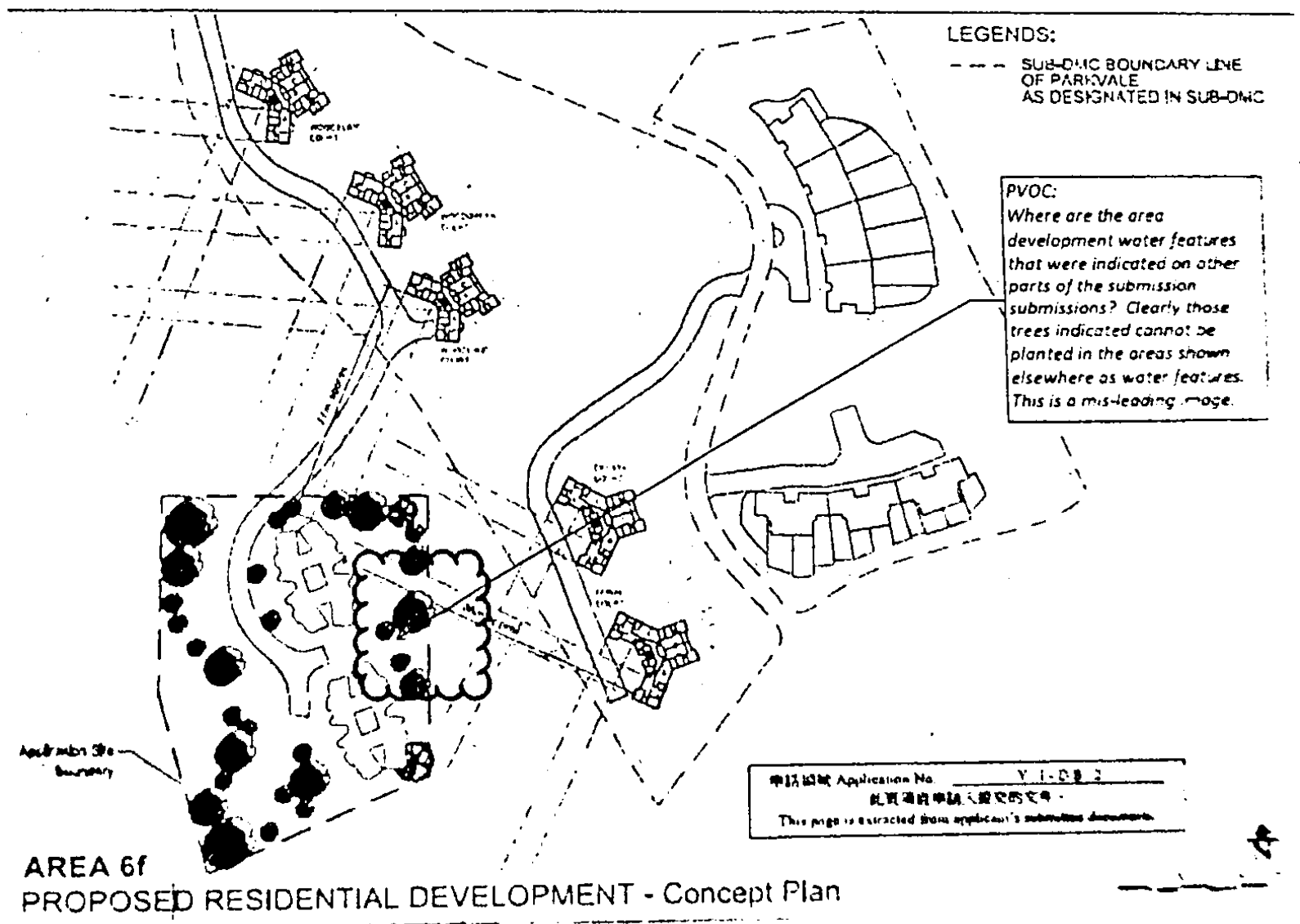
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AREA 61
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

PLAN



申請編號 Application No. Y/1-DB/2

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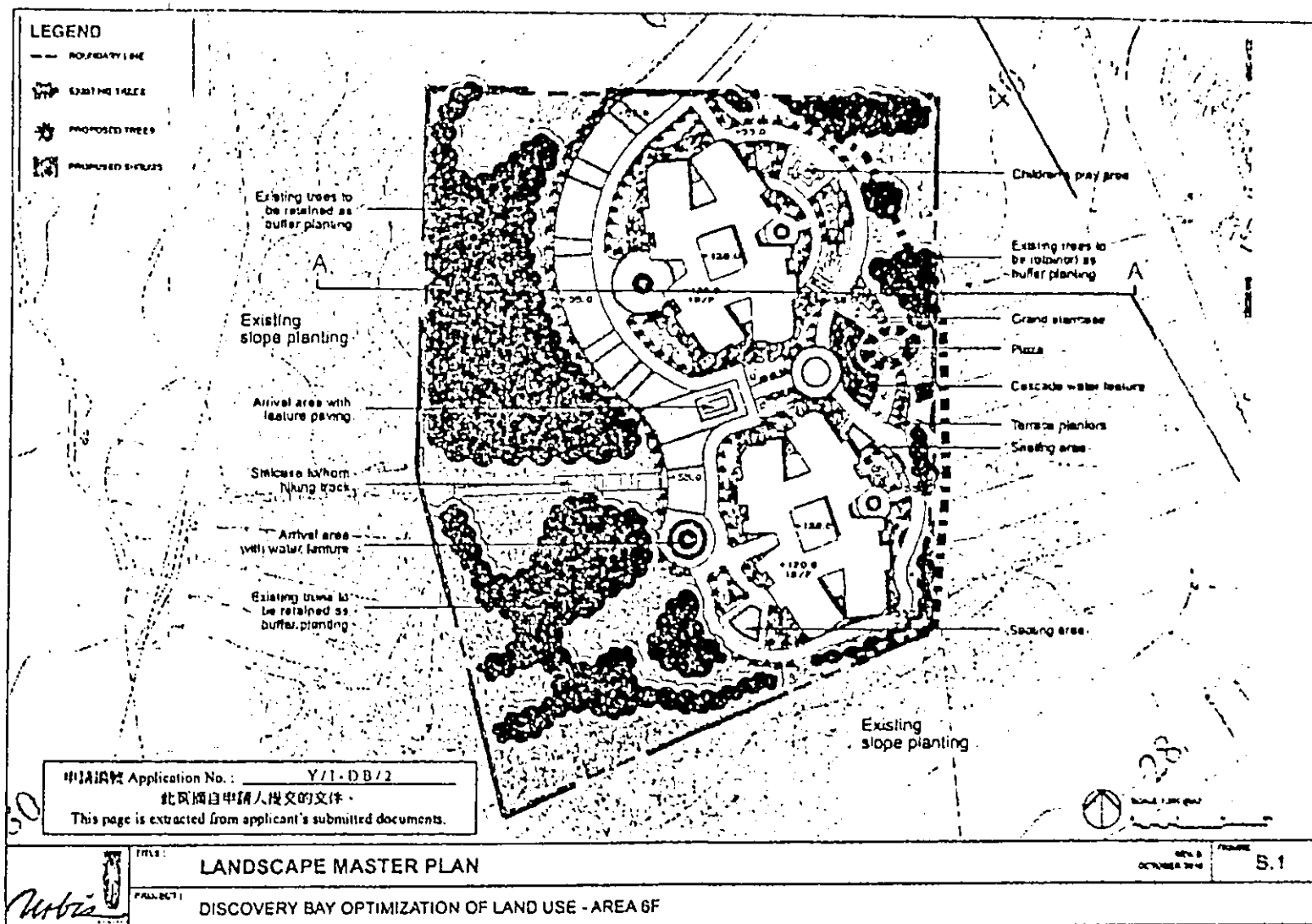
PVOC:
Approximate Location of Retaining Wall? The excavation for construction will remove those highlighted trees.

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.

KEY PLAN

LEGEND

- EXISTING TREE GROUPS TO BE MAINTAINED
- EXISTING TREE GROUPS TO BE REMOVED
- EXISTING TREE TO BE REMOVED
- PROPOSED DEVELOPMENT LOTLINE



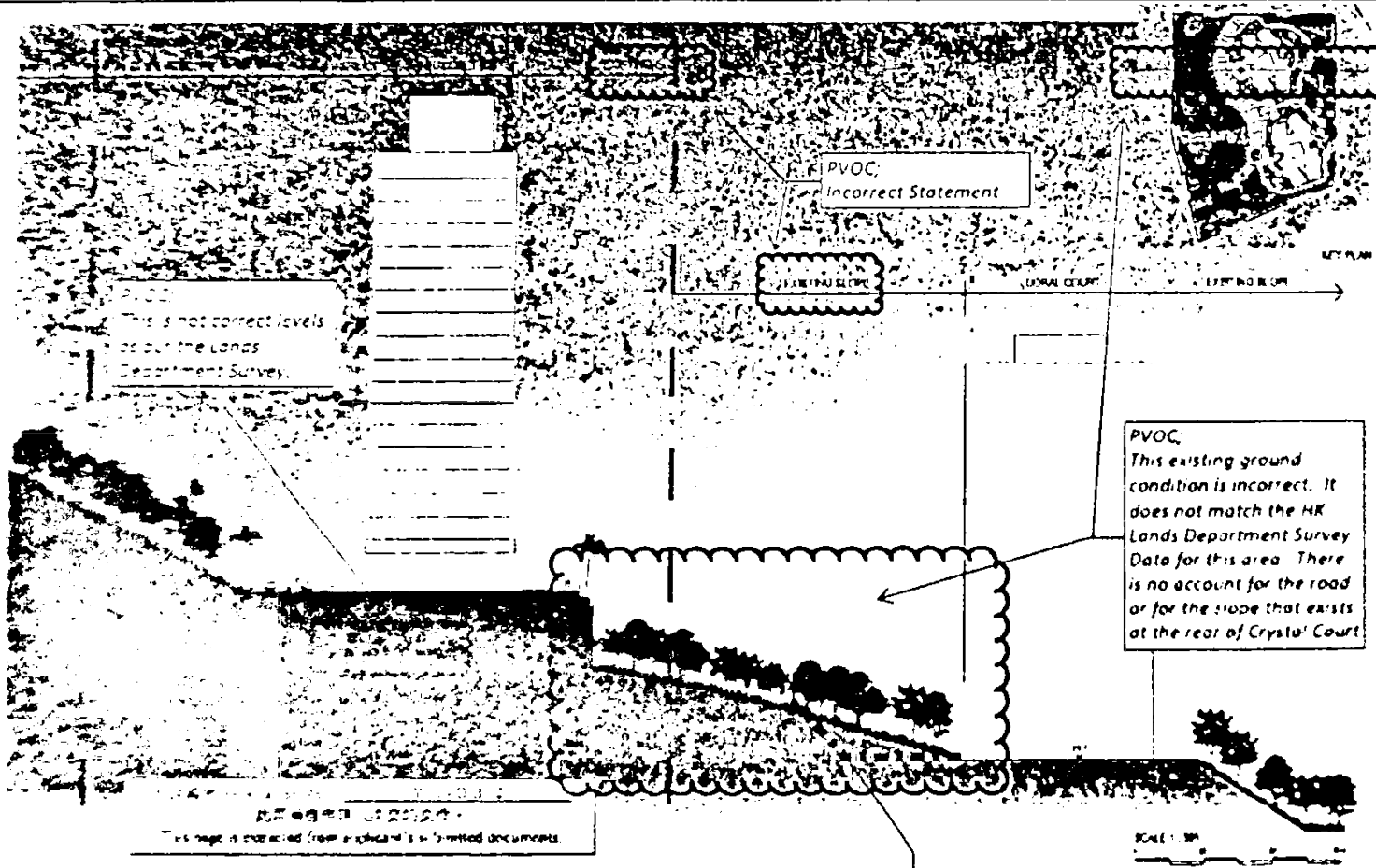
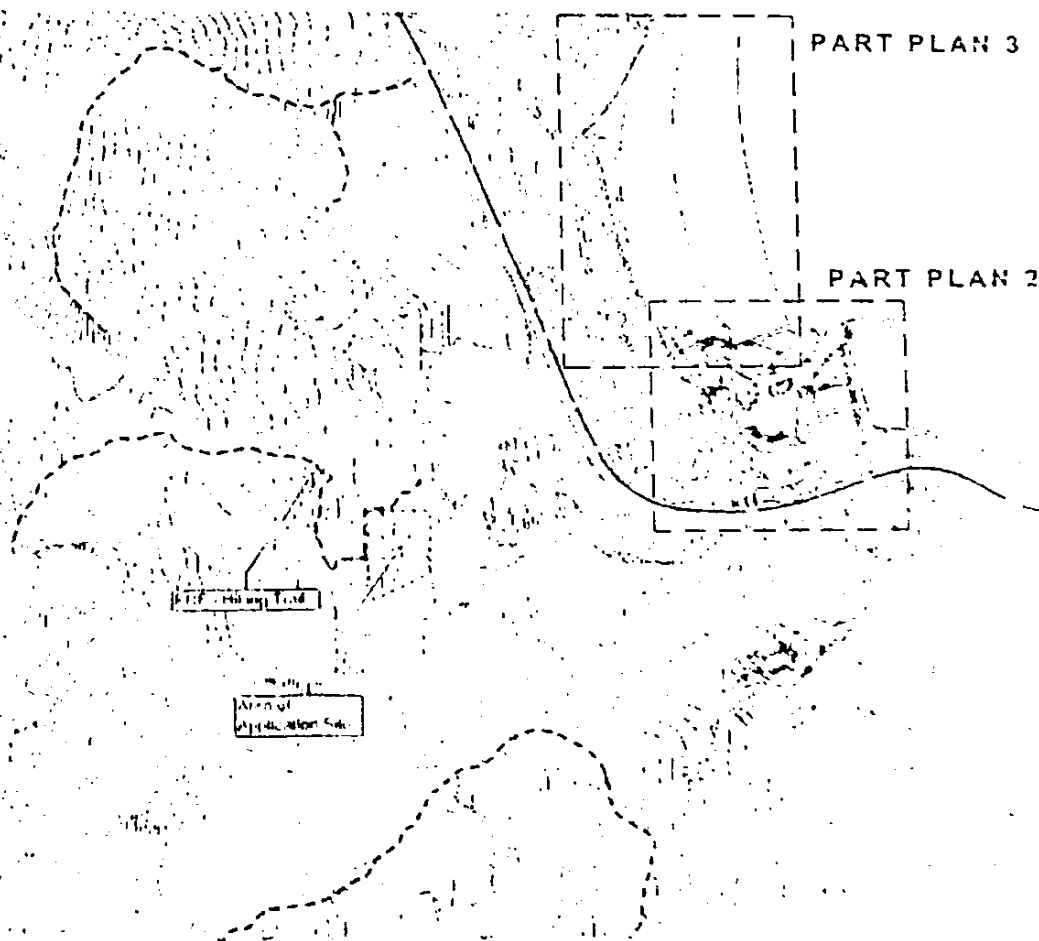
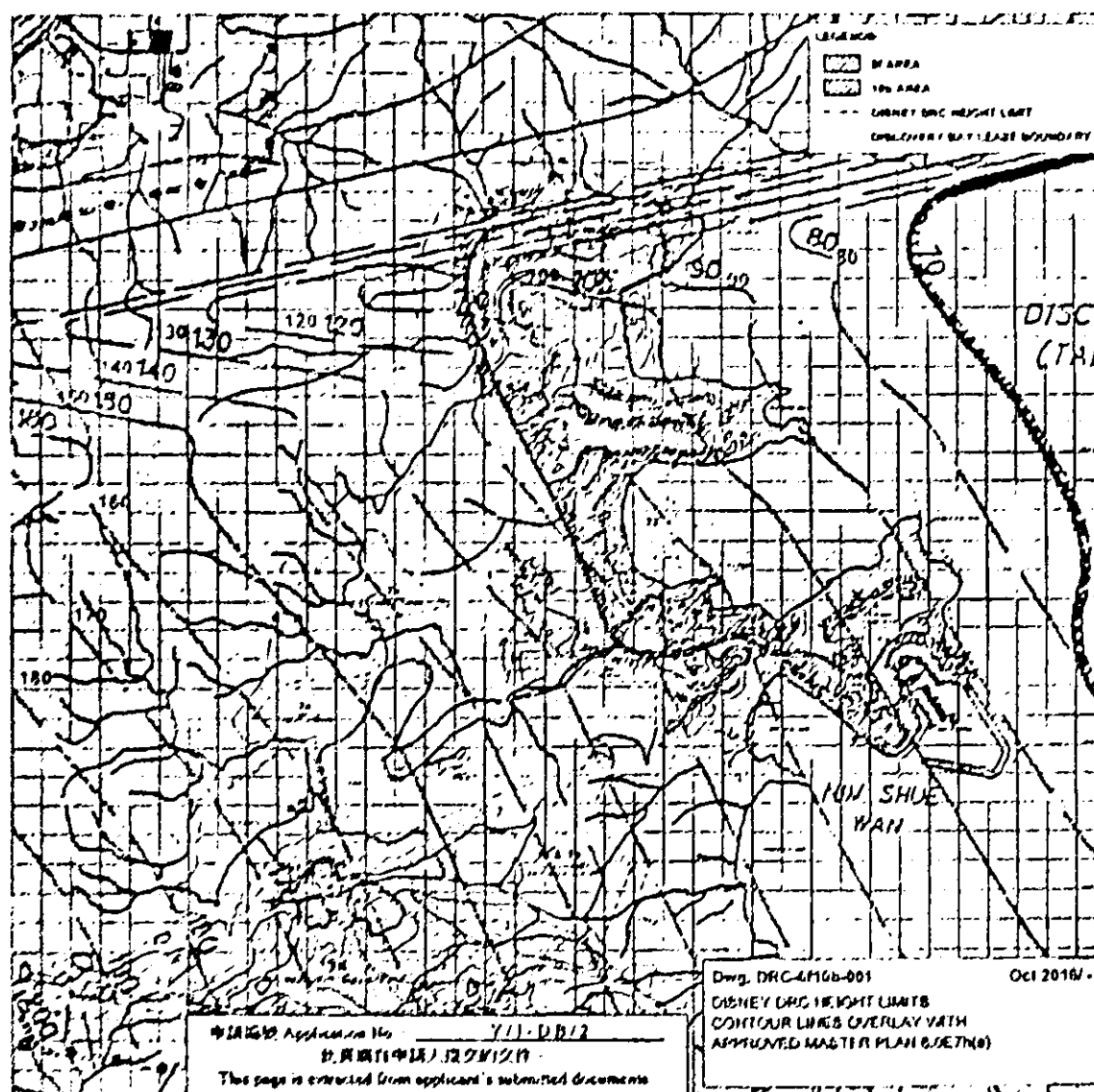


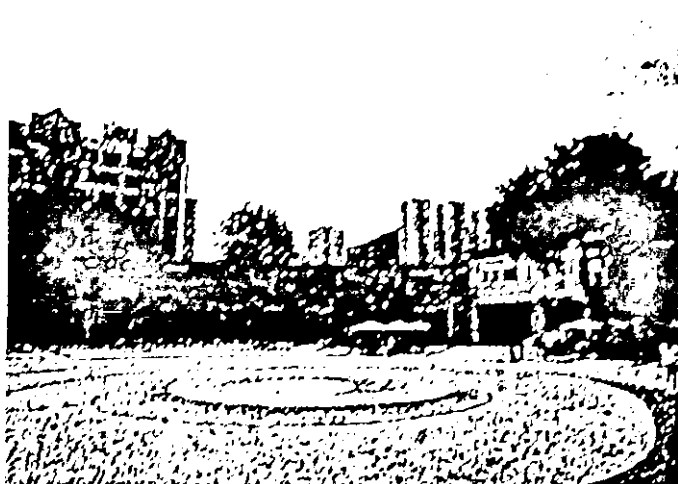
FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



申請編號 Application No. Y/1-DB/2
此頁繪圖申請/協文的文件
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.



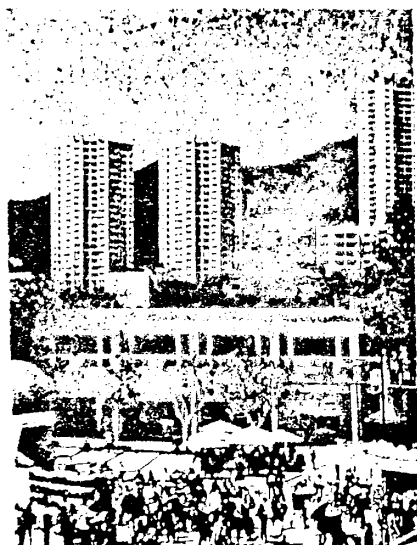
VP1: View South-East towards Application Site from Discovery Bay Plaza (Existing Condition)



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

申請編號 Application No : Y/T-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 B.9
	PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F	



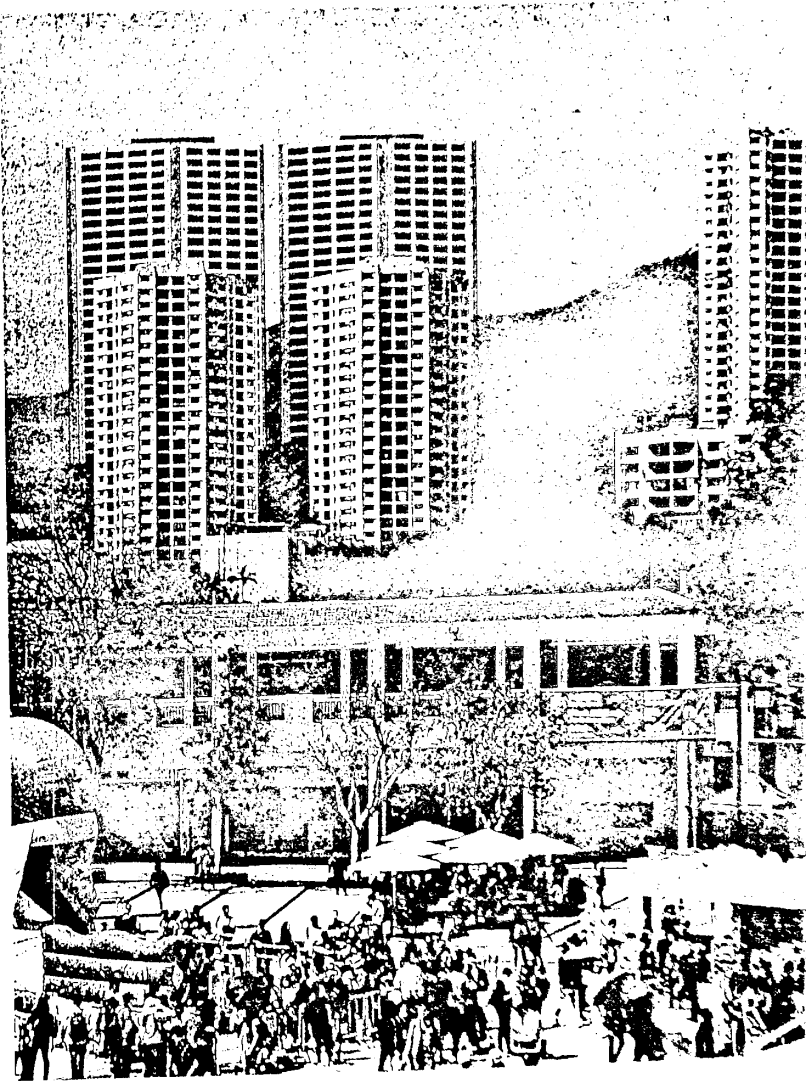
BEFORE



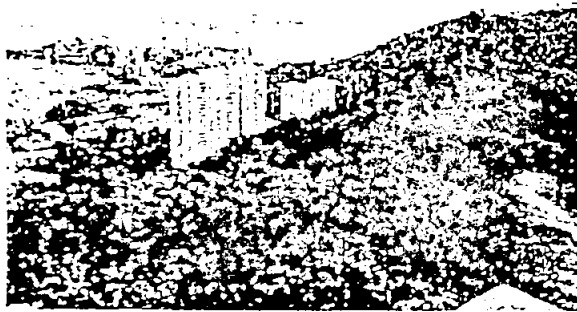
AFTER

VOC comments on
HKRs of Planning Proposal

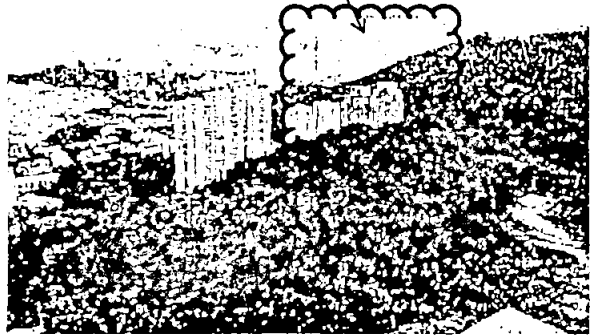
Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



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



VP5. View South-Eastwards of Application Site from Lo Fu Tau Pergola/Lookout (Existing Condition)



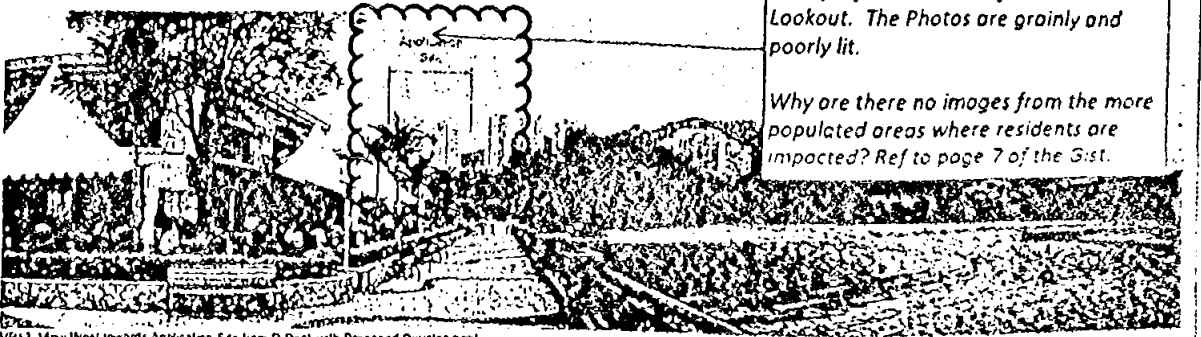
VP5. View South-Eastwards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

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.

	<table> <tr> <td data-bbox="269 1400 325 1479">TITLE</td><td data-bbox="325 1400 1186 1479">PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT</td><td data-bbox="1186 1400 1270 1479">FIGURE</td></tr> <tr> <td data-bbox="269 1479 325 1479">PROJECT</td><td data-bbox="325 1479 1186 1479">DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF</td><td data-bbox="1186 1479 1270 1479">B.10</td></tr> </table>	TITLE	PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT	FIGURE	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF	B.10	<p>OCTOBER 2014</p>
TITLE	PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT	FIGURE						
PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF	B.10						



VP12: View West towards Application Site from D-Deck (Existing Condition)

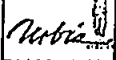


VP12: View West towards Application Site from D-Deck with Proposed Development

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.

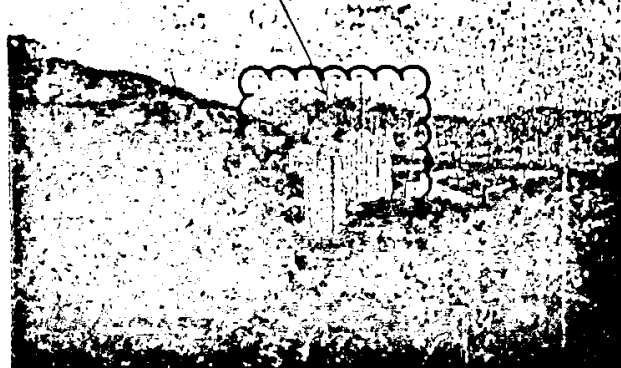
	TITLE: PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK	REVISION: 001	DATE: 01/14
	PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF		

申請編號 Application No.: Y/1-DB/2

此圖為申請人提交的文件。

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



VP 7 View North towards Application Site from Hiking Trail South of the Dam (Existing Conditions)

VP 8 View North towards Application Site from Hiking Trail South of the Dam with Proposed Development

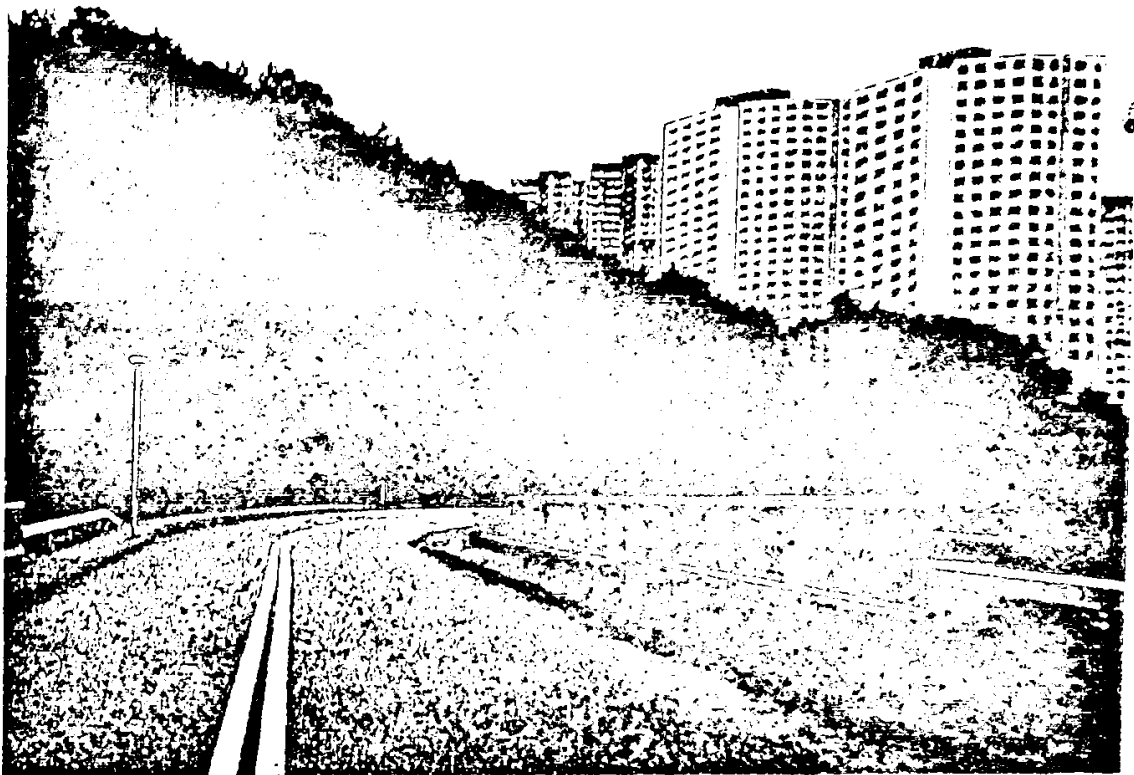
申請編號 Application No. : Y/I-DB/2
此圖檔由申請人提交的文件
This page is extracted from applicant's submitted documents

	TITLE	PHOTOMONTAGE - VP8 (VSR REC7) FROM HIKING TRAIL SOUTH OF DISCOVERY VALLEY	OCTOBER 2014	FIGURE B.12
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF		



VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVCC;

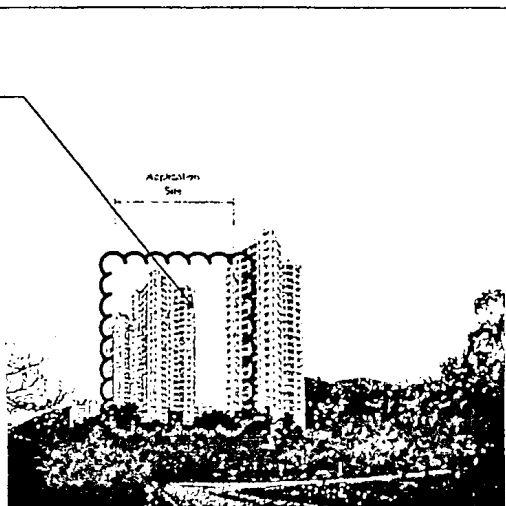
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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)



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

申請編號 Application No.: Y11-D B/2

此頁取自申請人提交的文件。

This page is extracted from applicant's submitted documents.

Urban

TITLE: PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE

OCTOBER 2016

APPROX.

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"/>
園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
其他 (請註明) Others (please specify)	<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.

ify)

摘錄圖則 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
就行人的交通影響評估 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。

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5283

ipbpd

寄件者:
寄件日期:
收件者:
主题:
附件:

Vamsi Potukuchi [REDACTED]
(0)112月2016年星期二 9:20
ipbpd@plm.gov.hk
Application No. Y/T-DB/2 Area 6f
PVOC Third Comments on the Section 12A Application further information (1).pdf

5284

Dear Sirs

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

Vamsi Potukuchi
[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:

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.



Area 6f image of existing Parkvale Village was supplied to the respondent



1. Paragraph 16.1. of the application notes that "the 476 units and 1,190 populations increase as a result of the proposed 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. First 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 Parkvale 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 passageway behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a very narrow hill covered in asphalt

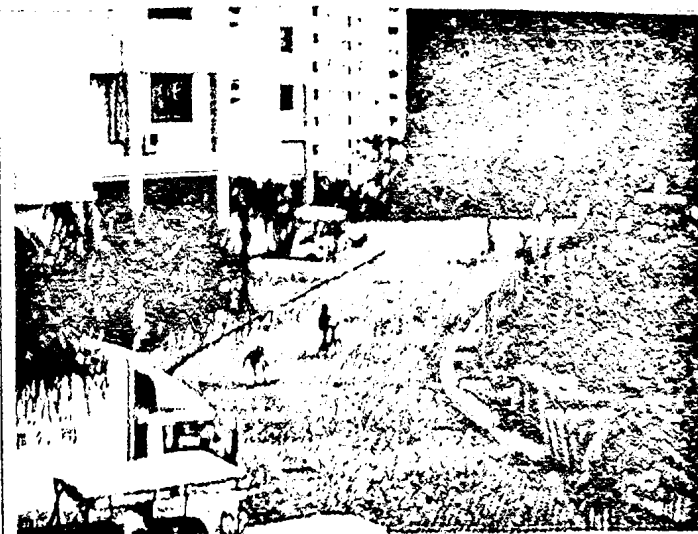
Settlement
cracking evident
in asphalt
surface on
Section 2 of
Parkvale Drive



Section 3 - the "Passageway", as defined in the Parkvale Village Sub LRA, 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.

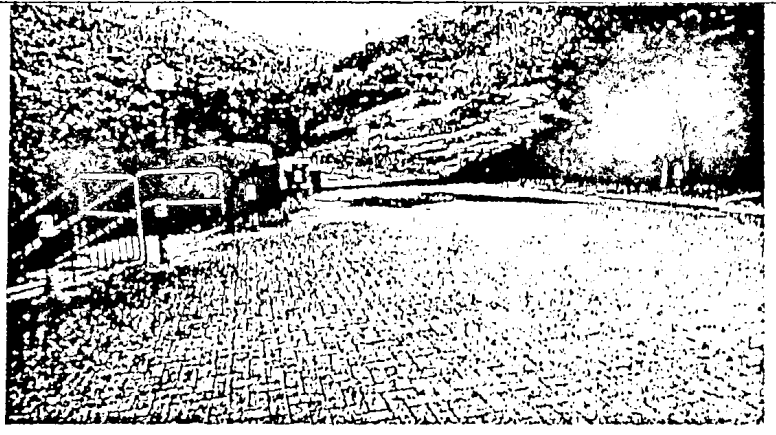
The far end
of the
pedestrian
pavement is
from where
the
proposed
extension of
Parkvale
Drive will
start.



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.

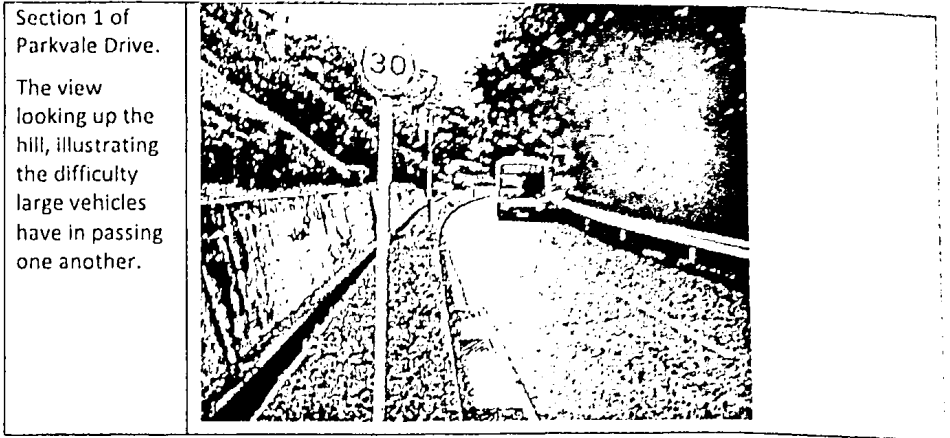
6. We are very surprised and concerned that no government department has asked about the suitability of Parkvale Drive as the only means of access to Area 6f and that HKR has not addressed our concerns in its Further Information.
7. **State of Repair** - As the photographs above show, the state of repair 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.

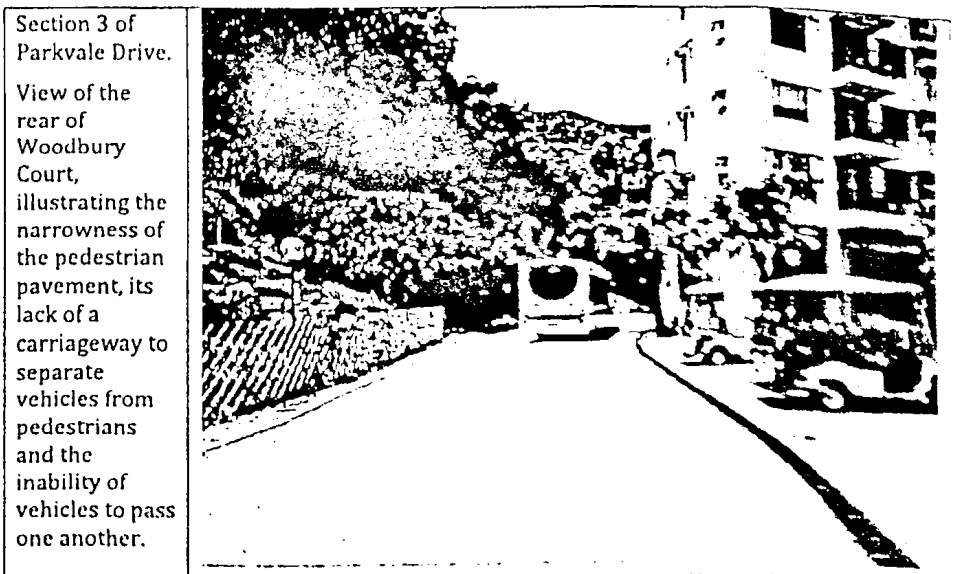


8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads 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.



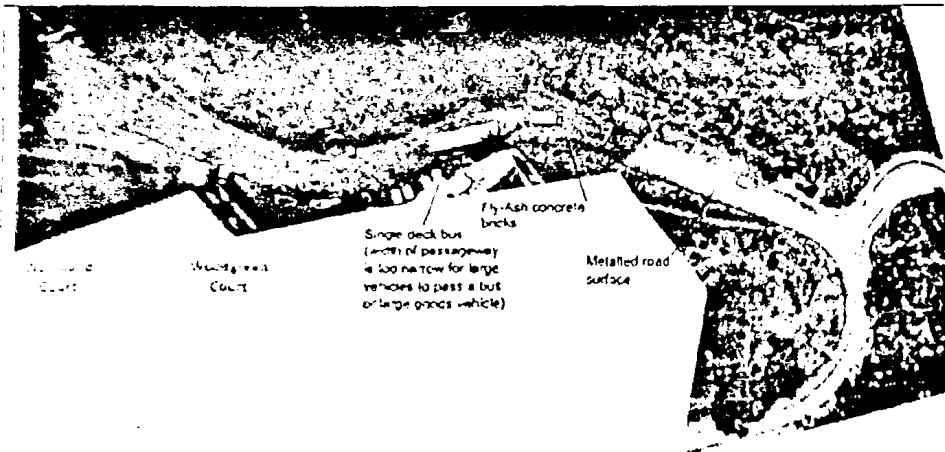


11. When a residential shuttle bus enters the pedestrian pavement Section 3 of Parkvale Drive there is no ability for other vehicles to manoeuvre, especially while the bus turns in the cul-de-sac.
12. The corner of Woodbury Court is only 11 cm (see photograph below) from the edge of the Passageway. It 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.



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.



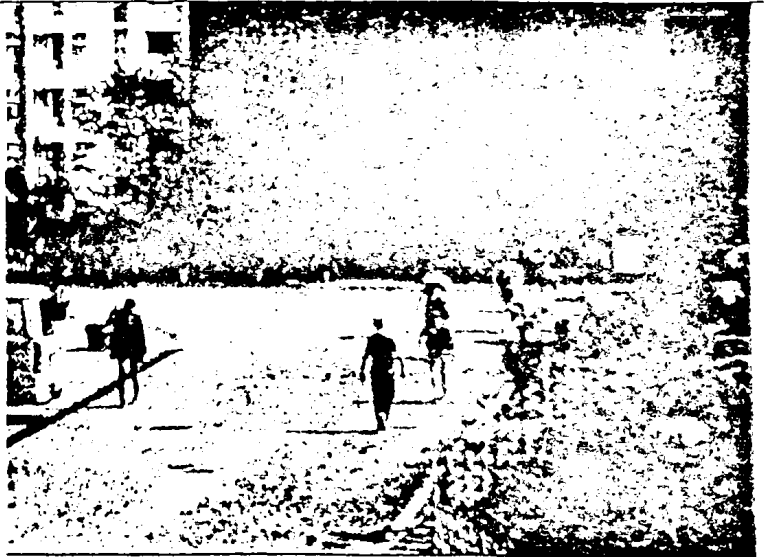
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. 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.

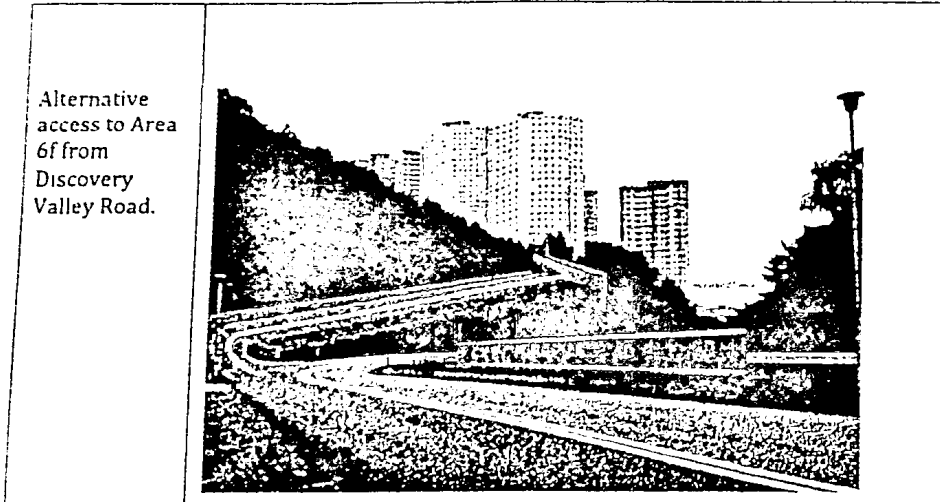
View of the
pedestrian
pavement
leading to the
start of the
proposed
extension of
Parkvale Drive
to Area 6f,
illustrating that
it is primarily a
pedestrian
thoroughfare.



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 of Area 6f. This decentralized scheme is considered not an efficient sewage treatment 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. Even so, if 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 failed to work. 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 25 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)	
		- 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入本參考而提供。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。



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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 photomontages and extract plans of Public Recreation Facilities Demarcation Plan and Deed of Restrictive Covenant

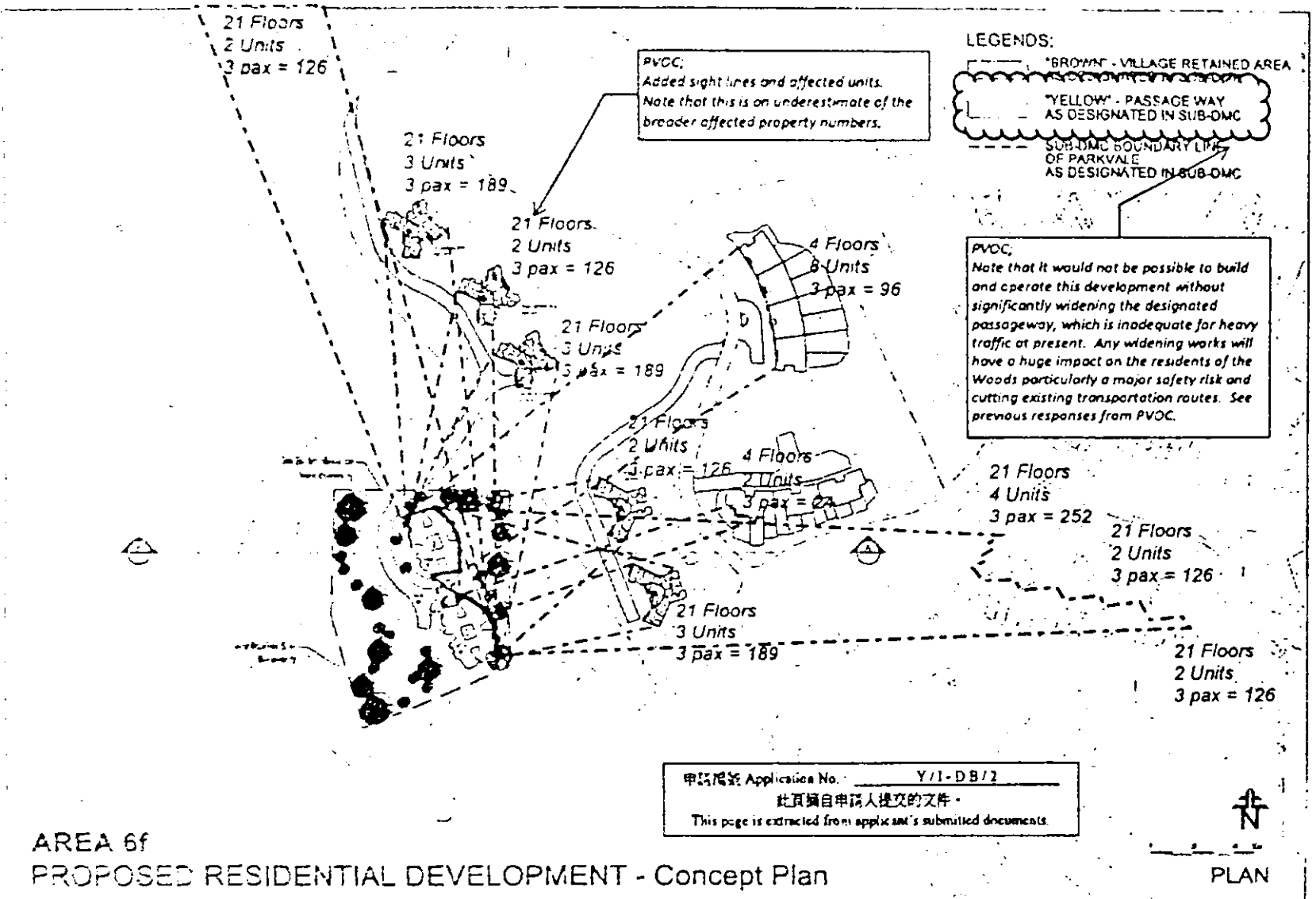
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

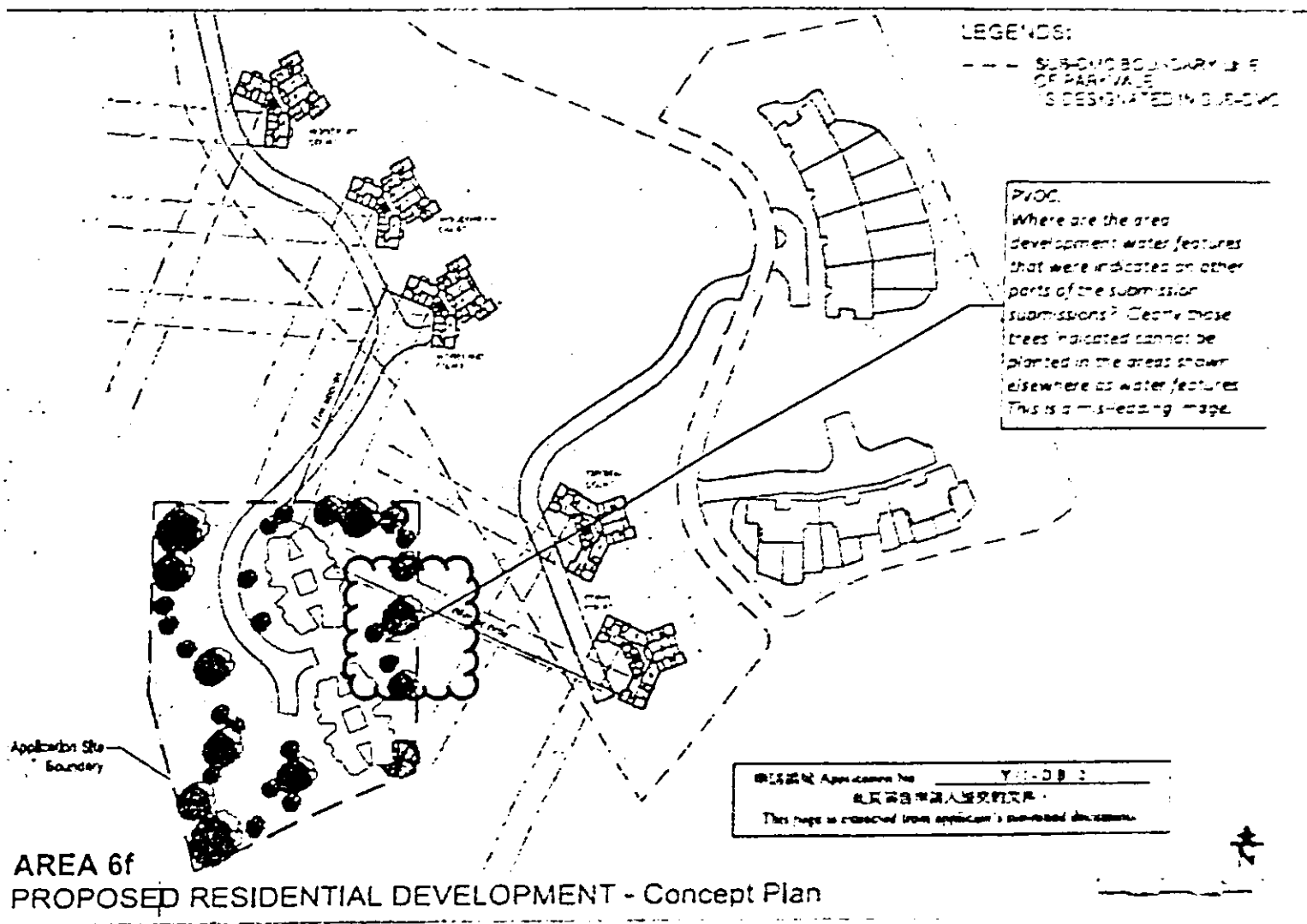
PVOC;
Photo-montages are very poor quality, and are not reflective of the view from the majority of the community.

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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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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 BY OPTIMIZATION OF AND USE
REFINEMENT OF DATA OF

THE UNIVERSITY OF CHICAGO

1999

1. 1994

Acting:

1. **LEGEND**

[illegible]

London, 1900

- Existing slope planting

Approved for release
DATE 08-09-2013

Subject: Mathematics
 Page: 100

Am 19. 11. 1964
1964: 19. 11. 1964

1. The first step is to identify the problem.

That was my plan

6. Young men in
the community do
not join the

10-10-1964

1. (a) $\frac{1}{2}$ (b) $\frac{1}{2}$ (c) $\frac{1}{2}$ (d) $\frac{1}{2}$ (e) $\frac{1}{2}$ (f) $\frac{1}{2}$ (g) $\frac{1}{2}$ (h) $\frac{1}{2}$ (i) $\frac{1}{2}$ (j) $\frac{1}{2}$ (k) $\frac{1}{2}$ (l) $\frac{1}{2}$ (m) $\frac{1}{2}$ (n) $\frac{1}{2}$ (o) $\frac{1}{2}$ (p) $\frac{1}{2}$ (q) $\frac{1}{2}$ (r) $\frac{1}{2}$ (s) $\frac{1}{2}$ (t) $\frac{1}{2}$ (u) $\frac{1}{2}$ (v) $\frac{1}{2}$ (w) $\frac{1}{2}$ (x) $\frac{1}{2}$ (y) $\frac{1}{2}$ (z) $\frac{1}{2}$

- Intensity of planning
- Intensity of action

10

3000-0000

南越鐵路 Acmelcom Inc. 1.1.2002

鳳凰城日報 中華民國二十九年

This page is extracted from significant & substantiated documents

LANDSCAPE MASTER PLAN

DISCOVERY RAY OPTIMIZATION OF LAND USE - AREA BE

B 1

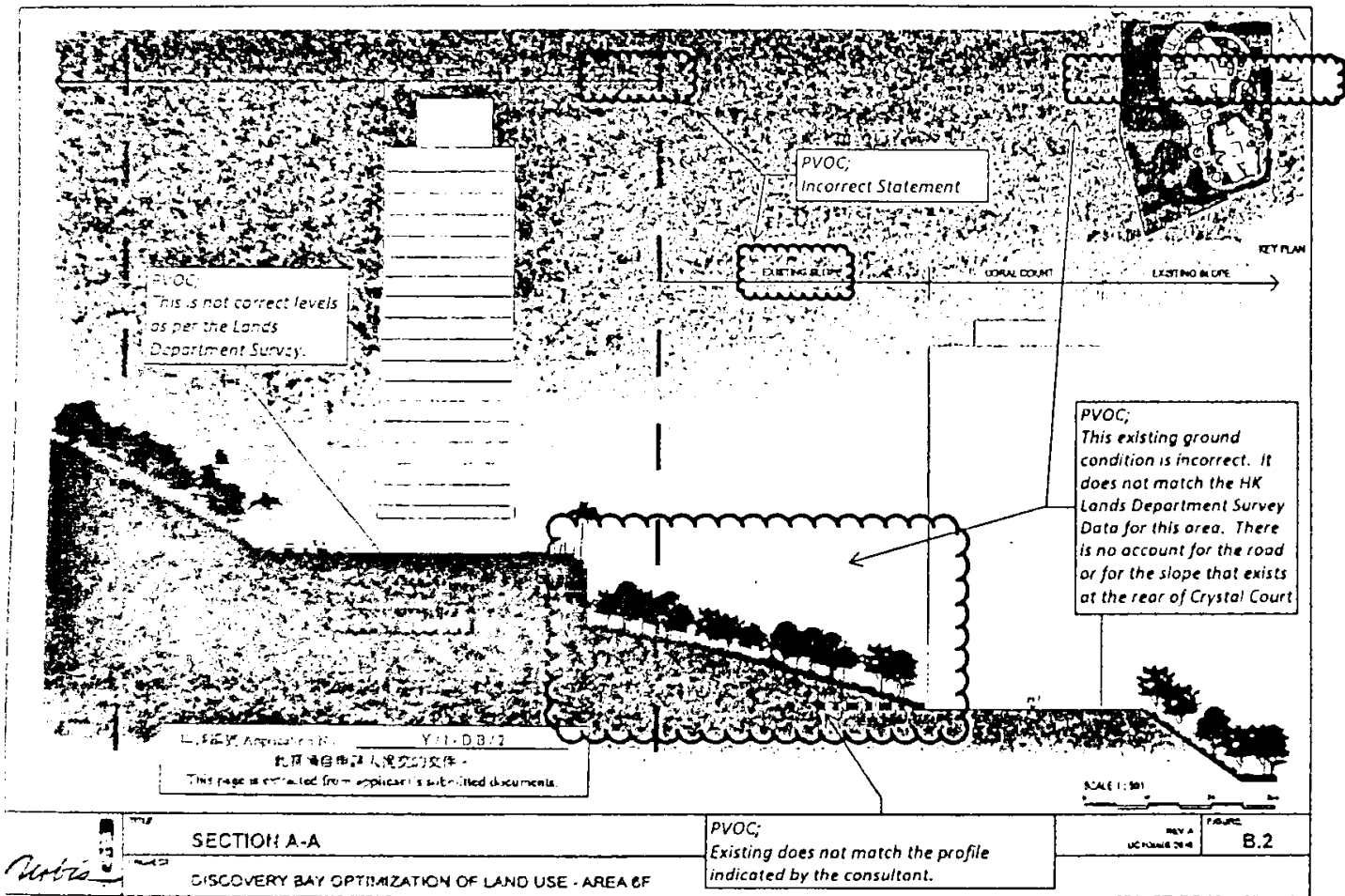
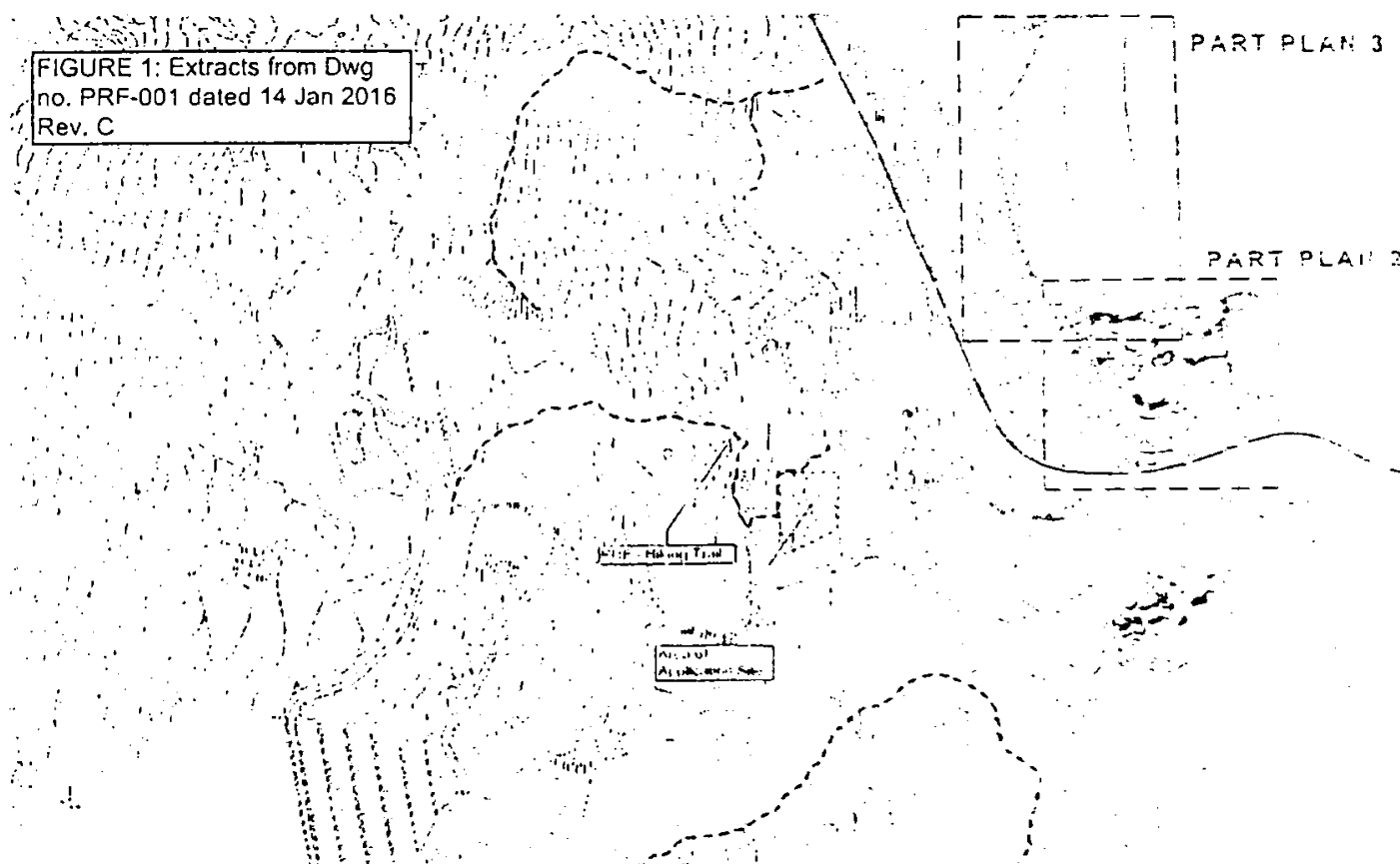
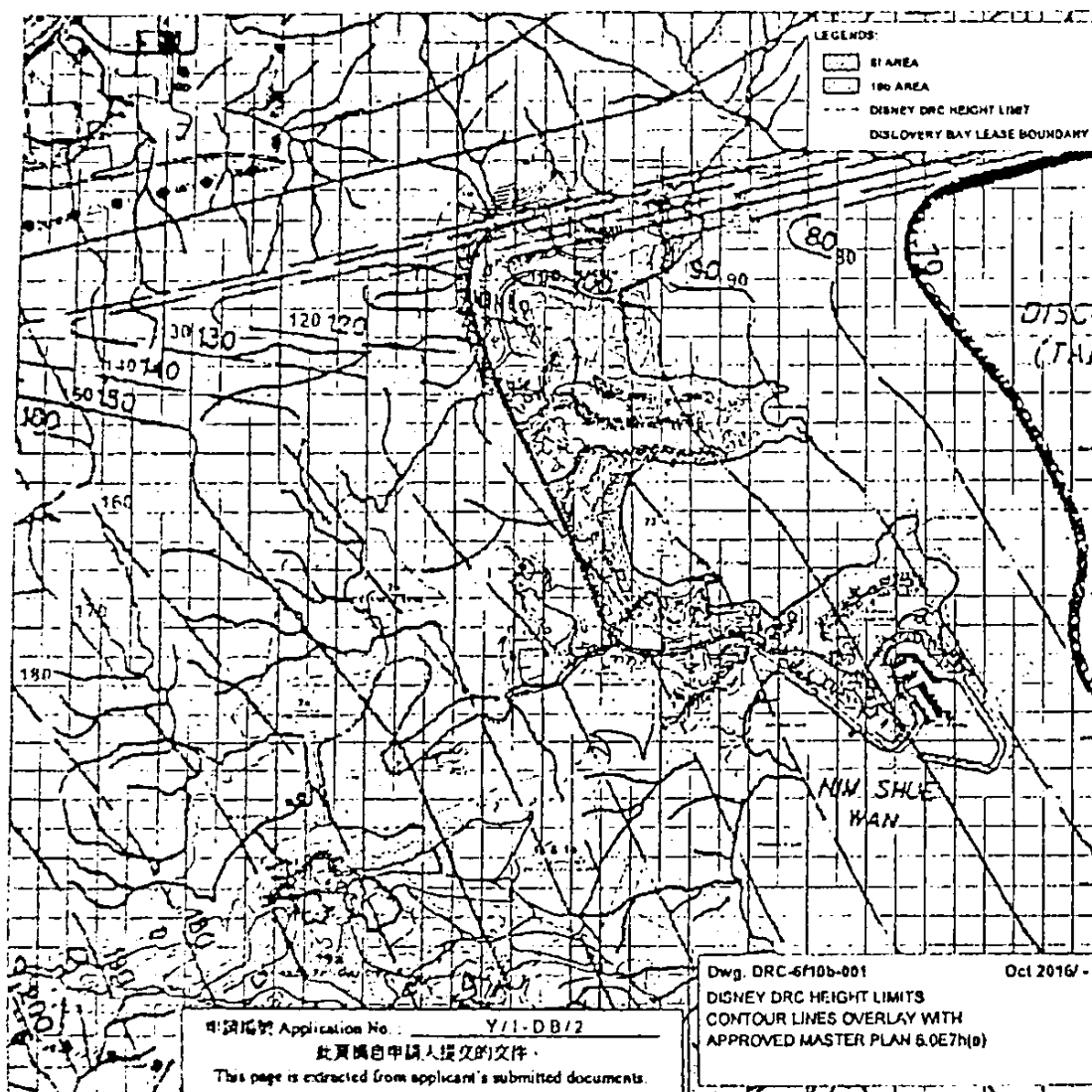




FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



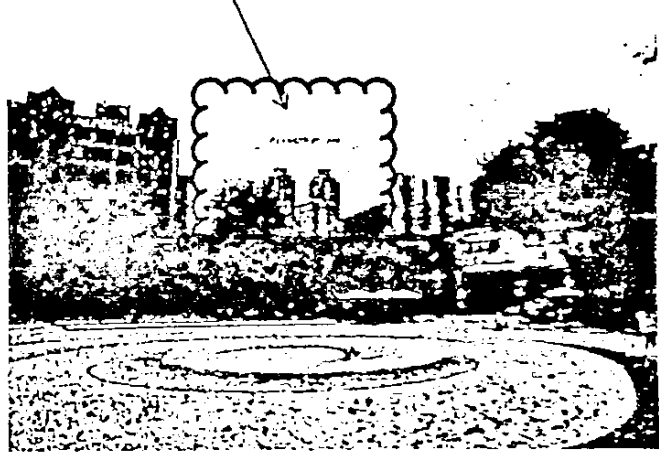
申請編號 Application No.: Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents



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

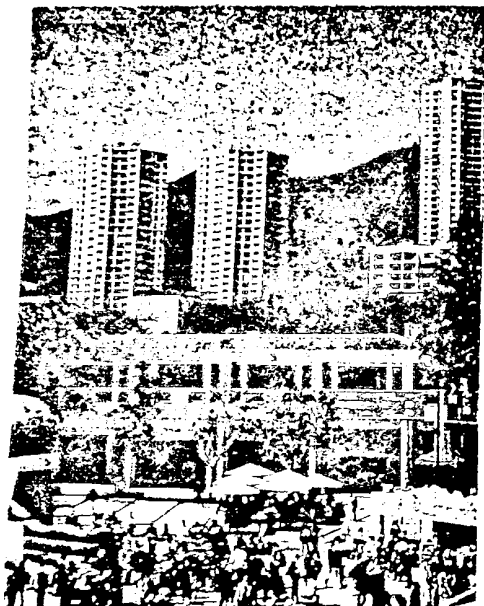


VP1: View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)

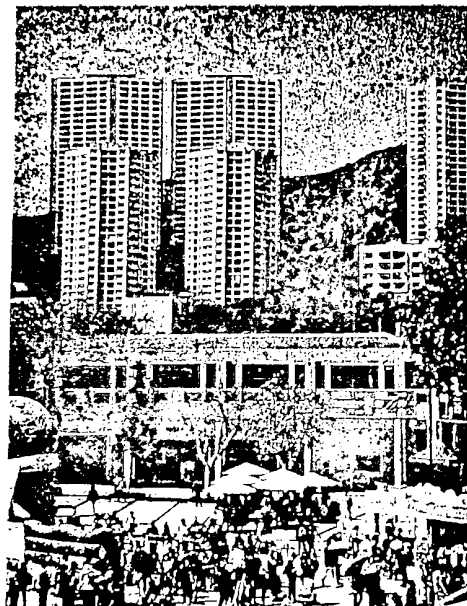


VP1: View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

申請編號 Application No. : Y/1-DB/2
此頁備自申請人提交的文件。
This page is extracted from applicant's submitted documents.



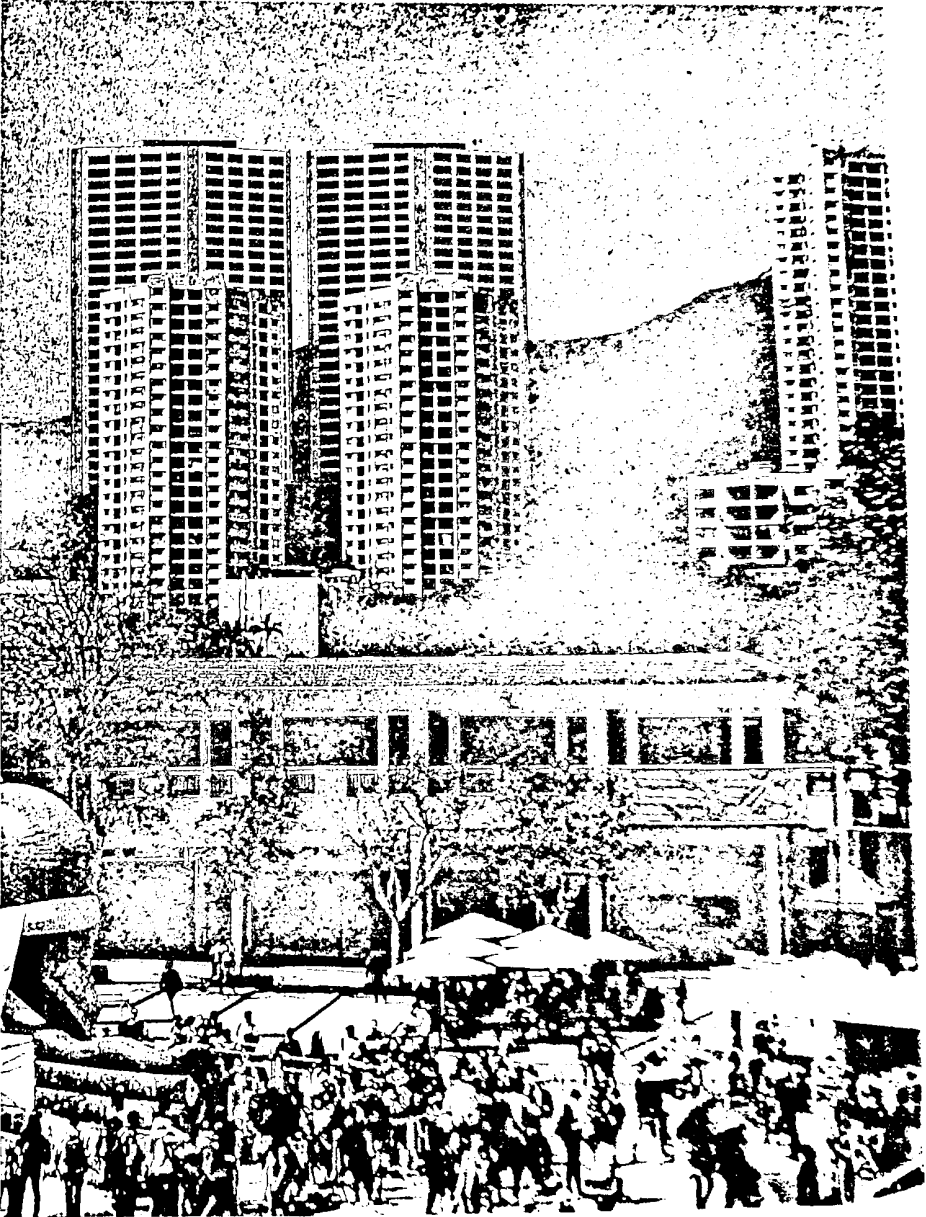
BEFORE



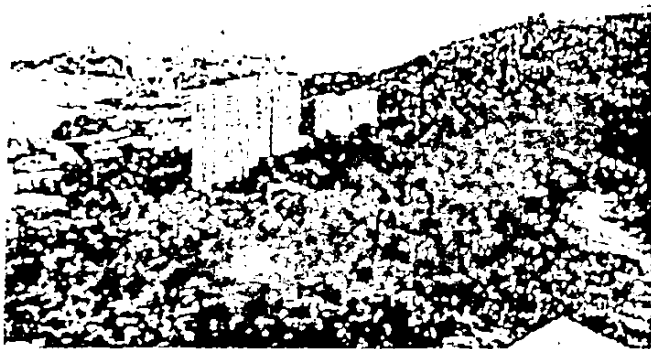
AFTER

VOC comments on
HKRs 5f Planning Proposal

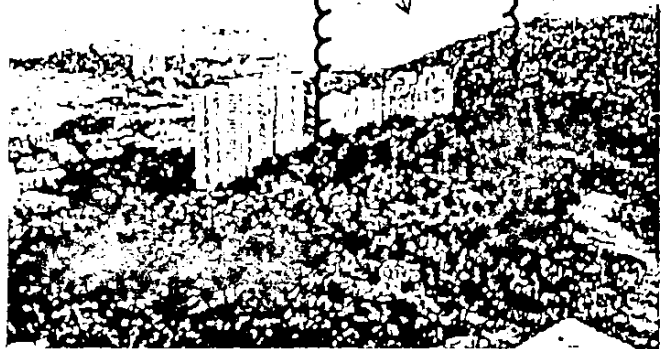
Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



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

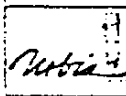


VP5 View South East towards Application Site from Lo Fu Tau Pergola/Lookout (Existing Condition)



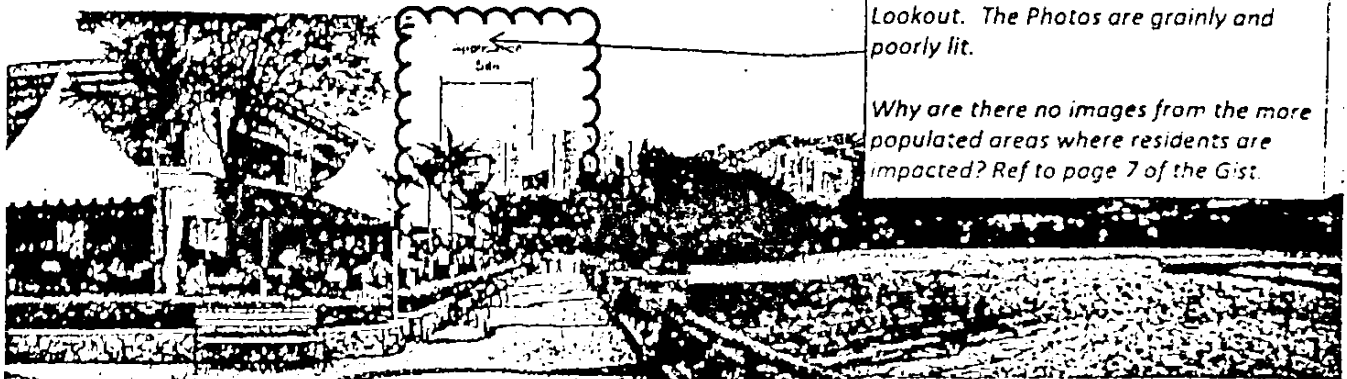
VP5 View South East towards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

申請編號 Application No. Y/1-DB/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.

	FILE	PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT	PAGE
	PROJECT	DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F	8.10



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
PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 0F

OCTOBER 2010

B.14

申請編號 Application No.: Y/1-D9/2

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.



VP8 View from the Lookout towards Application Site with Hiking Trail South of the Glen with Proposed Development

VP8 View from the Lookout towards Application Site with Hiking Trail South of the Glen with Proposed Development

申請編號 Application No. Y/1-D0/2
此頁係由申請人提交的文件。
This page is extracted from applicant's submitted documents.

PHOTOMONTAGE - VP8 (VSR REC7) FROM HIKING TRAIL SOUTH OF DISCOVERY VALLEY

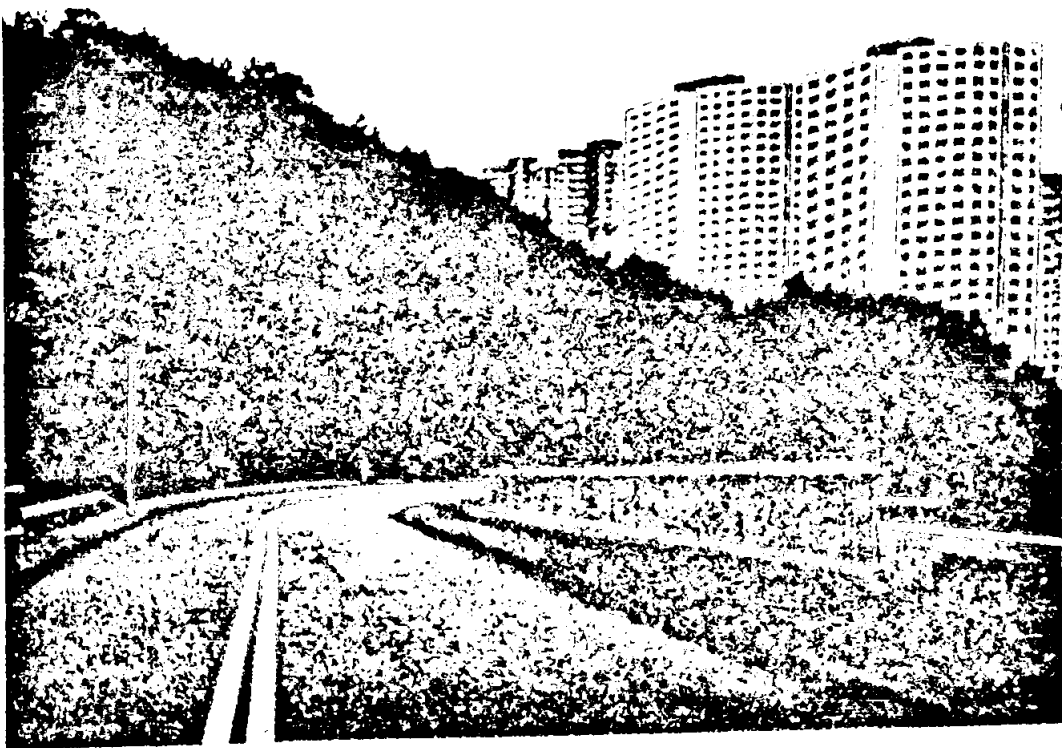
DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF

FIGURE

B.12

VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC

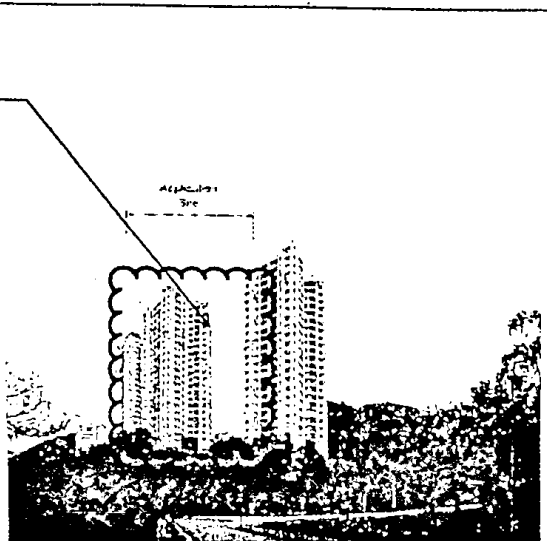
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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 Lockout. 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/I-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

Chubia

PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE

OCTOBER 2016

MAPA B.17

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。

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申請編號 Application No. : Y/1-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"/>
園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<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 long-term 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	<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
對行人的交通影響評估 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"/>

PVOC; Poor quality Photo-montages do not make for a true visual impact assessment, why has this not been provided for the sensitive receivers?

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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5284

tpbpd

寄件者: Vamsi Potukuchi
寄件日期: 09日12月2016年 星期五
收件者: tpbpd@pland.gov.hk
主旨: Application No. Y1/-DB/2 Area 6f
附件: PVOC Third Comments on the Section 12A Application further information report

5285

Dear Sirs

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

Vamsi Potukuchi

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 EIA 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 proposed M Development



1. Paragraph 1.2 of the application states that "the 476 units and 1,190 population increase as a result of the proposal is very modest development intensification". 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 extensive extra construction traffic have to drive up a hill past the existing and proposed 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 Office development, three buildings, being

located on the corner of the village, being the junction with the village, being a development, which will be a significant addition to the village, which is the only means of access to the village.

Left hand side
viewing building is
obscured by the
development of
the village.



Settlement
of 1890
on
Section 2 of
Range 10 North

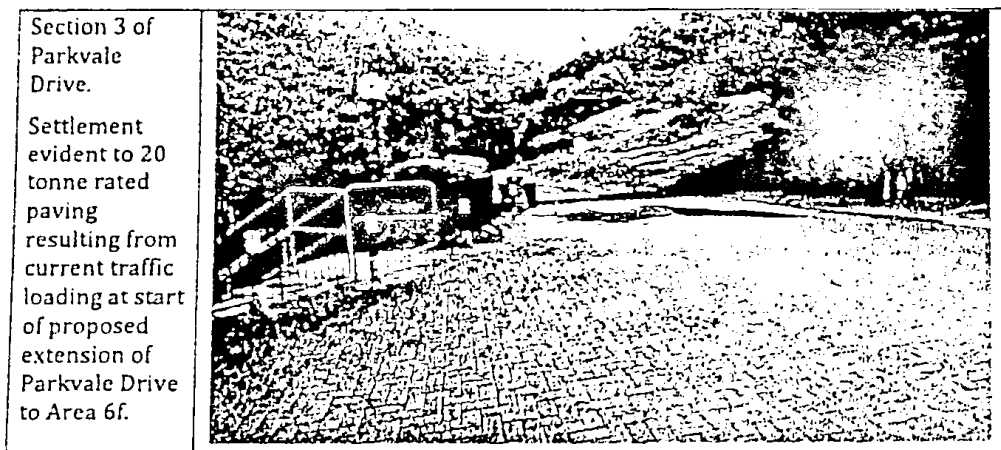


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1. The purpose of this report is to provide a summary of the results of the study conducted by the research team. The study was designed to investigate the effects of the proposed intervention on the target population. The results indicate that the intervention had a significant positive impact on the outcome measures, suggesting that the proposed intervention is effective in addressing the research objectives. The findings are discussed in detail, and the implications for practice and future research are highlighted. The report concludes with a summary of the key findings and a recommendation for further research.

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.

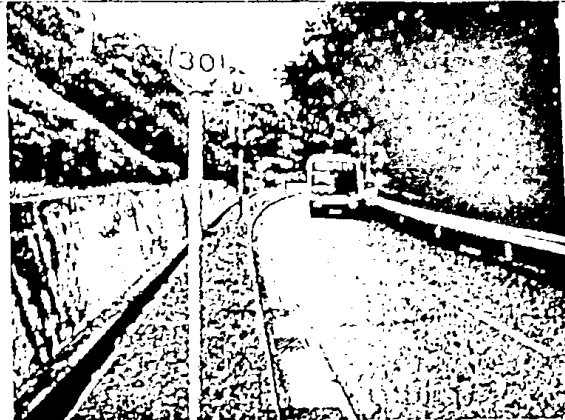


8. Although this is known by HKR, no mention of it is made in its application or Further Information.
9. The costs of maintaining Section 1 of Parkvale Drive are not born directly by the owners of Parkvale Village, but they do bear a share of these costs and the costs of maintaining all other such roads 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.

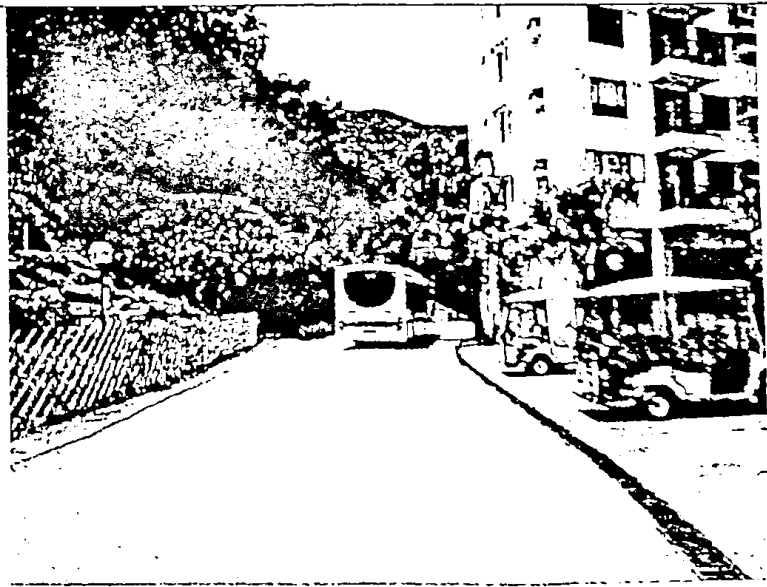
The view looking up the hill, illustrating the difficulty large vehicles have in passing one another.



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.

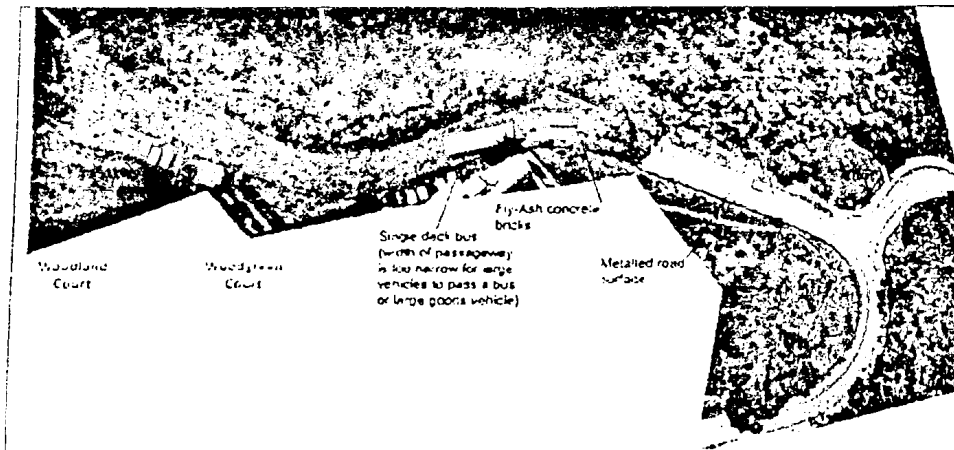
Section 3 of Parkvale Drive.

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 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.



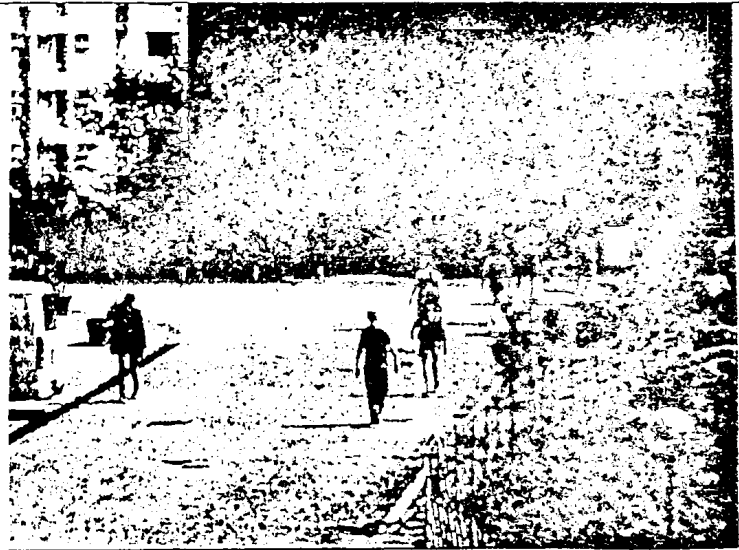
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. 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.

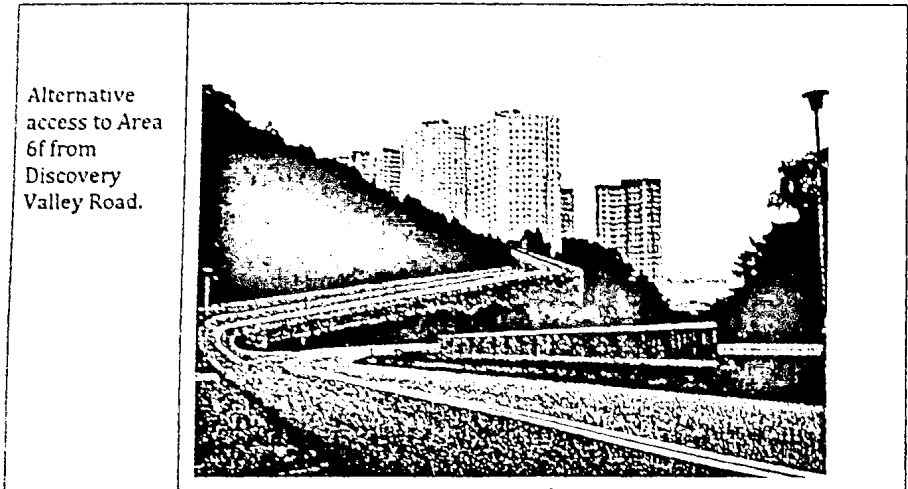
View of the pedestrian pavement leading to the start of the proposed extension of Parkvale Drive to Area 6f, illustrating that it is primarily a pedestrian thoroughfare.



18. **Alternative Access to Area 6f** - After the proposed development of Area 5f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 5f 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 D&STW 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 *"HjGEO, 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 19,885 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 Ltd, approved 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 identified in comment number 4102 submitted last July which refers to the Lands Department currently reviewing HKR's application to develop an additional 124 flats and under the new Master Plan, MP2006, using the proposed number of flats in Areas 6f and 10b as a reference, a total of 2,200 flats, including 5,000 people, may be built on this additional 124 (27%) area.
7. What this means is that HKR is effectively acting in such a way as to be flagrantly disregarding the current ceiling on the total number of flats and population. Furthermore, it would appear that with the TPB and other departments 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 of Areas 6f and 10b are considered any further.
9. It is clear that the TPB is in danger of being persuaded by this incremental applicant using population figures which are not independent of HKR. In considering this, especially given the very small population difference of 1,412 mentioned above, it indirectly allow a breaching of the 25,000 population ceiling. There is an urgent need for government to address this issue. Otherwise, in the future there will be a major investigation by the Director of Audit as to why this issue was not adequately resolved. The TPB and why HKR was allowed to develop beyond the population ceiling. In view of the serious nature of this issue, these comments will again be sent to the Director of Audit and the Discovery Bay District Council for their information and this submission will also be sent to the Ombudsman, as this deals the administrative processes of the TPB and the Lands Department are either inadequate and/or negligent or just negligent.
10. The allocation of undivided shares and management units is an issue which must be aware of from the efforts of a DB owner over the last few years. This is due to the subject of much correspondence between the owner, HKR and Lands Department as presentations to VOs and the City Owners Committee. The information on this is covered in document number 44.1 submitted and also in the 12.12.14 letter. The Department has asked HKR to prove that there are sufficient undivided shares to cover by them for allocation to the proposed developments in Areas 6f and 9. 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 meeting which is inconsistent with the aims of public consultation.
11. The first requirement of the ultimate development plan for the Discovery Bay Estate is the Grant and Master Plan. It is the number of undivided shares that will be required for any new development on the site. The first requirement of the plan is that the plan contains this on the share regime in which the land is to be developed. The plan contains undivided shares. These undivided shares were allocated to the owner, HKR, in 1984. The Government have confirmed that the plan is to be used for the development of the land and public recreation facilities and that the plan is to be used for the development of the land and public recreation facilities.
12. Only undivided shares are shown in the plan. The plan is to be used for the development of the land and public recreation facilities and that the plan is to be used for the development of the land and public recreation facilities.

assure the TPB that there are sufficient shares to be allocated to Areas 6f and 10a 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.

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 2.81
	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) 建築高度(以最高實用樓面空間計算) 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	
(j) 土地用途 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/或貨車位數目 No. of parking spaces and loading/unloading spaces	車位及貨車位數目(申請人須提供車位數目) Space number of parking space not provided by applicant 服務車輛(貨車)及/或貨車位數目(申請人須提供) Serving vehicles (trucking) and/or loading/unloading space number of loading/unloading space not provided by applicant		

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

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.

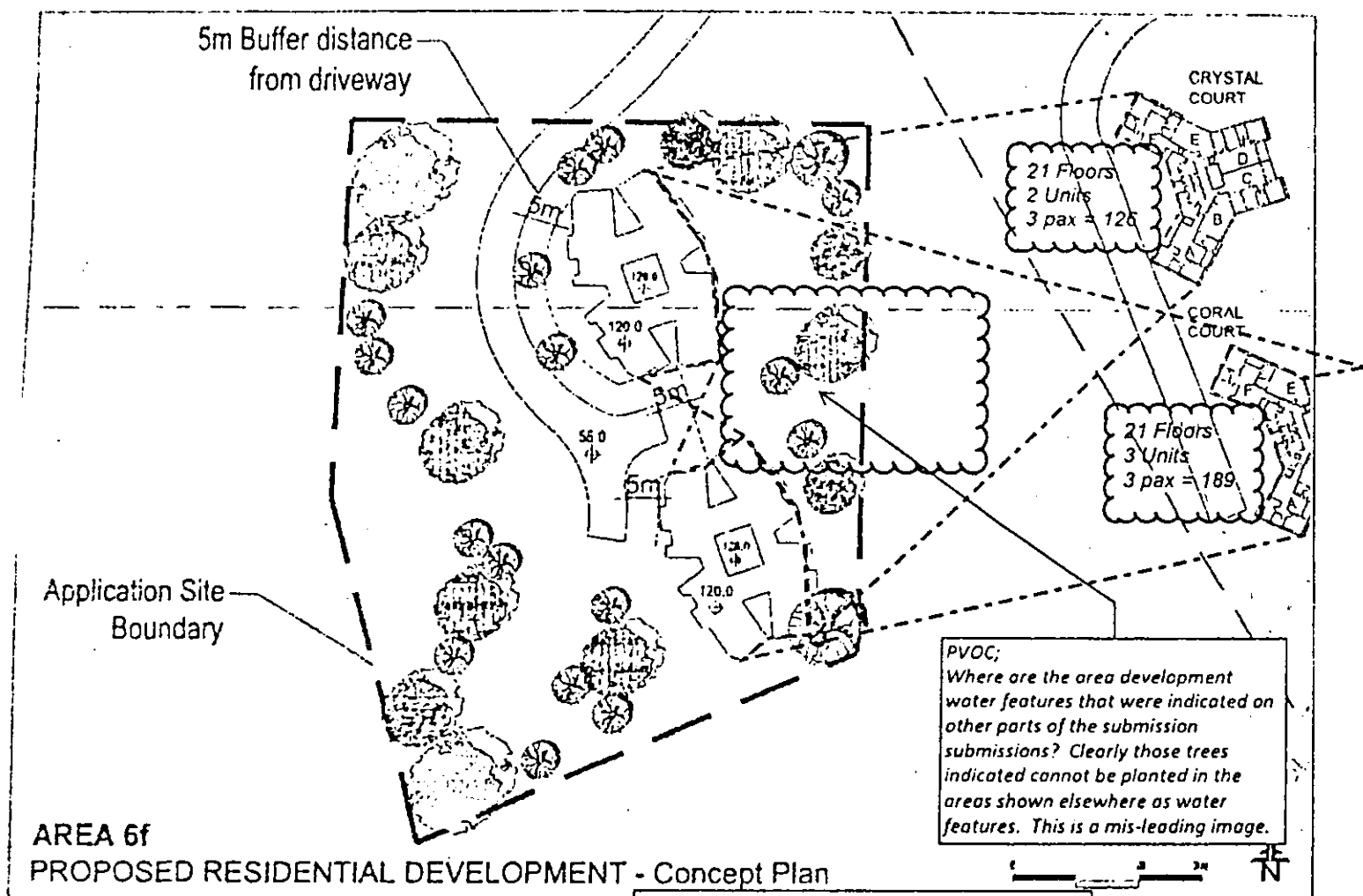
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

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。

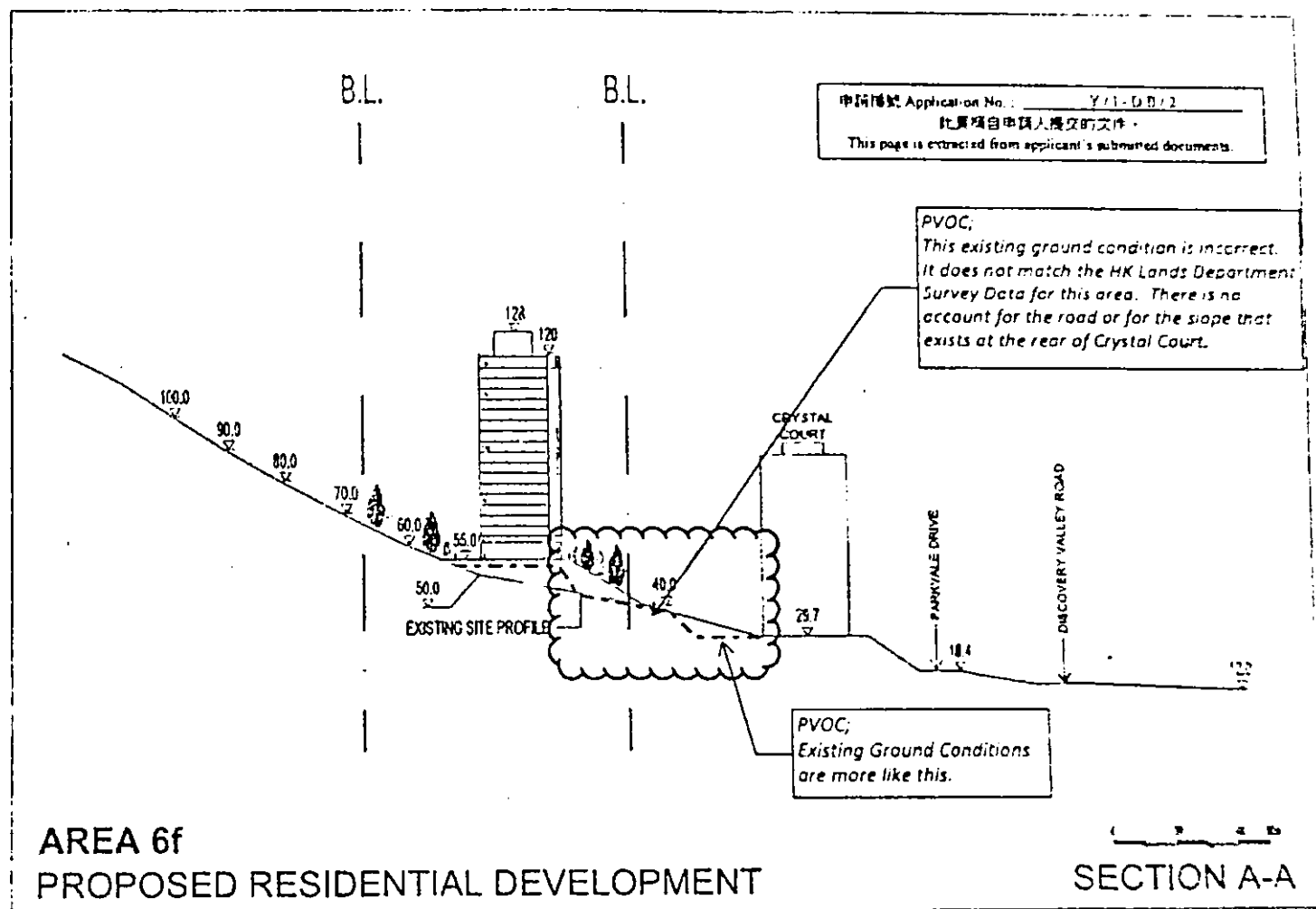
The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission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

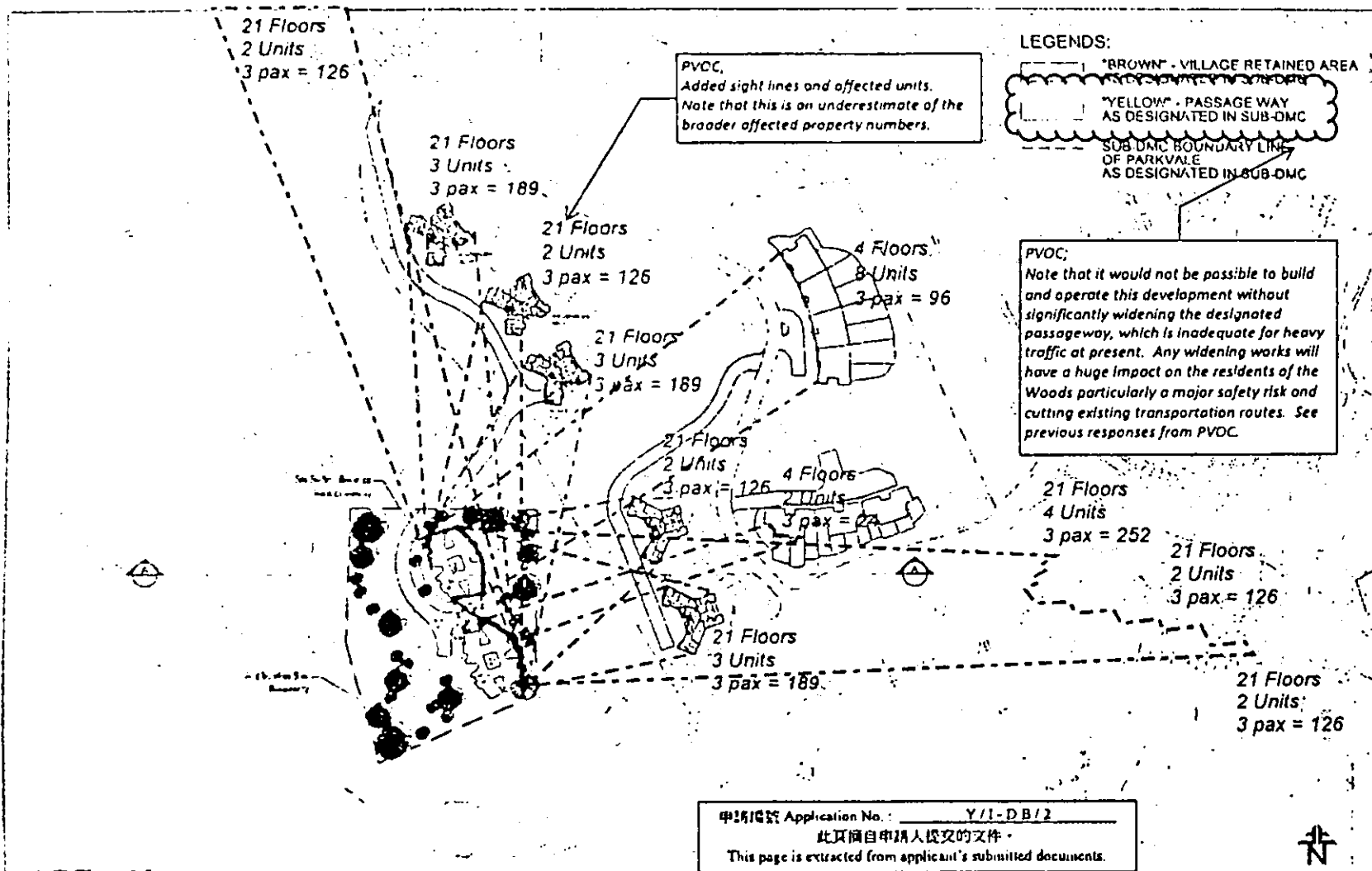


申請編號 Application No.: Y/1-DB/2

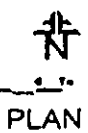
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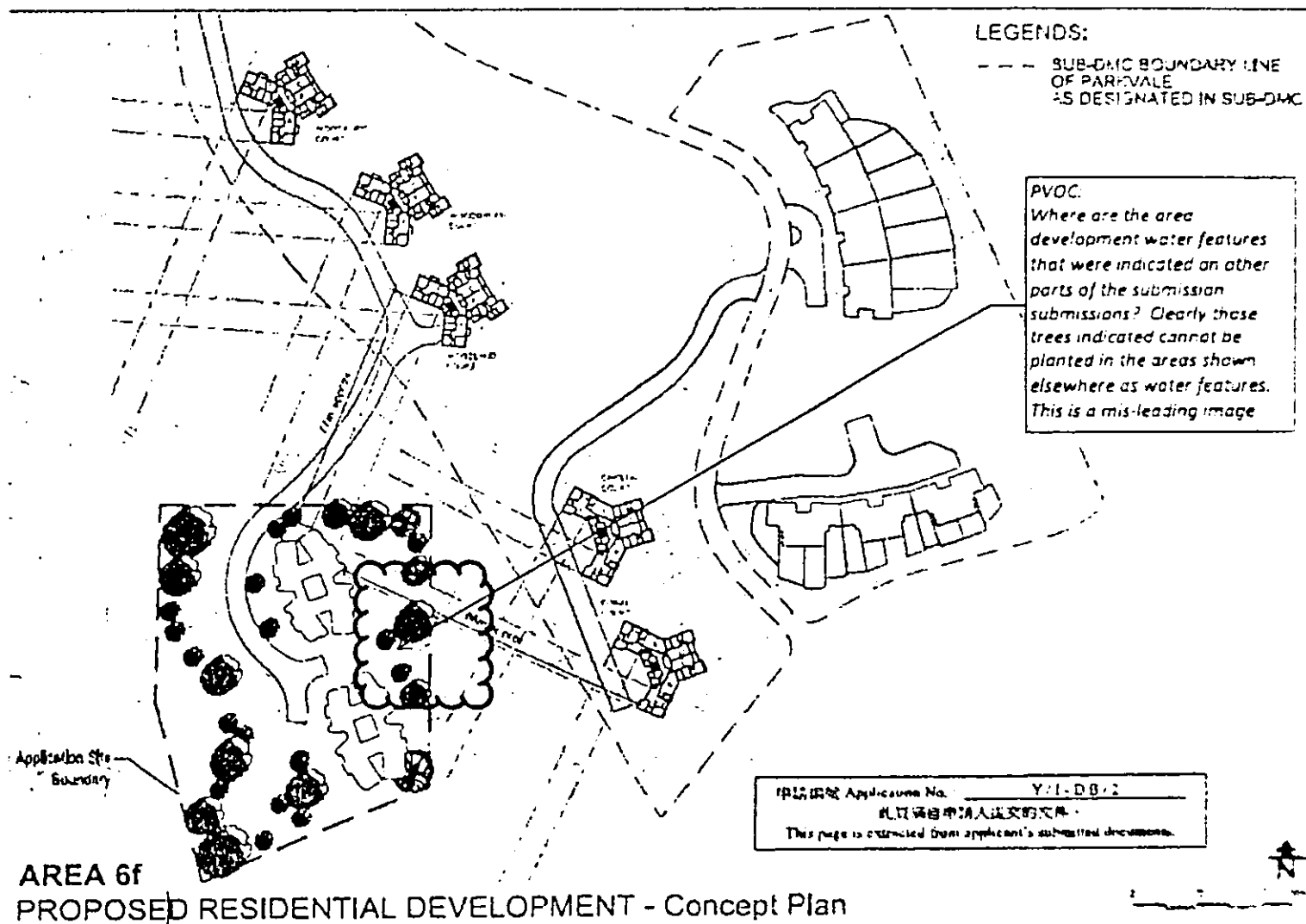
This page is extracted from applicant's submitted documents.



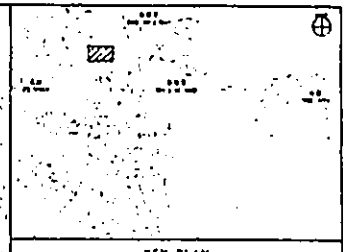


AREA 6f
 PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

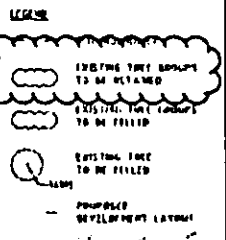




申請編號 Application No. Y/I-DB/2
 此頁摘自申請人提交的文件。
 This page is extracted from applicant's submitted documents.



PVOC:
 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. PT30/6/P/1567																			
										Drawing Title TREE TREATMENT PLAN										Scale 1:1000 (A3)																			
Drawn by										Checked by										Approved by										Date									
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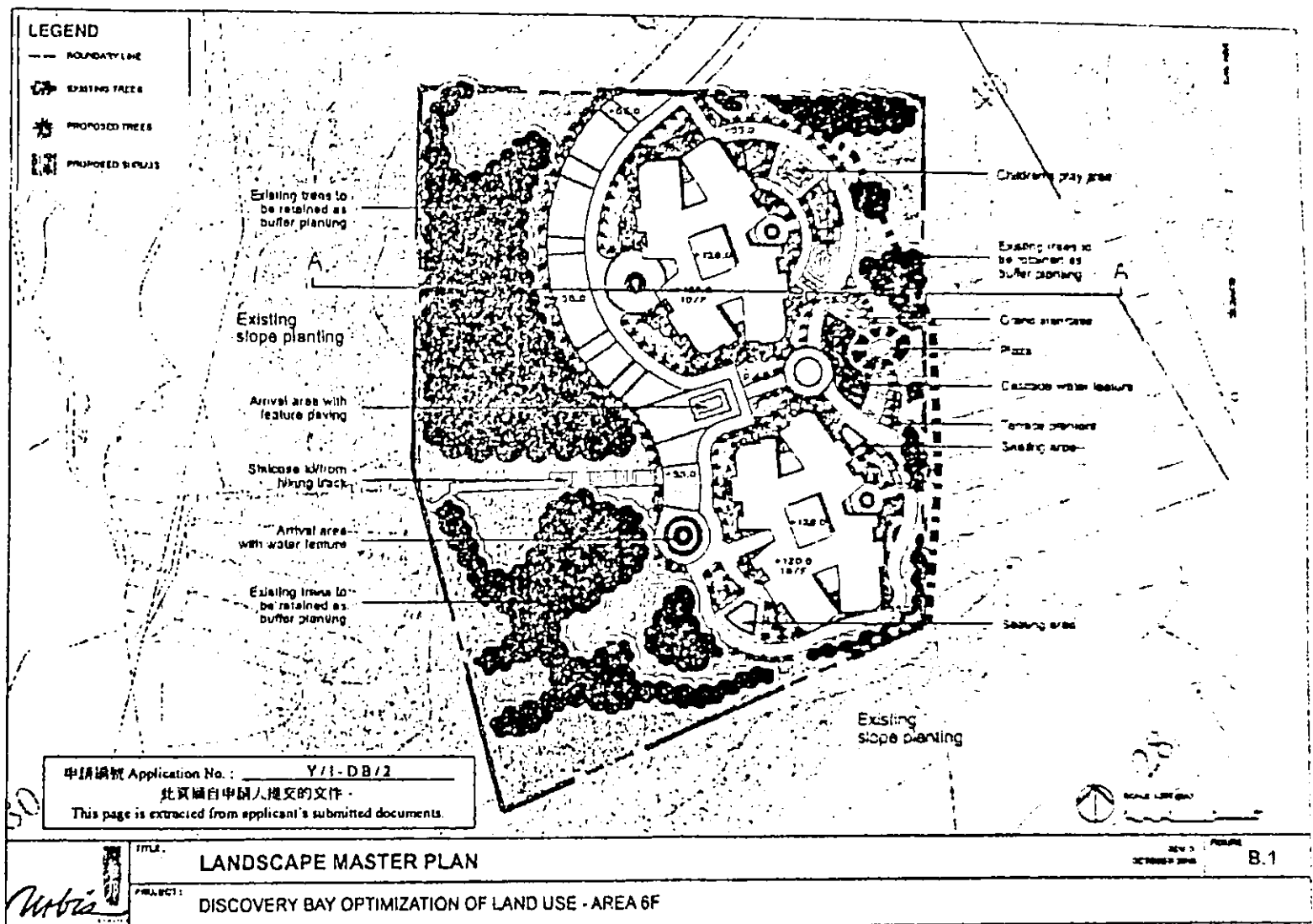
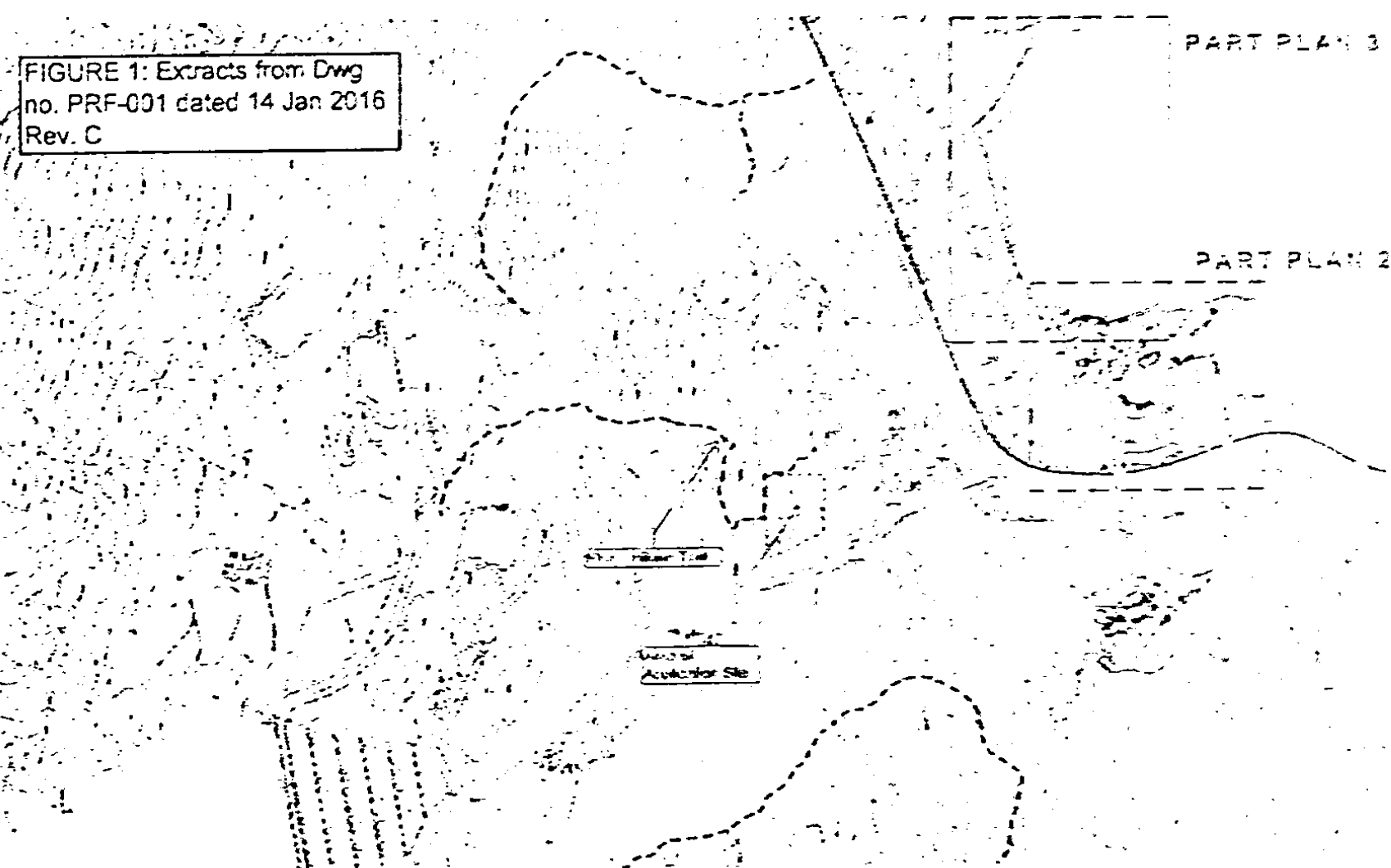
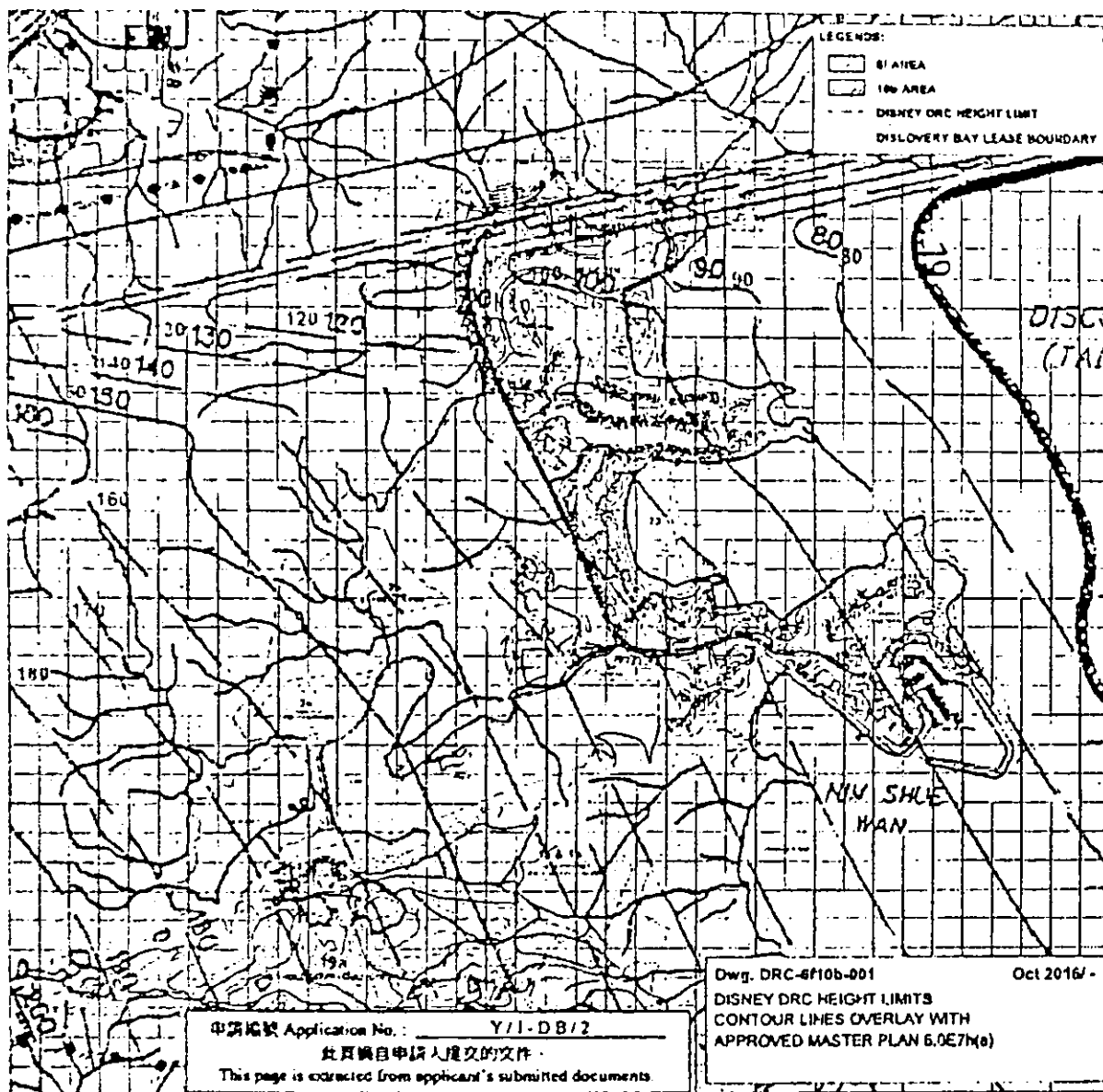


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



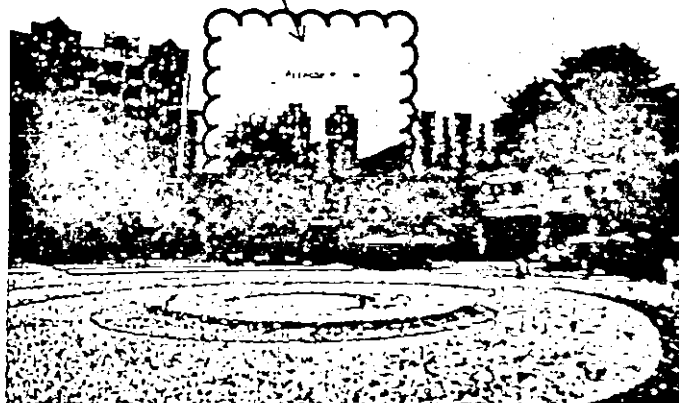
申請編號 Application No. Y 1-03/2
此頁摘自申請人提交的文件
This page is extracted from applicant's submitted documents.



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

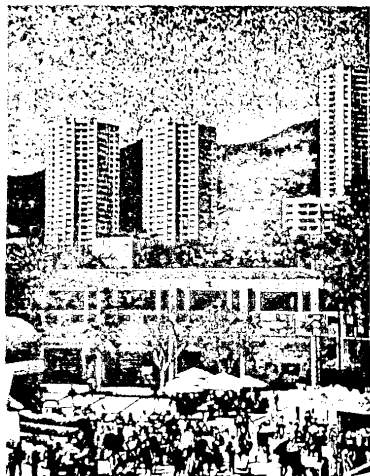
此頁摘自申請人提交的文件 -

This page is extracted from applicant's submitted documents.

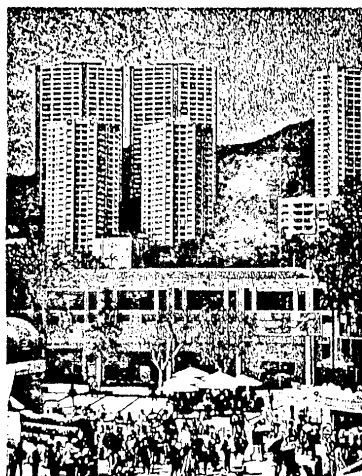
TITLE PHOTOMONTAGE - VP1 (VSR REC1) FROM DISCOVERY BAY PLAZA

DATE 5.9

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



BEFORE

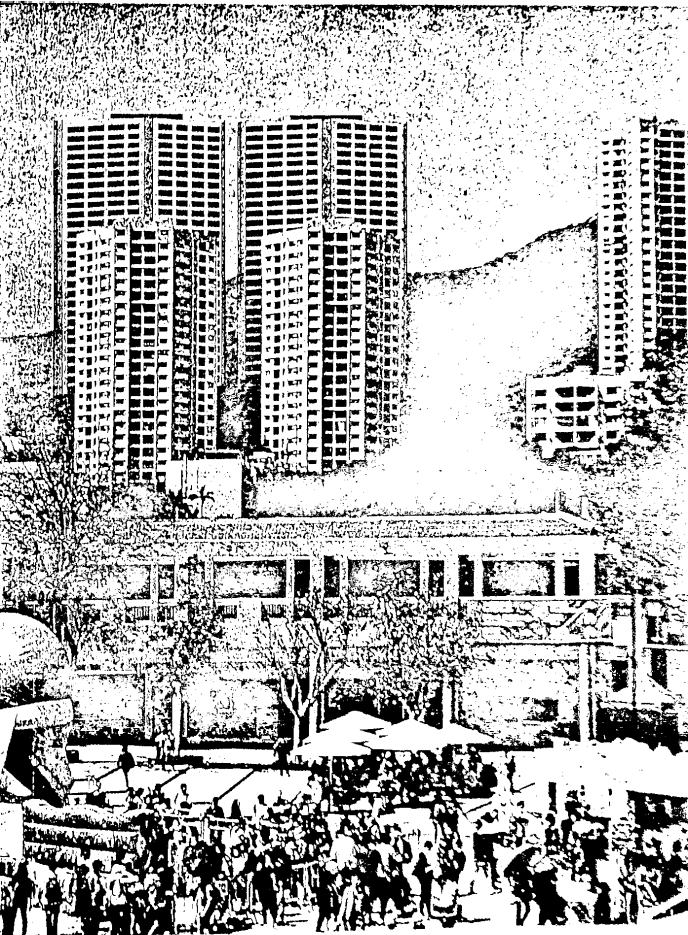


AFTER

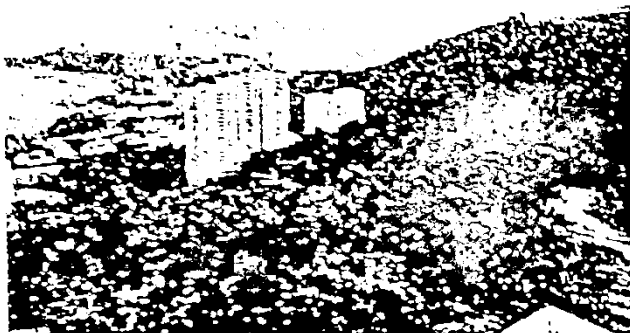
VOC comments on

HKRs 6f Planning Proposal

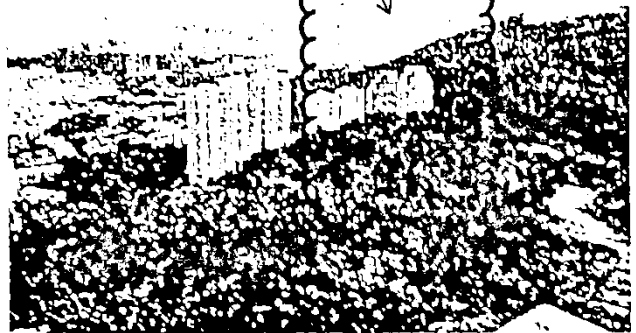
Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



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)



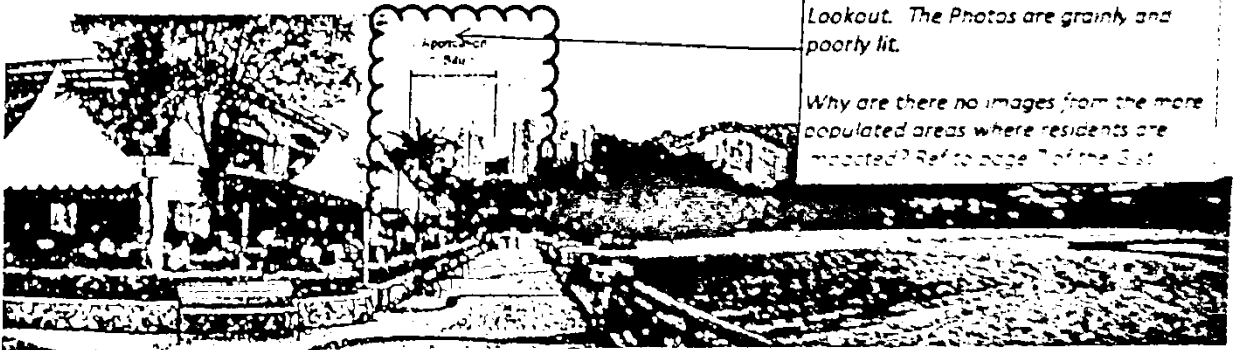
VP5: View South-East towards Application Site from Lo Fu Tau Pergola/lookout with Proposed Development

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 OF	



VP12: View West towards Application Site from D-Deck (Existing Condition)



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

FVOC:
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 Sat

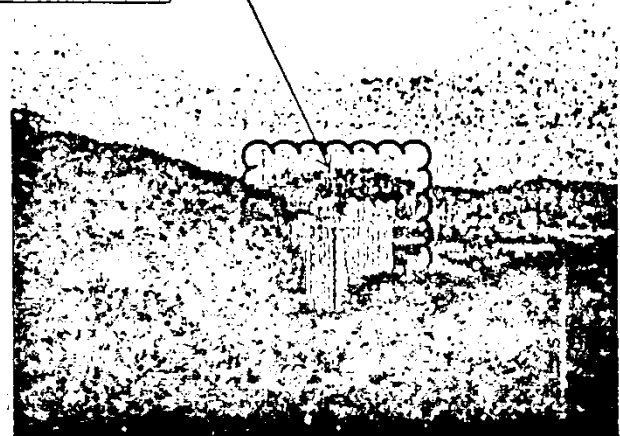
	TITLE: PHOTOMONTAGE - VP12 (VSR REC10) FROM D-DECK	APPROVED: 5.14
	PROJECT: DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA OF	

申請編號 Application No. **Y10002**
 此頁內容未經入稟政府
 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.



VPB - View North towards Application Site from Hiking Trail South of the Dearth (Existing Condition)



VPB - View North towards Application Site from Hiking Trail South of the Dearth (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.



VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC:

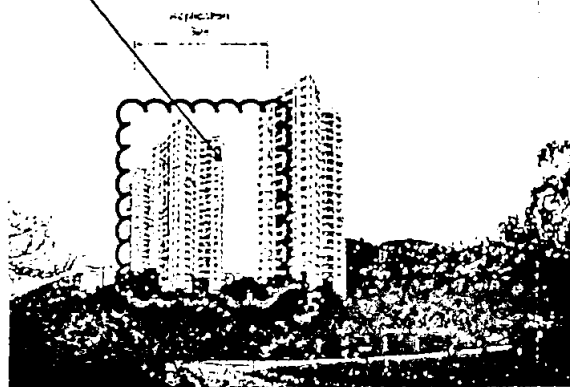
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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 Conditions)

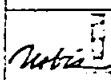


VP16: View West towards Application Site from Middle Lane with Proposed Development

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.



FILE PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE
PROJECT DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F

OCTOBER 2016

REVISION B.17

申請編號 Application No. : Y/L-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)	<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"/>
園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<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)
摘錄圖則 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"/>
就車輕的交通影響評估 Traffic impact assessment (on vehicles)	<input type="checkbox"/>	<input type="checkbox"/> MISSING
就行人的交通影響評估 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 as	<input type="checkbox"/>	<input type="checkbox"/> MISSING
排水影響評估 Drainage impact assess	<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.

5285



寄件者:
寄件日期:
收件者:
主旨:

Wolf Duehring
09日12月2016年星期五 9:35
tpbpd@pland.gov.hk
RE-SEND / Wolf Duehring / Application No. Y/I-DB/2 Area 6f / Objection to proposed 6f construction in Discocery Bay, Lantau

5286

Dear Madam, Sir

This objection letter is a **copy** of the one sent **yesterday**. To make sure that it goes to the intended recipient, I put the proper reference (Application No. Y/I-DB/2 Area 6f) in the Subject line with this transmission

Sorry about the confusion
Wolf Duehring

From: Wolf Duehring
Sent: Thursday, December 08, 2016 12:45 PM
To: tpbpd@pland.gov.hk
Cc: [REDACTED]
Subject: Wolf Duehring / Objection to proposed 6f construction in Discocery Bay, Lantau

Dear Madam, Sir,

I object to the planned development 6F (Discovery Bay, Lantau) for the following reasons:

Overall planning

The original plan was to build *Staff quarters*. From there, it's a huge step to apply for building two 18-floor high-rise towers,

All that has taken place in a **non-transparent** way with no or is **inadequate public consultation**.

Access to the proposed building site:

There is no way that the existing access road (now used for busses and delivery light vehicles only) can take the required construction traffic. The (partly very steep) roads are already cracked in many places (visible damage), and will not be able to take significant additional loads for an extended periods of time.

Furthermore, the access road is very narrow, especially around Woodland Court, and the only way to widen it would be by blasting huge rock formations (at about 20 m distance from the Woodland Court high-rise.

Also, any construction traffic would severely impact on the residents (a lot of families with children, senior residents etc., who use the surrounding areas frequently (as a matter of fact, the majority of the residents bought property or moved here because of the tranquil surrounding and safe environment for the residents.

I am concerned that, up until now, no government department has investigated the suitability of Parkvale Drive as the only means of access to Area 6f. Certainly HKR has not addressed these concerns with the residents

The current road **must not** be allowed to be used for access to the proposed construction site.

If HKR plan to go ahead with the construction of the 2 high-rise blocks, they **must** provide for a different, suitable access road. Legally, HKR's right to use Parkvale Drive as access to Area 6f is still not clear anyway.

Subsequent bus services

Since HKR, as a matter of principle, does not consider it useful to provide the residents with any information on their plans (they never do), we can only assume that the **bus services to the proposed 6b high-rise blocks** will be run along the same route that is currently serving the existing Parkvale area. We are looking at very much **increased traffic frequency**.

Sewage

In addition, HKR are planning to include a **sewage treatment works (STW)** in Area 6f with direct discharge into the sea next to the ferry pier adjacent to Hillgrove Village. To my knowledge, the pollution impact has not been properly evaluated and, in my opinion, cannot be considered an efficient sewage planning strategy.

Water/Gas supply

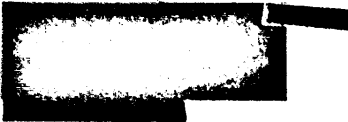
There are also open questions regarding the water and gas supply.

5286

Please consider those problem areas specified above and subsequently do not grant HKR permission to go ahead with the 6f construction.

Thanks you and best regards

Wolf Duchring



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www.avast.com



This email has been checked for viruses by Avast antivirus software.

www.avast.com



tpbpd

寄件者:
寄件日期:
收件者:
主题:
附件:

P.R. van den Esschert
09/13 12/月 2016年 星期五 10:10
tpbpd@pland.gov.hk
Re: Application No. Y/I-DB/2 Area 6f
PVOC Third Comments on the Section 12A Application further information (1)[1].pdf

5287

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,



Petrus R. van den Esschert



I-Winner Ltd. Hong Kong



寄件者:
寄件日期:
收件者:
主旨:

Georgina Rawson
09/11/2016 星期五 10:29
tpbpd@pland.gov.hk
OBJECTION TO APPLICATION NO. Y/I-DB/2 SECTION 12A, AREA 6F, LOT 385 RP & EXT (PART) IN DD 352 DISCOVERY BAY

5288

Subject: OBJECTION TO APPLICATION NO. Y/I-DB/2 SECTION 12A, AREA 6F, LOT 385 RP & EXT (PART) IN DD 352 DISCOVERY BAY

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 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.
1. 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.
1. 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.
1. 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.
1. 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.
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 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.

Name of Discovery Bay Owner / Resident: Georgina Rawson

Address: [REDACTED]

寄件者:
寄件日期:
收件者:
主旨:

Alex Rawson
09日12月2016年星期五 11:06

tpbpxl@pland.gov.hk

Subject: OBJECTION TO APPLICATION NO. Y/I-DB/2 SECTION 12A, AREA 6F, LOT 385 RP & EXT (PART) IN DD 352 DISCOVERY BAY

5289

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.
1. 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.
1. 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 Plan 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.
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1. 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.
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 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.

Name of Discovery Bay Owner / Resident: Alexandra Rawson

Address: _____

寄件者:
寄件日期:
收件者:
主旨:

Kane Saxton

09/11/2016 星期五 11:09

tpbpxl@pland.gov.hk

Subject: OBJECTION TO APPLICATION NO. Y/I-DB/2 SECTION 12A, AREA 6f, LOT 385 RP & EXT (PART) IN D.D. 352, DISCOVERY BAY

5290

Dear Sirs,

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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:-

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1. 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.
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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.

Name of Discovery Bay Owner / Resident: KANE SAXTON

Address:

寄件者: kane saxton [REDACTED]
寄件日期: 09/12/2016 年 星期五 11:11
收件者: tpbpd@pland.gov.hk
主旨: Subject: OBJECTION TO APPLICATION NO. Y/I-DB/2 SECTION 12A, AREA 6F, LOT 385 RP & EXT (PART) IN DD 352 DISCOVERY BAY

5291

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.
1. 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.
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1. 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.
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 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.

Name of Discovery Bay Owner / Resident: KANE SAXTON

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)

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.

Line KESWANI

Signature : _____ Date: _____

Name of Discovery Bay Owner / Resident: _____

Address: _____

1 of 2

5292

Sent from my iPad

tpbpd

寄件者: Barbara Cooper [REDACTED]
寄件日期: 09日12月2016年星期五 11:26
收件者: tpbpd@pland.gov.hk
主题: Objection Letter Area 6F, Lot 385. Discovery Bay
附件: Area 6f (Behind Parkvale) - Objection Letter to TPB.docx

5293

Dear Sir,

Please find attached Letter of Objection for Discovery Bay building work. Area 6F, Lot 385. Discovery Bay

Regards,

Barbara Cooper
[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)

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.

Further to my submission in the earlier round, 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 development will severely degrade the views, and quality of living in the nearby apartments, both during and after construction, and no satisfactory recompense to existing residents for this damage has been proposed.
8. Bearing in mind the number of questionable of approval-submissions for this development in earlier rounds of feedback which, as reported in the South China Morning Post, were suspiciously submitted in one large block by Non-residents of Lantau on the last day, I further recommend that the statistical reporting (showing the number of objections and approvals of this development) is improved to show separate totals for replies from Residents of Discovery Bay and those from non-residents of Discovery Bay, in order that the opinions of Discovery Bay residents may be seen clearly.

Under the provisions of the law, the applicant is required to provide data and responses to the questions
in the questionnaire and to the law. The applicant is required to provide data and responses to the questions

Signature: Barbara Cooper

Date: 8.12.2016

Name of the person: Barbara Cooper

Parliamentary resident: [REDACTED]

Address: [REDACTED]

tpbpd

寄件者: Andrew Burns [REDACTED]
寄件日期: 09日12月2016年星期五 11:44
收件者: tpbpd@pland.gov.hk
副本: dlois@landsd.gov.hk; sesis2@landsd.gov.hk; esis2@landsd.gov.hk
主旨: Application No. Y/I-DB/2. Area 6f, Discovery Bay -- City Retained Area
附件: TPB YI-DB2 Area 6f R3 City Retained Areas.pdf

5294

To: Secretary, Town Planning Board

Date: 9 December, 2016

Dear Sirs,

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

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
Date: 9 December, 2016

Dear Sirs,

Re: Application No. Y/I-DB/2. Area 6f, Discovery Bay – City Retained Areas

I refer to the "Response to Comments" dated October 2016 on the Section 12A Application No. Y/I-DB/2 related to Area 6f at Discovery Bay submitted by Masterplan Limited on behalf of the Applicant, Hong Kong Resort Company Limited ("HKR").

Lands Department made the following comment (Paragraph 7):

Area 6f is designated for staff quarters under the Section "Public Works" in the approved MP 6.0E7h(a). The Applicant is required to clarify if "staff quarters" in the approved MP 6.0E7h(a) 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 the "City Common Areas" 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 is required to substantiate its right / capacity to develop the application site without prejudicing the provisions in the PDMC.

In response, Masterplan stated, in part:

Proposed staff quarters in Area 6f have never been built. The subject site is "City Retained Areas" as defined in the PDMC.

The following is the definition of City Retained Areas from the Deed of Mutual Covenant ("DMC") dated 30 September, 1982:

"The piers, the breakwaters and other marine structures, public gardens, lawns, transport terminal, children's playground, public beaches, estate management offices, aviary/botanical garden, non-membership golf course (if any), cable-car system (if any), the heliport and the other part or parts of the Service Area and all open areas and spaces in the City other than the City Common Areas."

"City" is defined as follows in the DMC:

"The whole of the development on the Lot to be known as "DISCOVERY BAY CITY" (偷景灣) including all the buildings therein."

"The Lot" is defined as follows in the DMC:

"All that piece or parcel of land registered in the District Land Office Island as The Remaining Portion of Lot No.385 in D.D.352 and the Extensions thereto and any further extensions thereto (if any)."

Thus, the City and the Lot are not identical. The City refers to the development on the Lot to be known as Discovery Bay City. City Retained Areas are part of Discovery Bay City. Furthermore, the City Retained Areas have a defined purpose, as explained below.

All "City Retained Areas" are part of the "Reserved Portion"

As per the DMC, the definition of City Common Areas includes the following:

"...such part or parts of the Service Area as shall be used for the benefit of the City. These City Common Areas together with those City Retained Areas as defined and these City Common Facilities as defined form the entire "Reserved Portion" and "Minimum Associated Facilities" mentioned in the Conditions." (emphasis added)

The "Conditions" is defined as follows in the DMC:

"New Grant No.6122, New Grant No.6620, New Grant No.6788 and New Grant No.6947 collectively and any subsequent modifications of the Conditions."

Special Condition 10(a) of New Grant No. 6122 ("New Grant"), dated 10 September, 1976, states that HKR may not dispose of any part of the lot or the buildings thereon unless they have entered into a Deed of Mutual Covenant. Furthermore, Special Condition 10(c) states:

"(c) In the Deed of Mutual Covenant referred to in (a) hereof, the Grantee shall:

(i) Allocate to the Reserved Portion an appropriate number of undivided shares in the lot or, as the case may be, cause the same to be carved out from the lot, which Reserved Portion the Grantee shall not assign, except as a whole to the Grantee's subsidiary company..." (emphasis added)

As such, the applicant may not assign the Reserved Portion – "These City Common Areas together with those City Retained Areas as defined and these City Common Facilities as defined" – except as a whole to the Grantee's (HKR's) subsidiary company.

Masterplan claims that Area 6f forms part of the City Retained Area. Therefore, according to the terms of the New Grant, HKR has no right whatsoever to develop Area 6f for residential housing for sale to third parties. Area 6f must remain part of the City Retained Area, and used for the purpose of providing services to the City.

Allocation of Undivided Shares to the Reserved Portion

Masterplan's reply to Lands Department's comments continued:

In our response to comment item 6 above sent to District Lands Office direct, it is clearly demonstrated that the undivided shares of Area 6f are held by the applicant and have never been assigned to any other party. (Full set of all DMC, Sub-DMCs and Sub-sub-DMCs have been provided for District Lands Office's reference directly via HKR's letter to DLO dated 3 Aug 2016.) Therefore, the applicant is the sole land owner of Area 6f and has absolute right to develop the application site.

I disagree strongly with Masterplan's view that ownership of undivided shares *ipso facto* gives the Applicant the absolute right to develop Area 6f. The rights of the Applicant, including the right to develop any part of the lot, are defined and strictly limited by the New Grant; by the Master Plan identified at Special Condition #6 of the New Grant; and by the DMC.

Furthermore, it is irrelevant that the Applicant has not assigned the undivided shares of Area 6f to any other party. In truth, HKR have never carried out their obligations under the New Grant to allocate undivided shares to Area 6f.

Please refer to the above extract from the New Grant. HKR are required by the New Grant to either allocate an appropriate number of undivided shares to the Reserved Portion, or carve same out from the lot.

HKR did not carve out Area 6f from the lot prior to the execution of the DMC. Yet, there is no evidence whatsoever in the Land Registry that HKR have allocated any undivided shares to Area 6f. Simply put, HKR did not fulfill their obligations under the New Grant.

In addition, all the owners of Discovery Bay have had 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" for the past 34 years. At no time during the past 34 years have HKR prevented owners of the lot from entering Area 6f.

HKR have forfeited any rights they may have had over the area through the ownership of undivided shares. The established rights of all the owners of undivided shares in the lot must be protected.

The entire proposal to develop Area 6f for sale or lease to third parties is unsound. The Town Planning Board should reject the application forthwith.

Yours sincerely,
Andrew Burns
Owner and resident, Discovery Bay

Email: [REDACTED]

寄件者:
寄件日期:
收件者:
主旨:

Leung Fik Ki [REDACTED]
09/12/2016 星期五 11:47
tpbpd@pland.gov.hk

5295

Objection to the submission regarding the proposed development of Area 6f, Lot 385 RP & Ext (Part) in D.D. 352, Discovery Bay

Attention:
The Secretariat
Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point

Dear Madam/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

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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 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.

Thank you for your attention.

LEUNG Pik Ki
(resident of Discovery Bay)

5295

5296

发件者:
发件日期:
收件者:
主题:
附件:

[REDACTED]
[REDACTED]

cityofparks@cityofparks.gov

Application No. YL-1982 Area 6f

PVCC Third Comments on the Section 1.2A Application further information (1) (1).pdf

5296

For the attention of the Town Planning Board,

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

Richard Crosbie
[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.



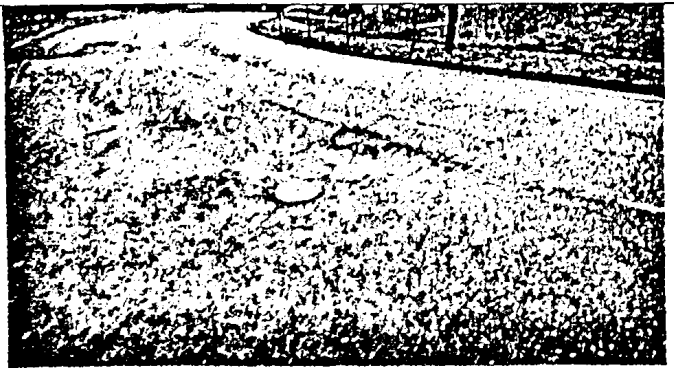
Aerial image of existing Parkvale Village with imposed 6f Development



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



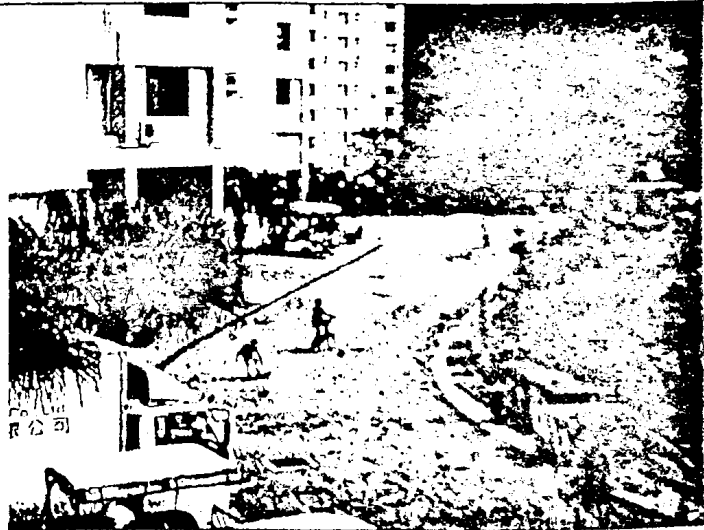
Section 2 - from the junction with Middle Lane to the start of the pedestrian pavement behind the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, being a steep narrow hill covered in asphalt.

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.

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.

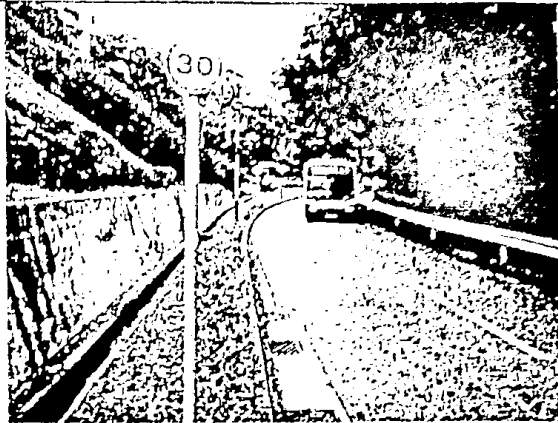
Settlement
evident to 20
tonne rated
paving
resulting from
current traffic
loading at start
of proposed
extension of
Parkvale Drive
to Area 6f.



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.

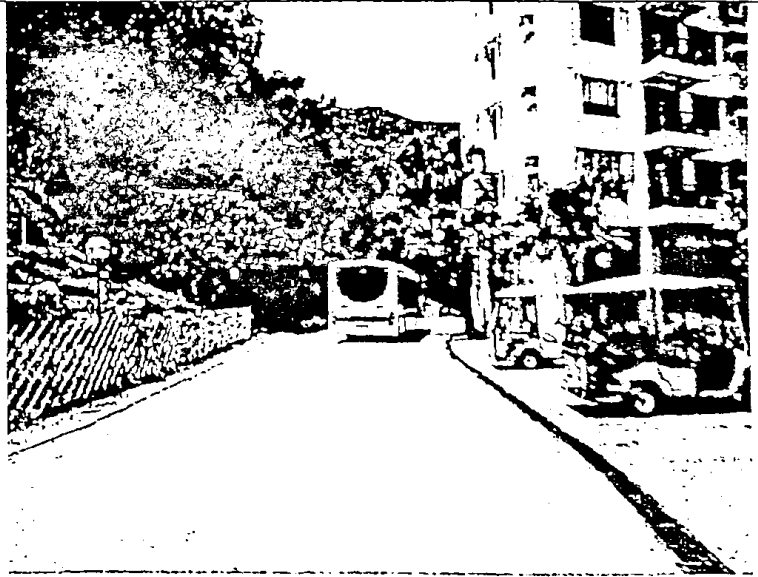
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



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.

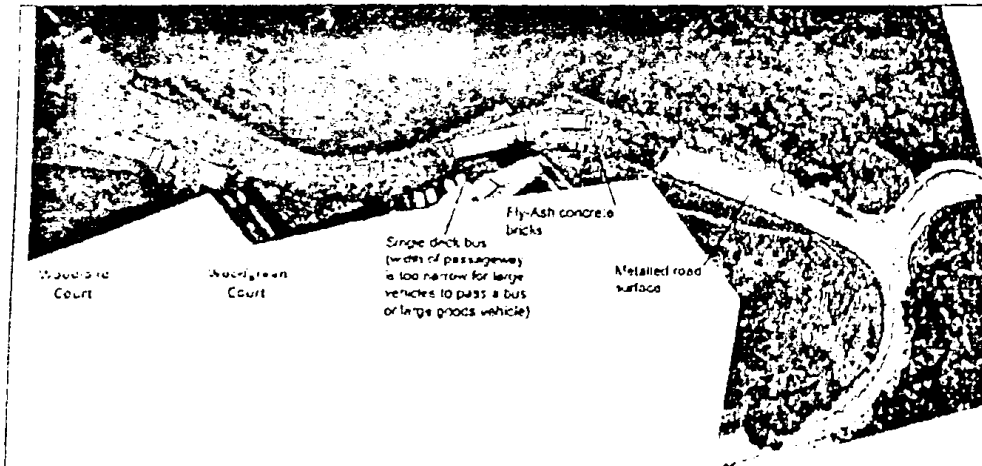
View of the
rear of
Woodbury
Court,
illustrating the
narrowness of
the pedestrian
pavement, its
lack of a
carriageway to
separate
vehicles from
pedestrians
and the
inability of
vehicles to pass
one another.



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.



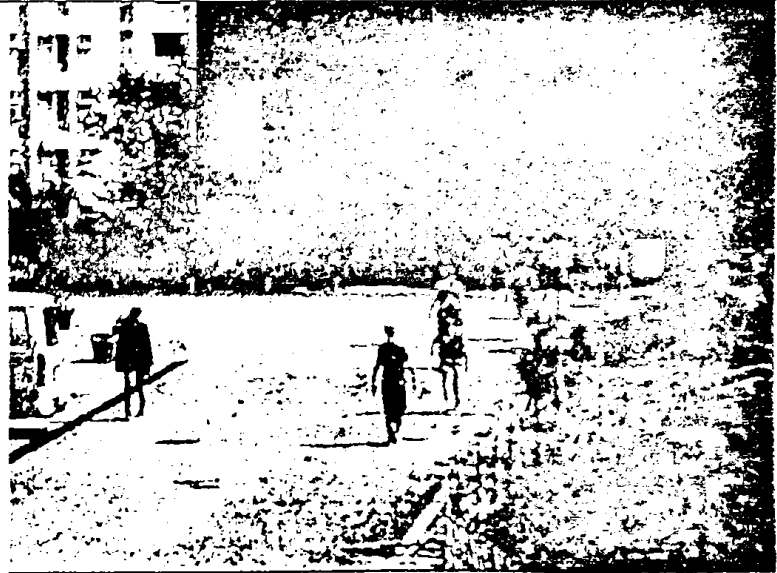
14. Bird's-eye view of the pedestrian pavement Section 3 of Parkvale Drive, to the rear of the Woodbury Court, Woodgreen Court and Woodland Court residential buildings, illustrating that this section is a narrow paved pedestrian and golf parking area providing access to the entrance lobbies of the buildings. 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.

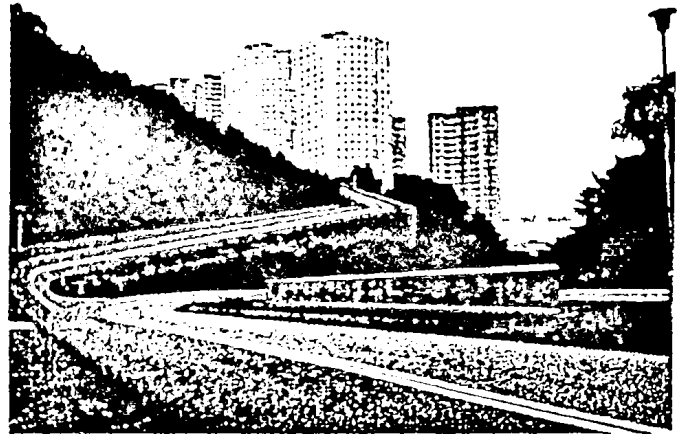


18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management 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

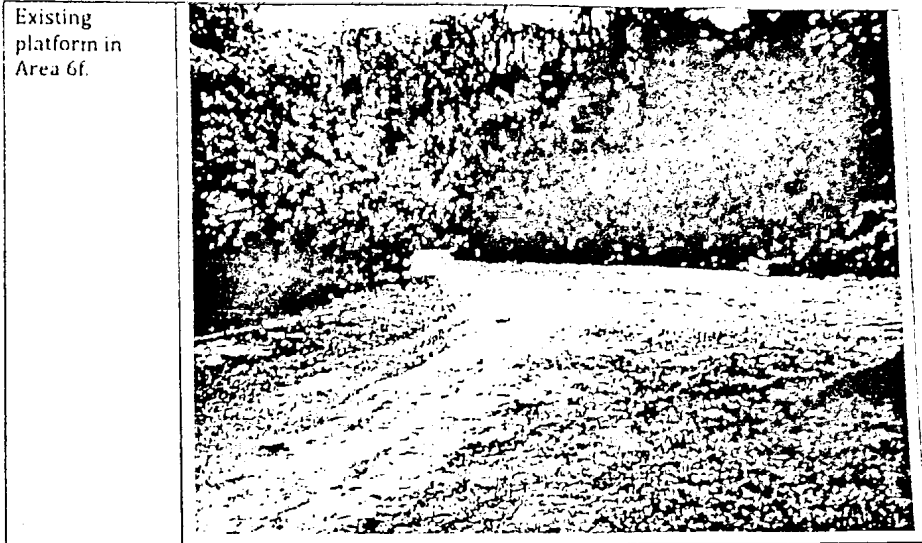
1. A serious omission from the application is that all other utilities have been overlooked, despite this Further Information stating that the provision of utilities is a key element for the development of Area 6f. These include electricity, LPG supply, telephone, TV and street lighting, as well as likely 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 2015. 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 5f. 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	
	- 其他 Other		
(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)		

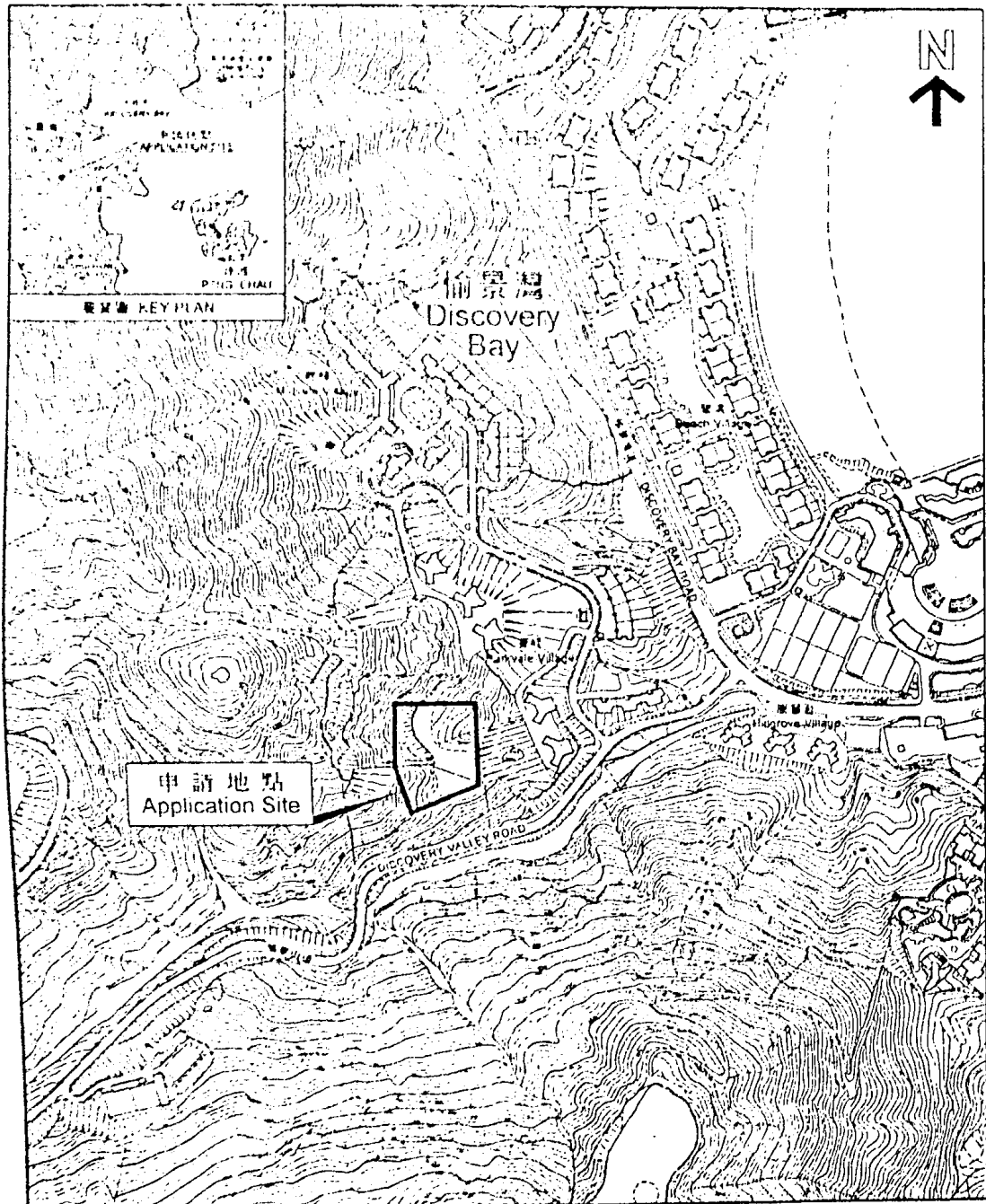
* 有關資料是為方便市民查閱而提供。對於所載資料在實用上的問題及不確定的歧義，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



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Y/I-DB/2



申請編號 Application No. : Y/L-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簡錄圖則。

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

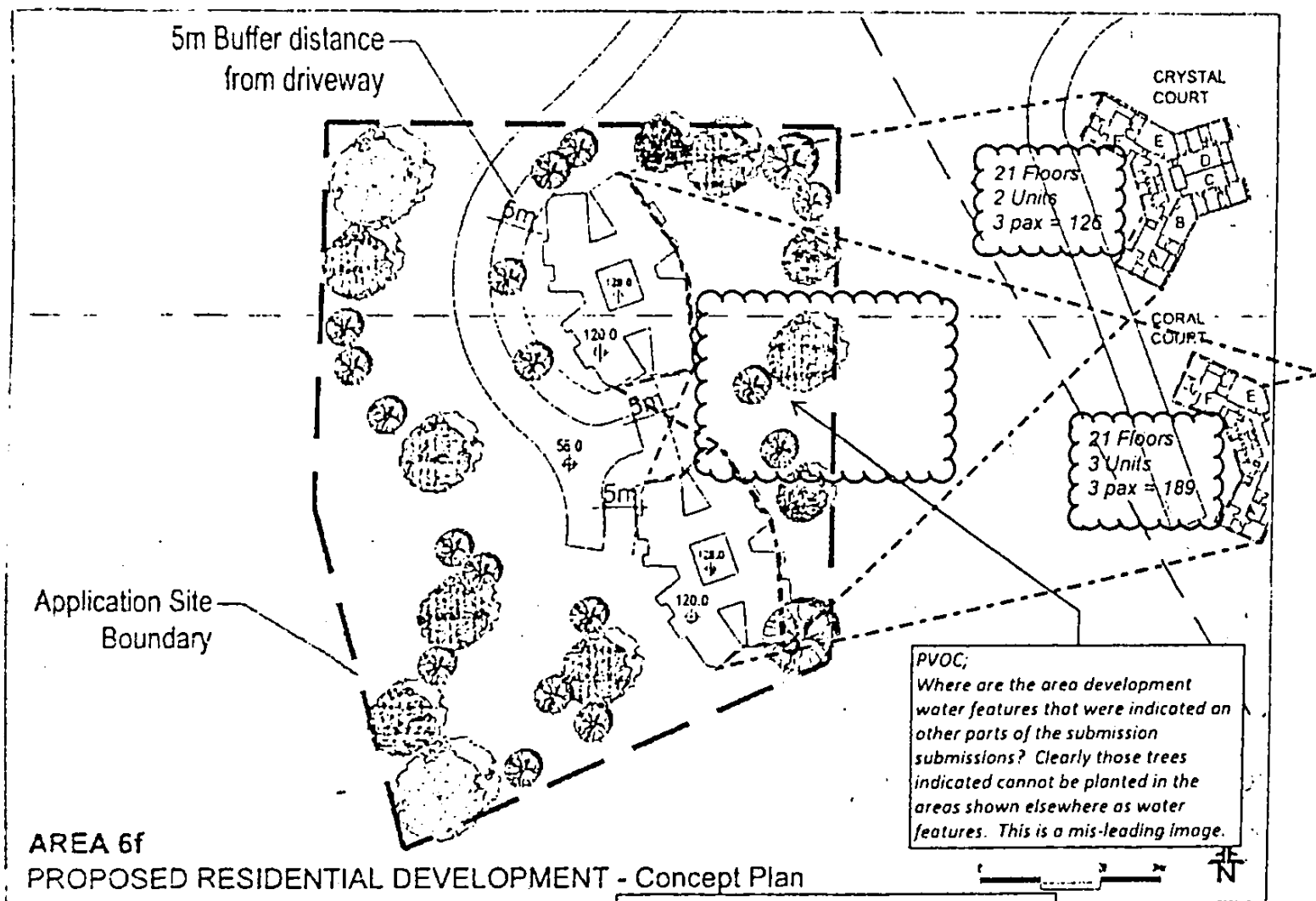
PVOC;
Please confirm where the responses are to the Residents / PVOC concerns as they do not appear to have been reviewed or addressed.

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。

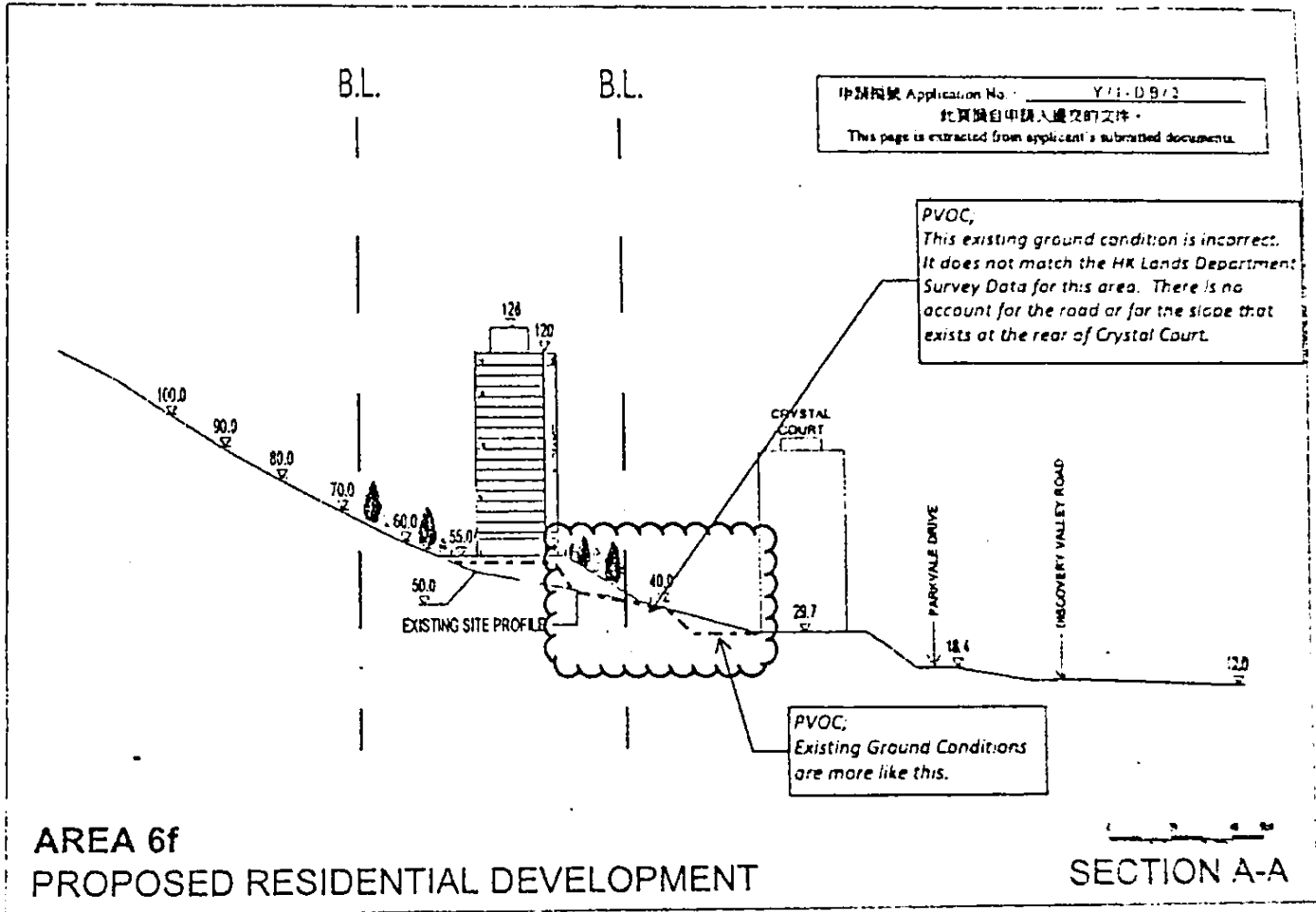
The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission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

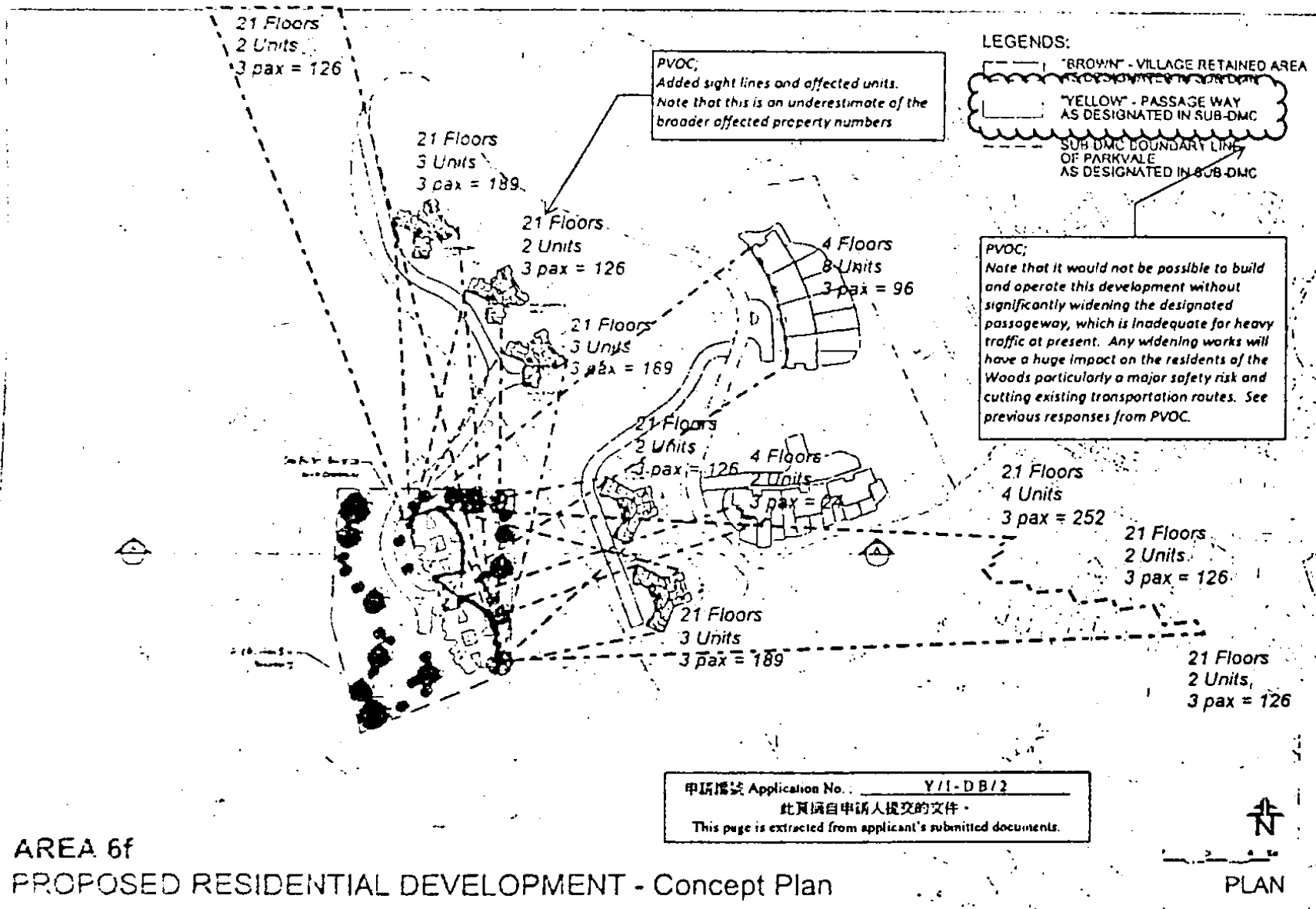


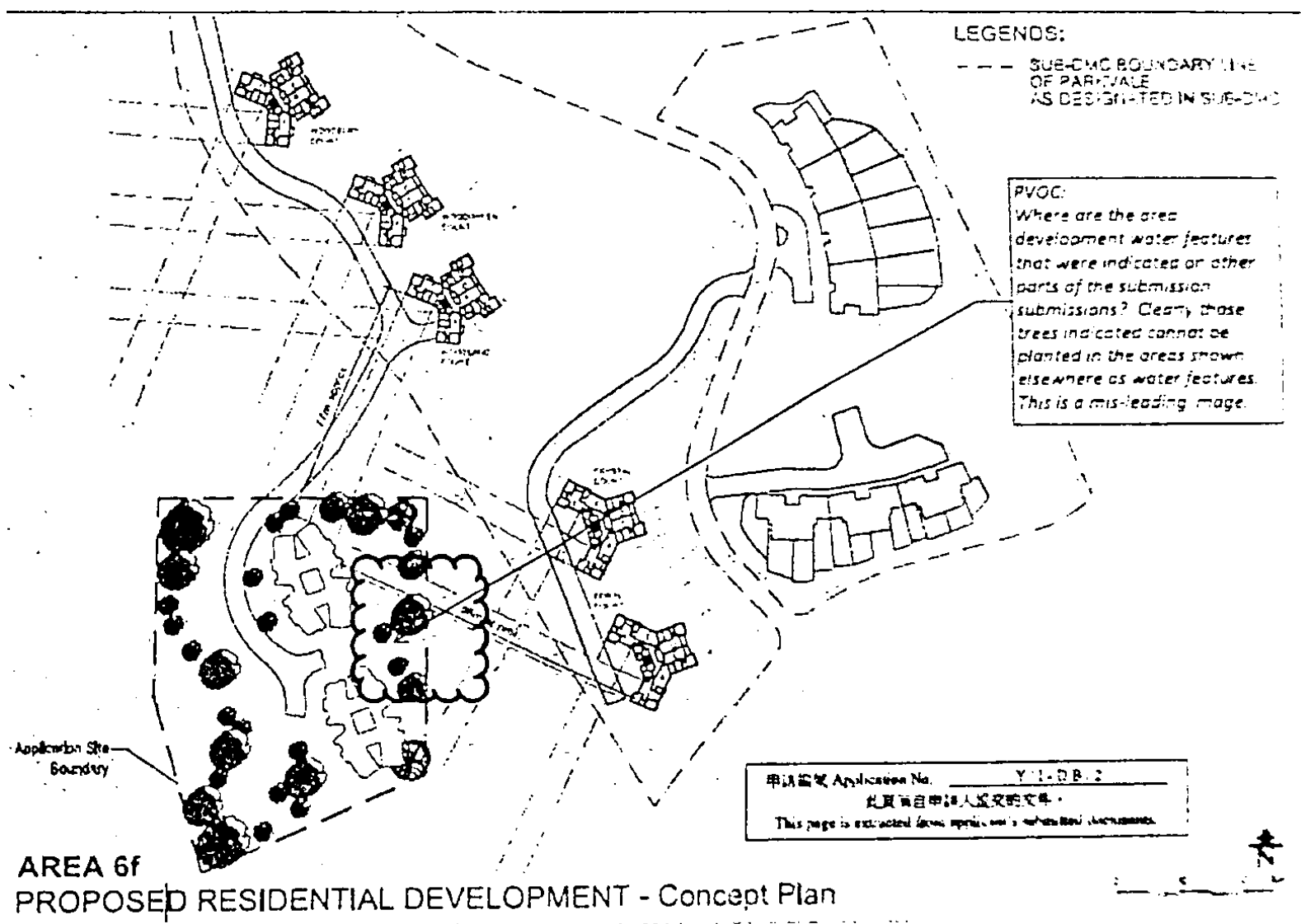
申請編號 Application No.: Y/1-DB/2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.





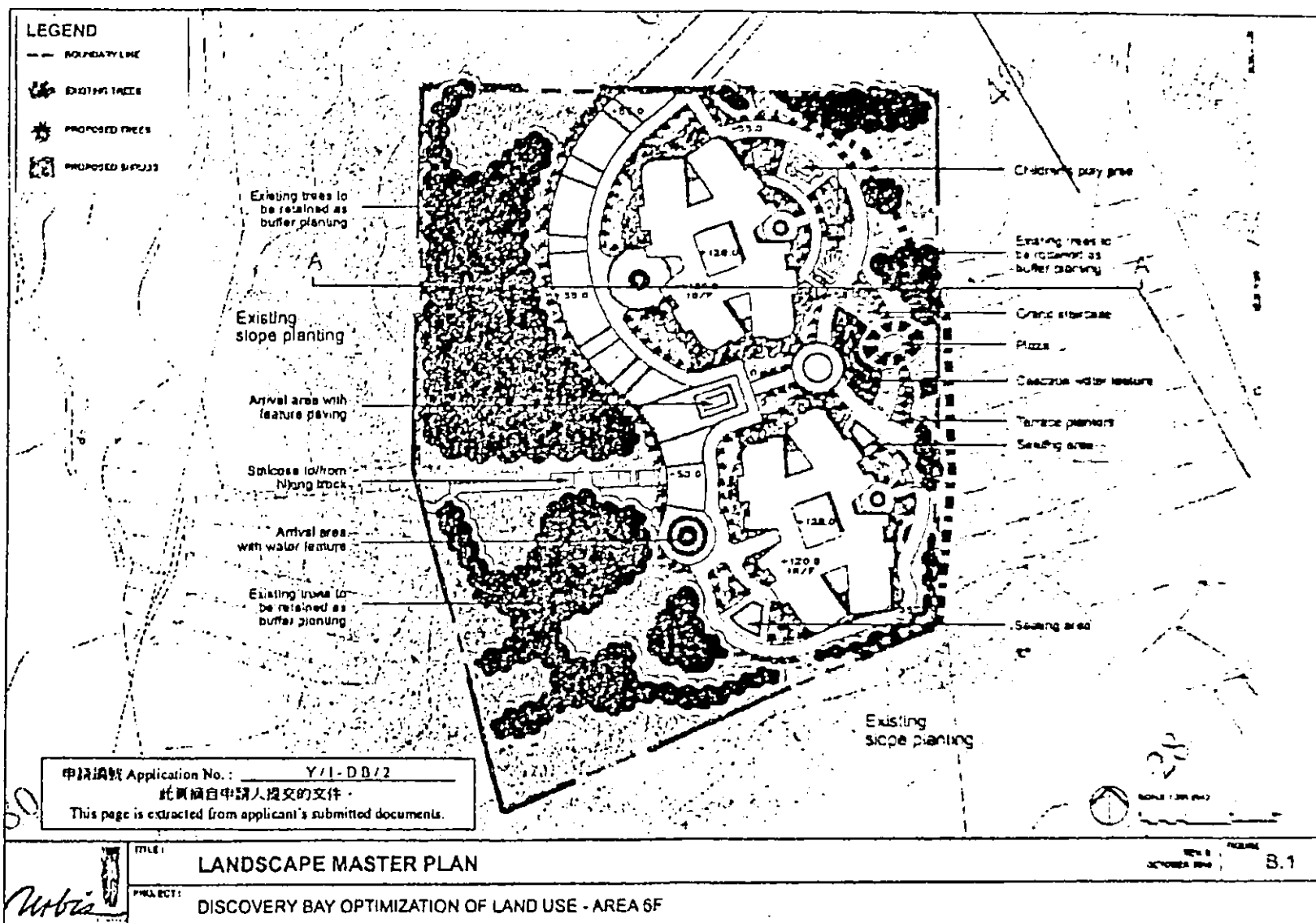


申請編號 Application No. Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents

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

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.

[illegible]



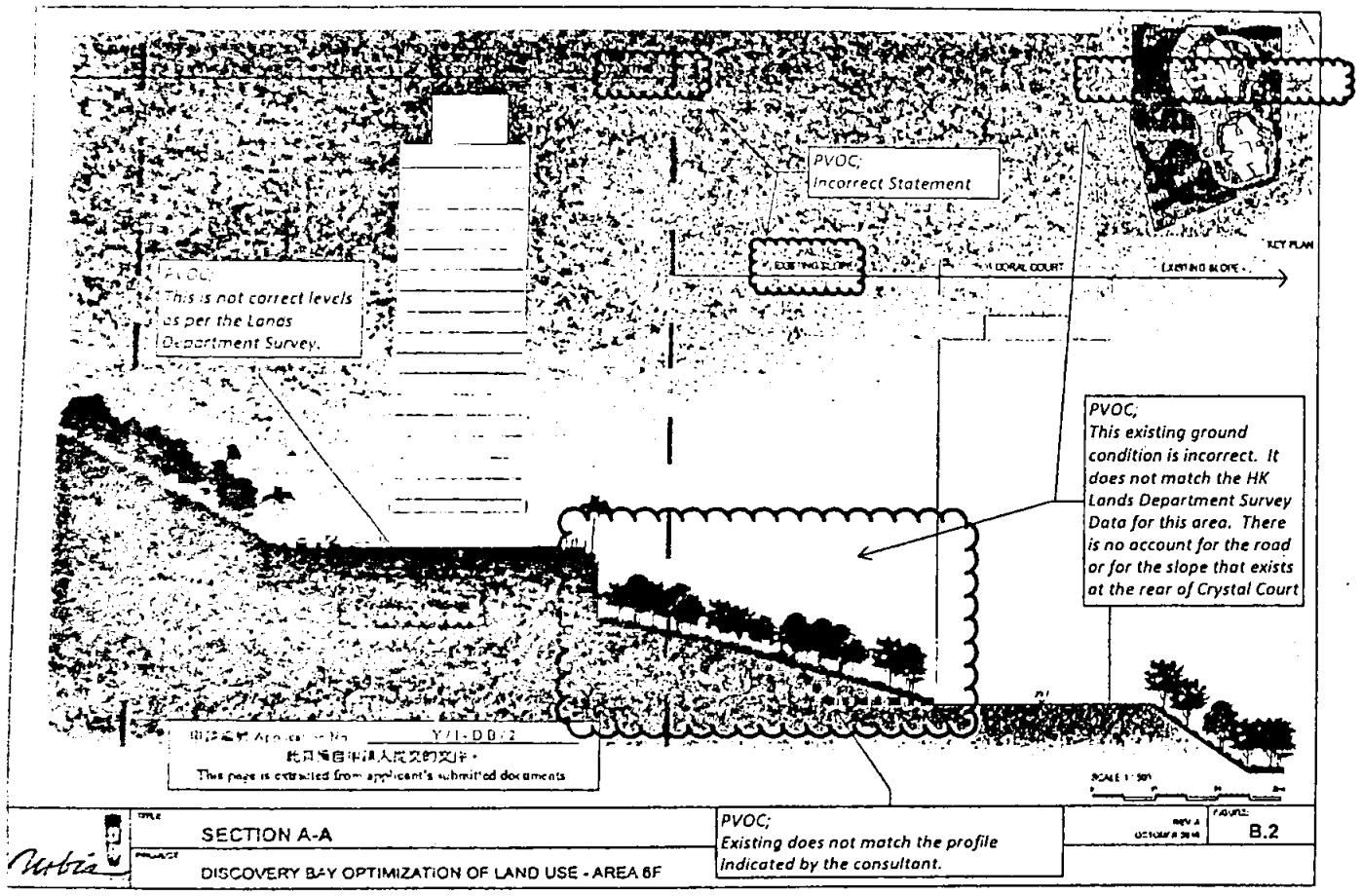
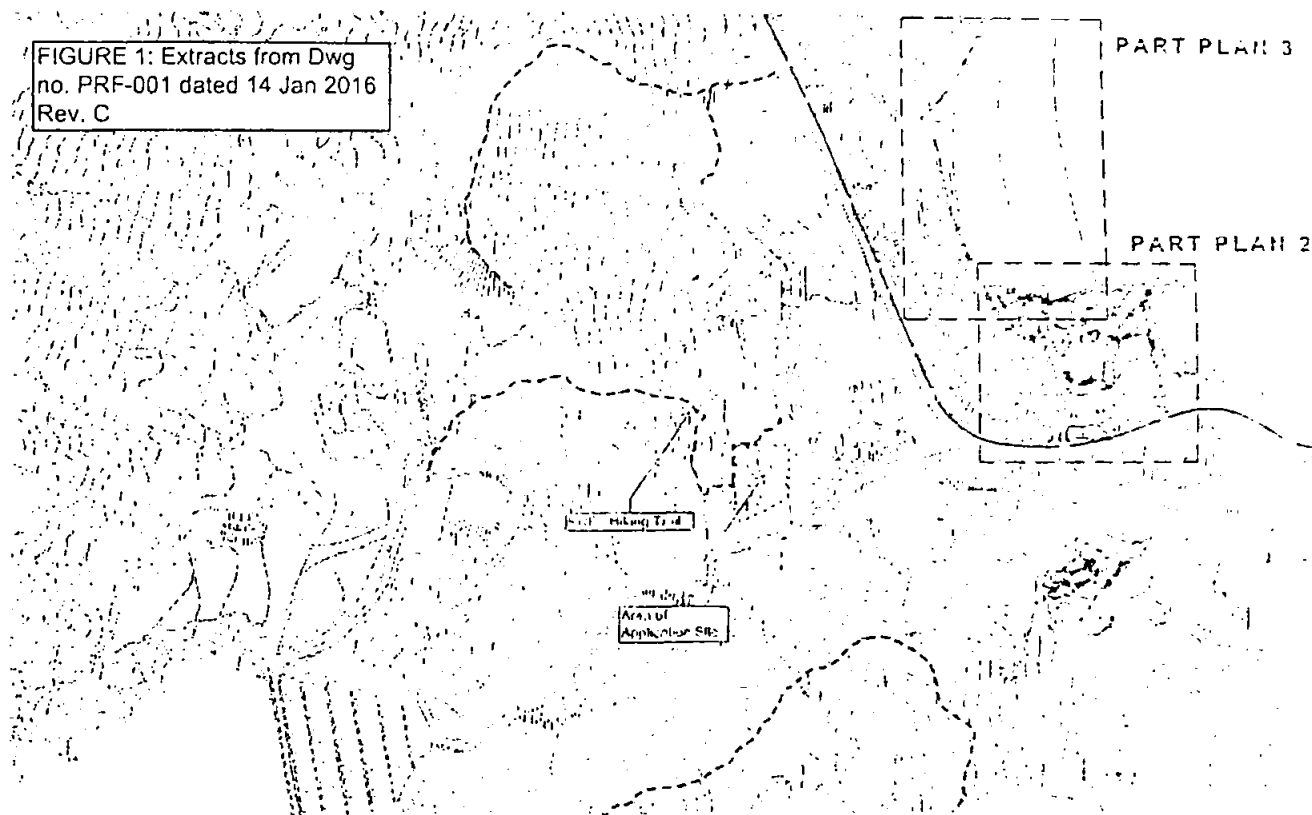
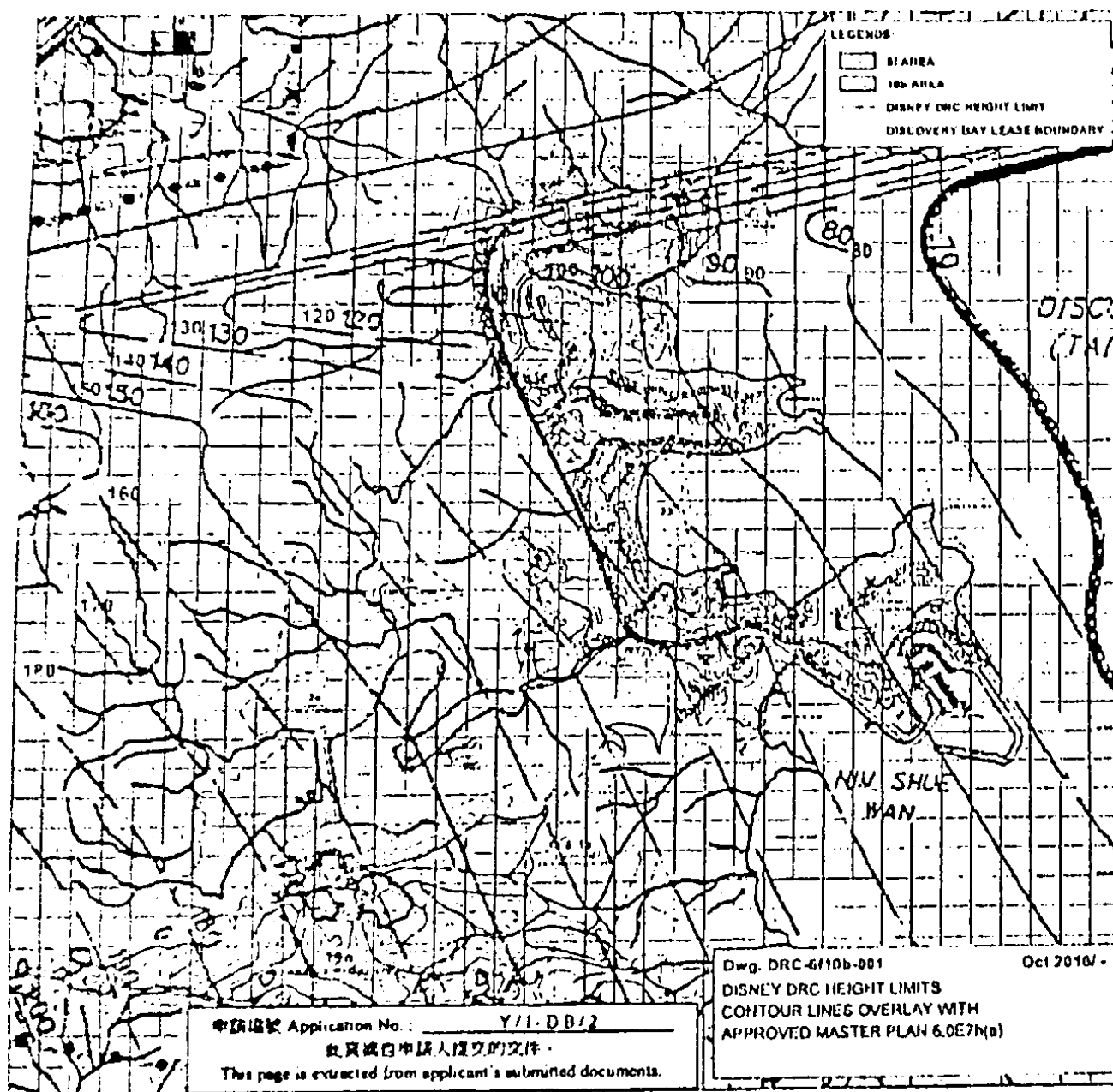


FIGURE 1: Extracts from Dwg
no. PRF-001 dated 14 Jan 2016
Rev. C



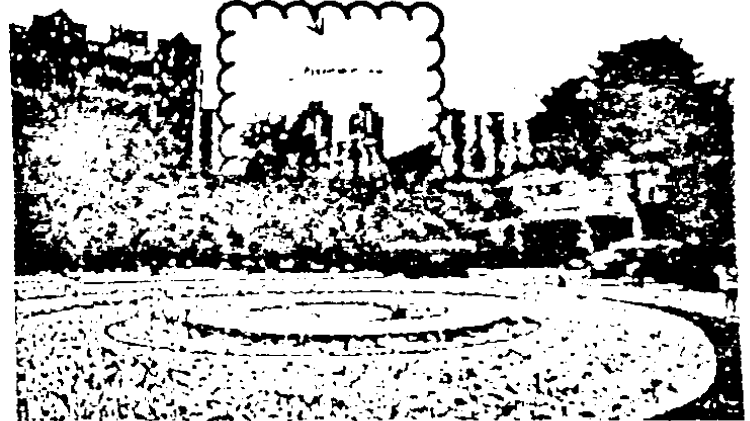
申請編號 Application No.: Y/1-DB/2
此頁摘自申請人提交的文件。
This page is extracted from applicant's submitted documents.



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

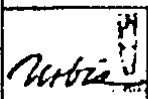


VP1 - View South-West towards Application Site from Discovery Bay Plaza (Existing Condition)



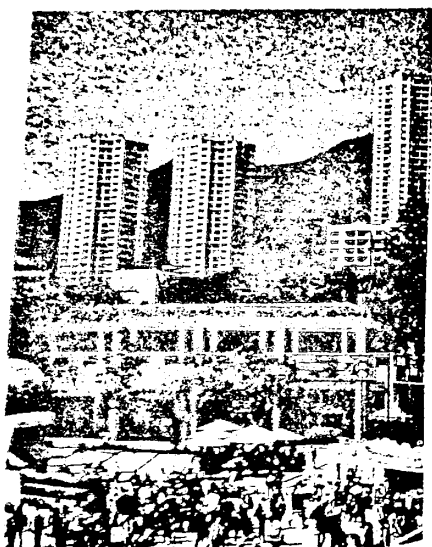
VP1 - View South-West towards Application Site from Discovery Bay Plaza with Proposed Development

申請編號 Application No. : Y/I-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
PROJECT
DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 8F

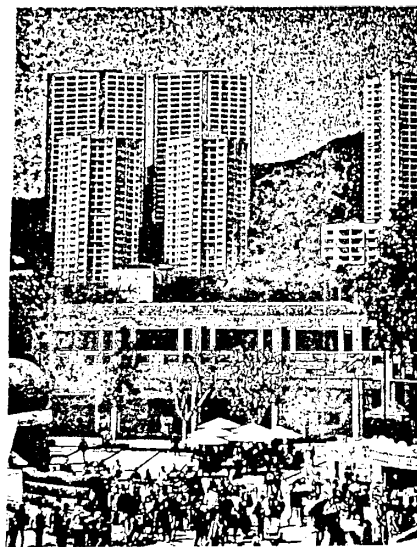
Page 99
B 9



BEFORE

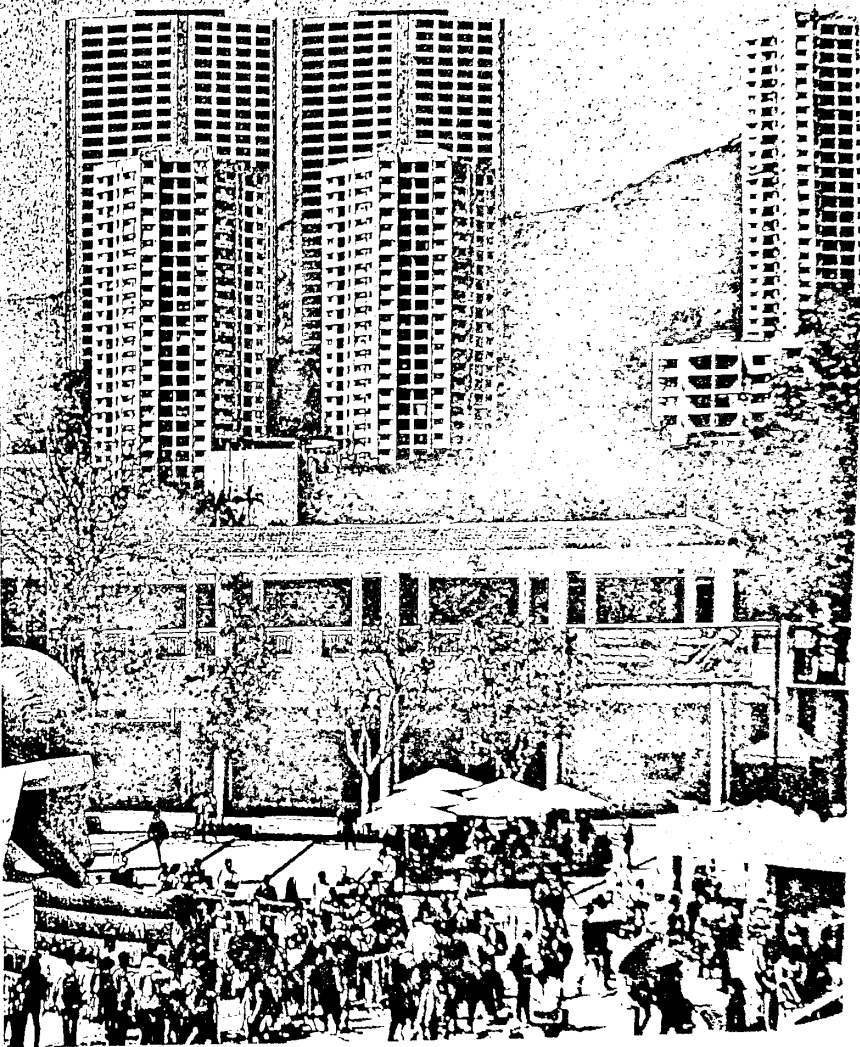
VOC comments on

HKRs of Planning Proposal



AFTER

Fig. 1.1 BEFORE & AFTER IMPRESSION FROM PLAZA



411.
 The following
 items are included
 in the list of
 items to be
 included in the



This is a photograph of the hillside at the base of the mountain.



This is a photograph of the hillside at the base of the mountain.

412. The following
 items are included
 in the list of
 items to be
 included in the

413. The following
 items are included
 in the list of
 items to be
 included in the



Fig. 1. View from the observation point towards the water and the hillside.



Fig. 2. View from the observation point towards the water and the hillside.

1. The first part of the photograph shows the water and the hillside. The second part shows the water and the hillside.

2. The first part of the photograph shows the water and the hillside. The second part shows the water and the hillside.

PHOTOGRAPH - 1912/1913, FROM 500 M

1912/1913

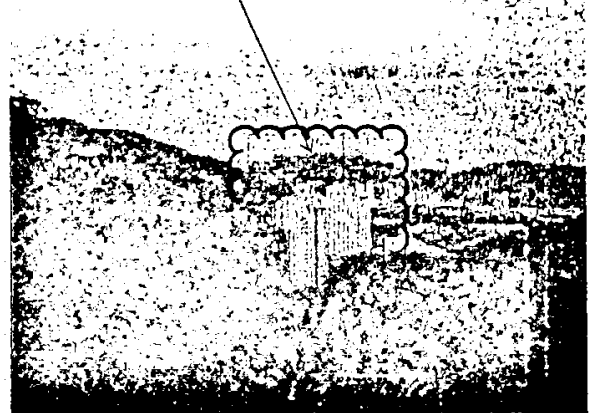
(Table) 1. The first part of the photograph shows the water and the hillside. The second part shows the water and the hillside.

PHOTOGRAPH - 1912/1913, FROM 500 M
1912/1913
The page is numbered with the number of the photograph.

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 Conditions)



VP8: View north towards Application Site from Hiking Trail South of the Dam 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.



VOC comments on
HKRs 6f Planning Proposal

Fig. 1.2.1 AFTER IMPRESSION FROM DISCOVERY BAY VALLEY ROAD



PVOC;

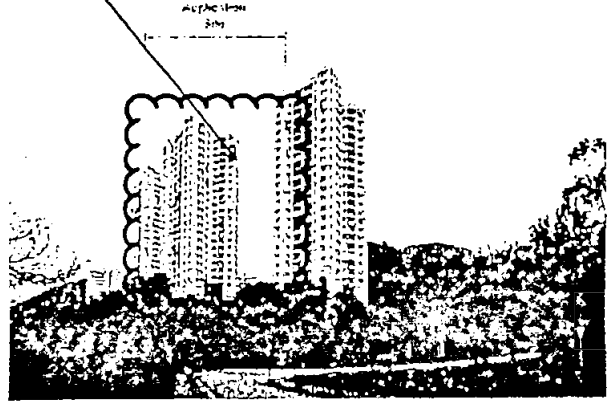
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

Notice

PHOTOMONTAGE - VP15 (VSR T3) FROM MIDDLE LANE
DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F

OCTOBER 2016

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。

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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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5296



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

4/1-13/12

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

P.O.C. Comments submitted in April and July have either been ignored or inadequately addressed. Therefore the P.O.C. has prepared its further comments in the attached document. We believe that these concerns demonstrate that the TPB has no alternative but to reject HKR's application to change the use of Area 6 from that of 110,000 m² GFA 3 storey building to two 18 storey buildings including 476 flats, of 21,600 m² GFA.

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/tph/)。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/tph/). 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.

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

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

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

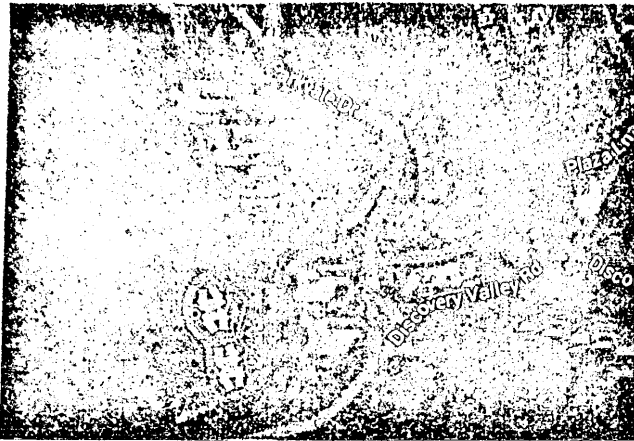
HKR is trying to undermine the public consultation exercise. The Lands Department should have HKR's claim to be the sole owner of Area 6f reviewed by independent lawyers and the Legal Services Department. It would be totally wrong for the Lands Department to accept HKR's and its lawyers' claim at face 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.

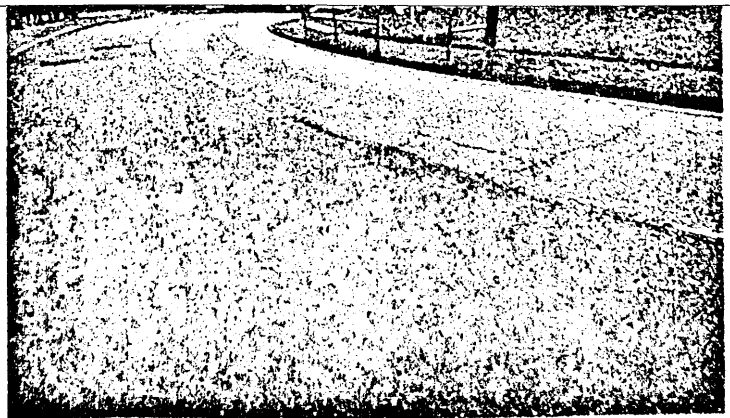
Aerial image of existing Parkvale Village with imposed Gf Development



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.

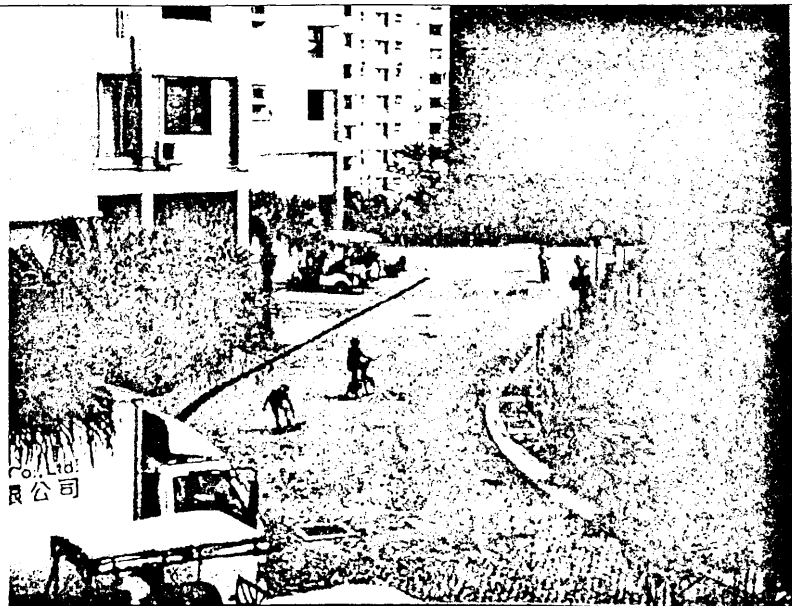
Settlement cracking evident in asphalt surface on Section 2 of Parkvale Drive.



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.

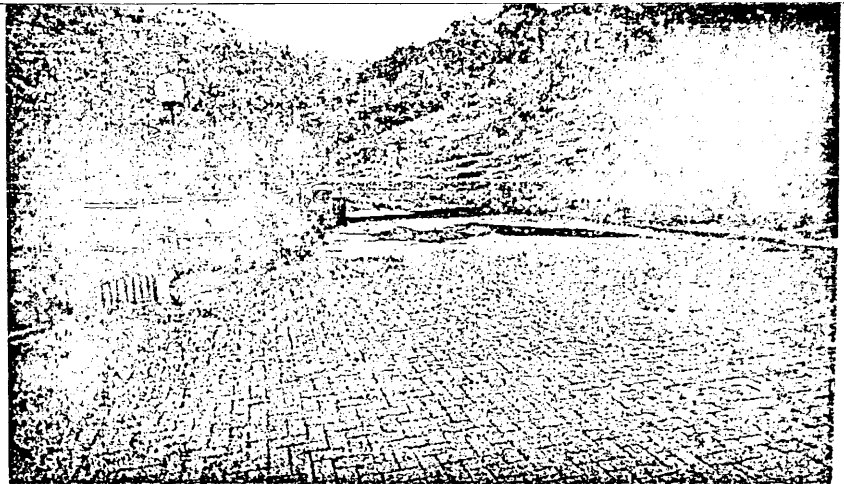


5. We noted in our previous comments that Parkvale Drive is totally unsuited as a means of access to Area 6f due to concerns regarding its state of repair and its width constraints and due to emergency vehicle access and safety concerns.

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, or 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.

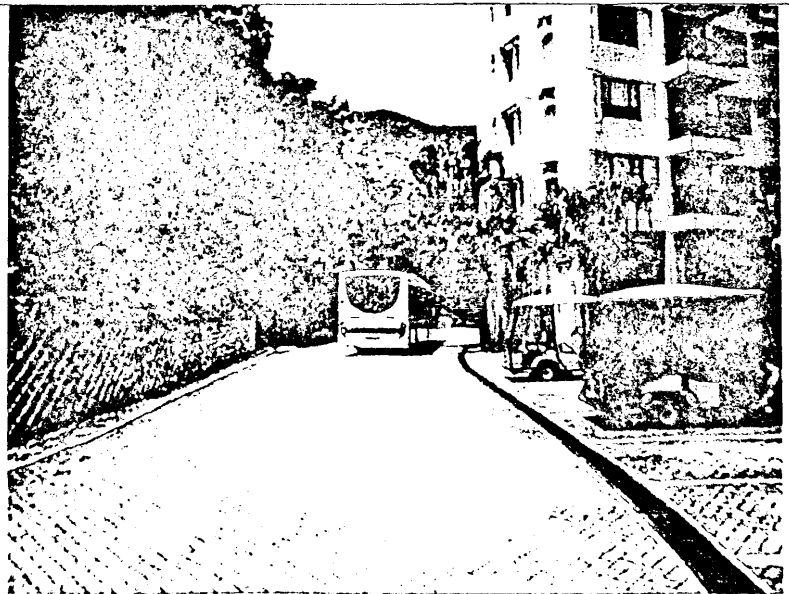
The view
looking up the
hill, illustrating
the difficulty
large vehicles
have in passing
one another.



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.

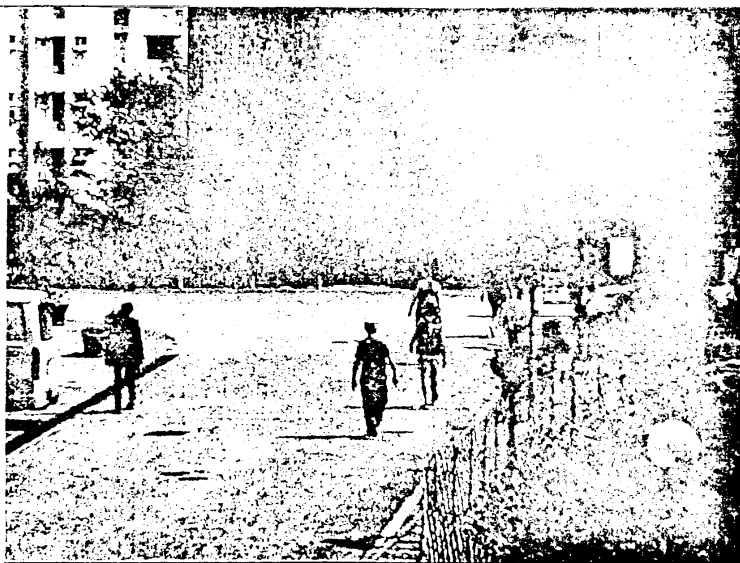


13. The considerable construction traffic will significantly exacerbate these problems, especially when a construction vehicle and a bus, or when two construction vehicles, are travelling in opposite directions along Parkvale Drive.

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.

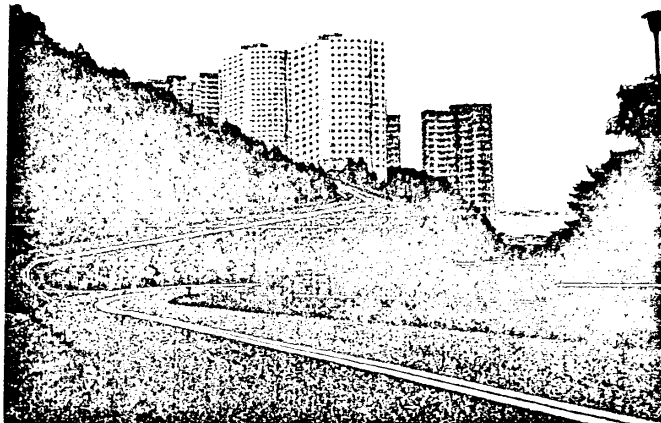


18. **Alternative Access to Area 6f** - After the proposed development of Area 6f was made known, a member of the Parkvale Village VOC proposed an alternative access to Area 6f from Discovery Valley Road. At a meeting of the Owners of Parkvale Village in March 2016 an employee of DB Services Management 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 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 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

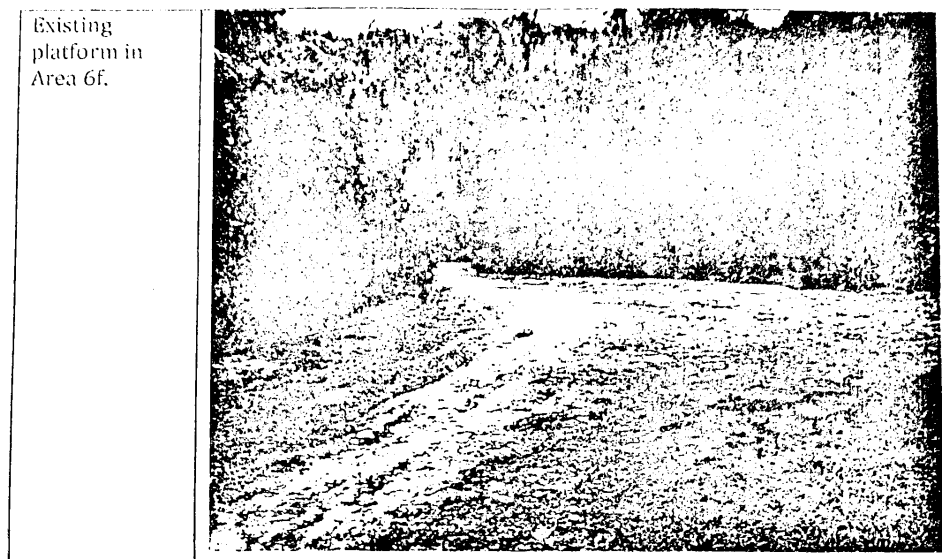
1. HKR's application and Further Information blatantly attempt to give the impression that there are two options available regarding the supply of potable water. As previously pointed out, potable water will be **not** supplied from the Siu Ho Wan Water Treatment Works (SHWWTW) and the SHW Fresh Water 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

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



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 is to be proposed at the City Owners' Committee (COC): *"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

- 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

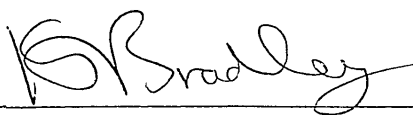
We (the Parkvale Village Owners Committee representing the Owners of Parkvale Village, which is adjacent to Area 6f and through which all traffic to Area 6f would pass) continue to be surprised and disappointed that **no Government Department, nor HKR, appears to have considered the adverse impact of 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.

D

D

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

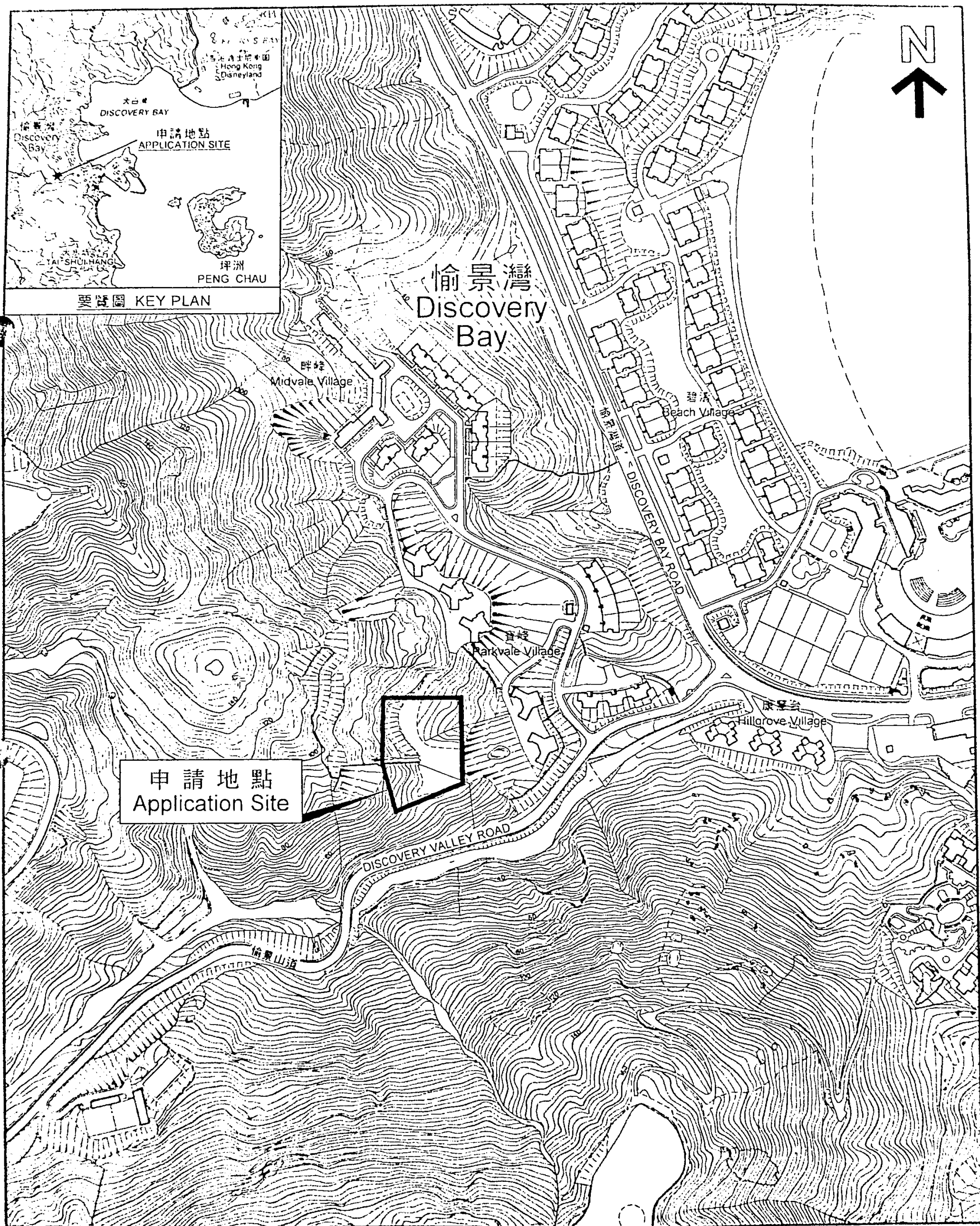
Revised broad development parameters in view of
the further information received on 27.10.2016

(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(S)」 "Other Specified Uses" annotated "Staff Quarters (S)"		
(f) 擬議修訂 Proposed Amendment(s)	把「其他指定用途」註明「員工宿舍(S)」地帶改劃為「住宅(丙類)12」地帶 To rezone the application site from "Other Specified Uses" annotated "Staff Quarters (S)" 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大眾參考而提供。對於內載任何可能適用的有關建築工程的政策，或

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



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。

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.

5m Buffer distance
from driveway

CRYSTAL
COURT

21 Floors
2 Units
3 pax = 126

CORAL
COURT

21 Floors
3 Units
3 pax = 189

Application Site
Boundary

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-reading of plans

AREA 6f

PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan

申請編號 Application No. Y-1-DB-2

此圖為申請人提交之圖

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B.L.

B.L.

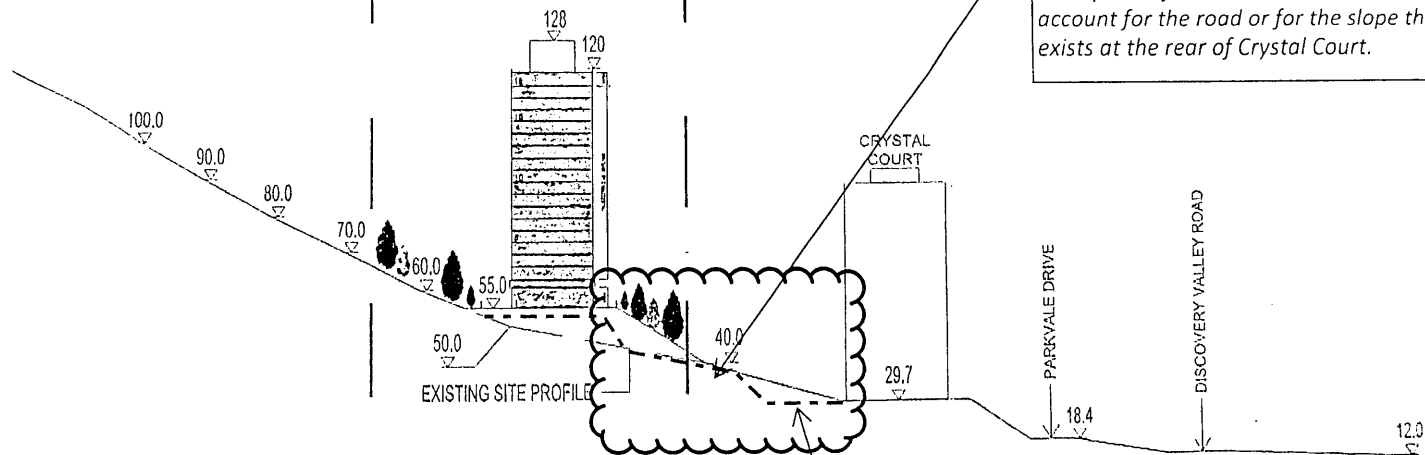
申請編號 Application No. : Y / 1 - D B / 2

此頁摘自申請人提交的文件。

This page is extracted from applicant's submitted documents.

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

0 20 40 50
SECTION A-A

21 Floors
2 Units
3 pax = 126

21 Floors
3 Units
3 pax = 189

21 Floors
2 Units
3 pax = 126

21 Floors
3 Units
3 pax = 189

21 Floors
2 Units
3 pax = 126

4 Floors
2 Units
3 pax = 24

21 Floors
4 Units
3 pax = 252

21 Floors
2 Units
3 pax = 126

21 Floors
3 Units
3 pax = 189

21 Floors
2 Units
3 pax = 126

PVOC;
Added sight lines and affected units.
Note that this is an underestimate of the broader affected property numbers.

LEGENDS:

"BROWN" - VILLAGE RETAINED ARE
"YELLOW" - PASSAGE WAY
AS DESIGNATED IN SUB-DMC
SUB-DMC BOUNDARY LINE
OF PARKVALE
AS DESIGNATED IN SUB-DMC

PVOC;
Note that it would not be possible to build and operate this development without significantly widening the designated passageway, which is inadequate for heavy traffic at present. Any widening works will have a huge impact on the residents of the Woods particularly a major safety risk and cutting existing transportation routes. See previous responses from PVOC.

5m Buffer distance from driveway

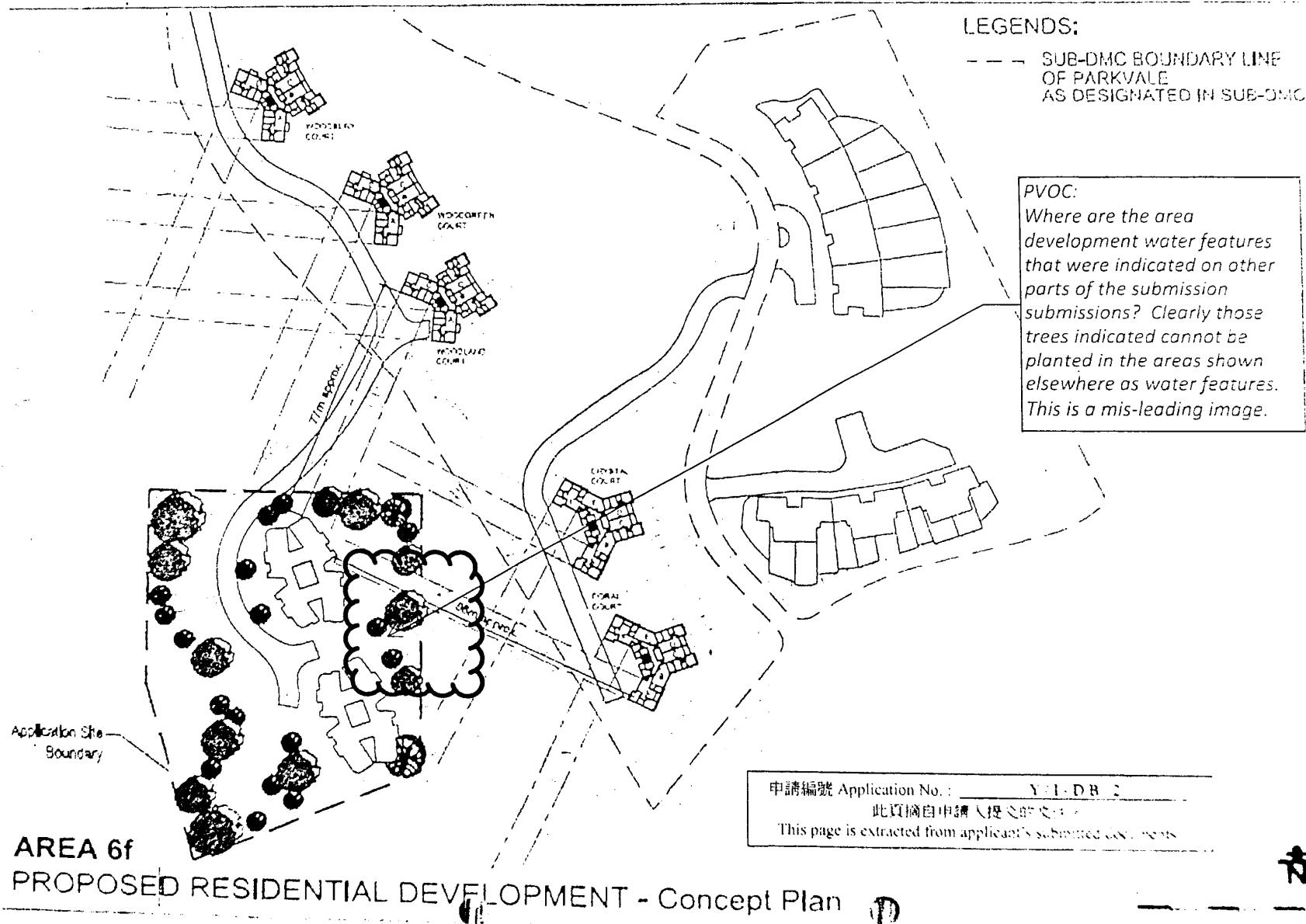
Application Site Boundary

申請編號 Application No. : Y/I-DB/2
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PLAN

AREA 6f
PROPOSED RESIDENTIAL DEVELOPMENT - Concept Plan



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.

NORTH



KEY PLAN

LEGEND

- EXISTING TREE GROUPS TO BE MAINTAINED
- EXISTING TREE GROUPS TO BE FELLED
- EXISTING TREE TO BE FELLED
- PROPOSED DEVELOPMENT LAYOUT

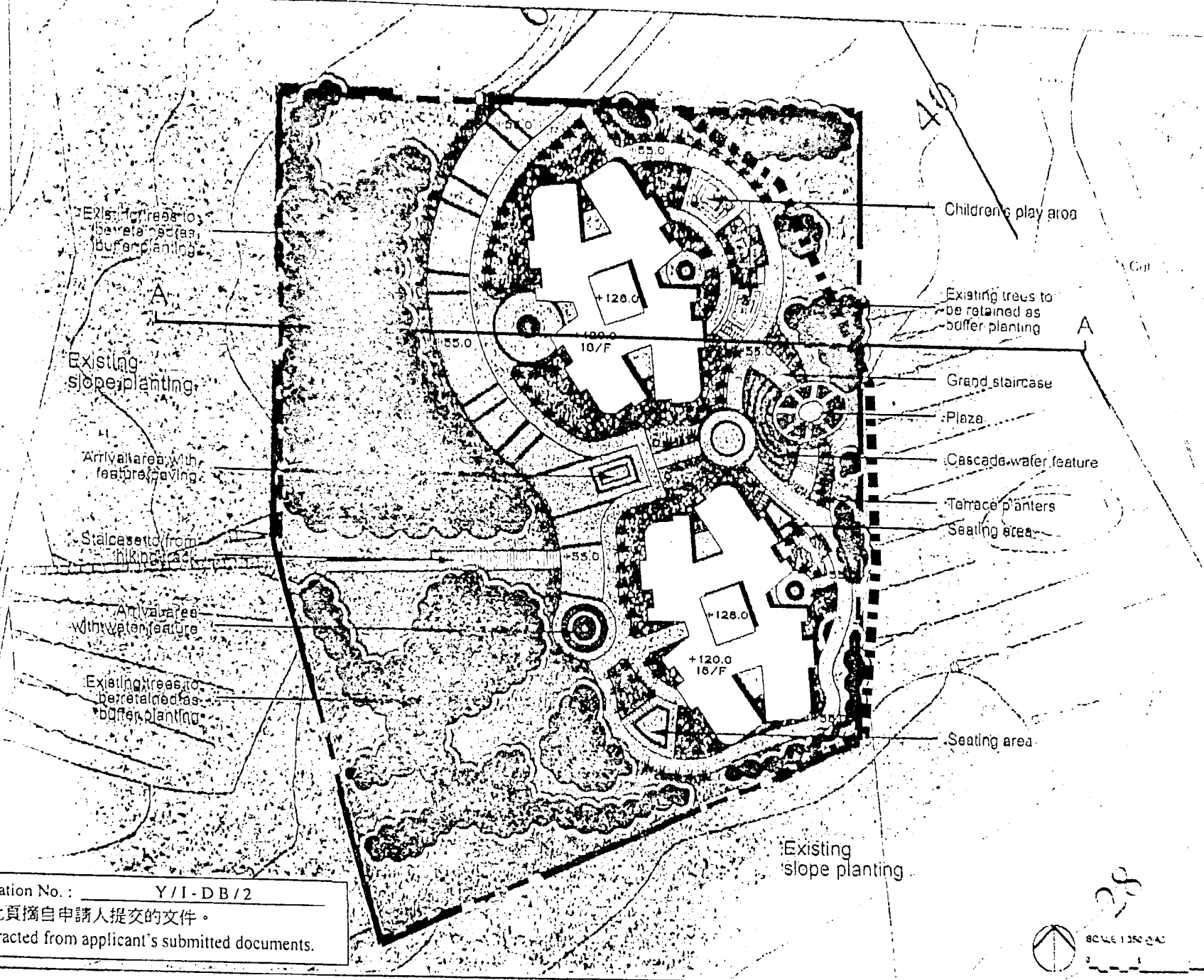
PVOC:
Approximate Location of Retaining Wall? The excavation for construction will remove those highlighted trees.

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.

			Job Title			Drawing No		
			DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 6F			PT30/6F/P/TS02		
			Drawing Title			Scale		
			TREE TREATMENT PLAN			1:1000 (A3)		
A	2016-07-28	GENERAL REVISION	EI	OK	TD			
Revision	Date	Description	Drawn by	Checked by	Approved by			
						NOV 2016	JOB No.	PT30

LEGEND

- BOUNDARY LINE
- EXISTING TREES
- PROPOSED TREES
- PROPOSED SHRUBS



申請編號 Application No. : Y/I-DB/2

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TITLE:

LANDSCAPE MASTER PLAN

PROJECT:

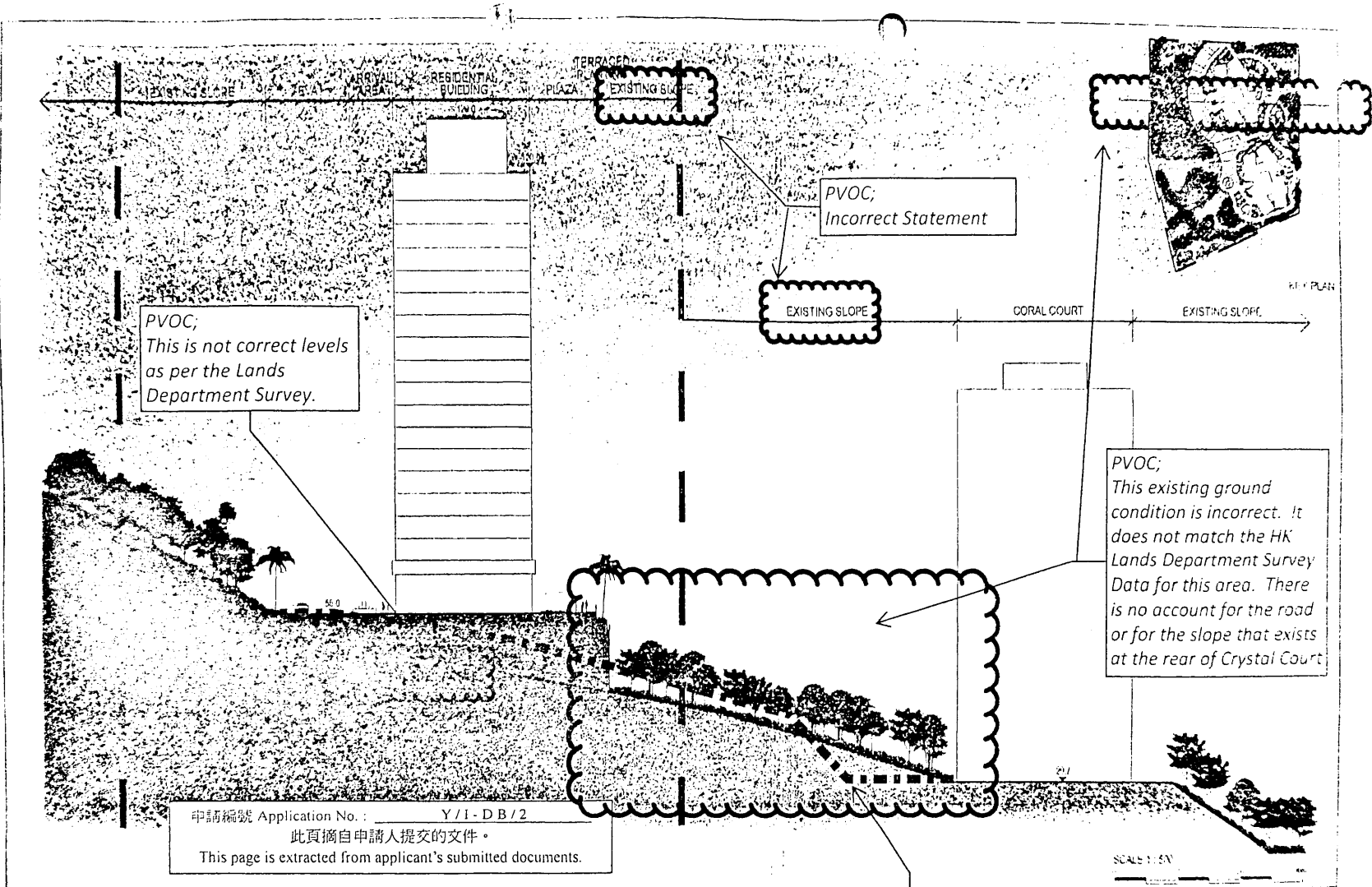
DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

SCALE 1:500

REV. 8
OCTOBER 2018

FIGURE

B.1



申請編號 Application No. : Y/I - DB/2

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TITLE

SECTION A-A

PROJECT

DISCOVERY BAY OPTIMIZATION OF LAND USE - AREA 6F

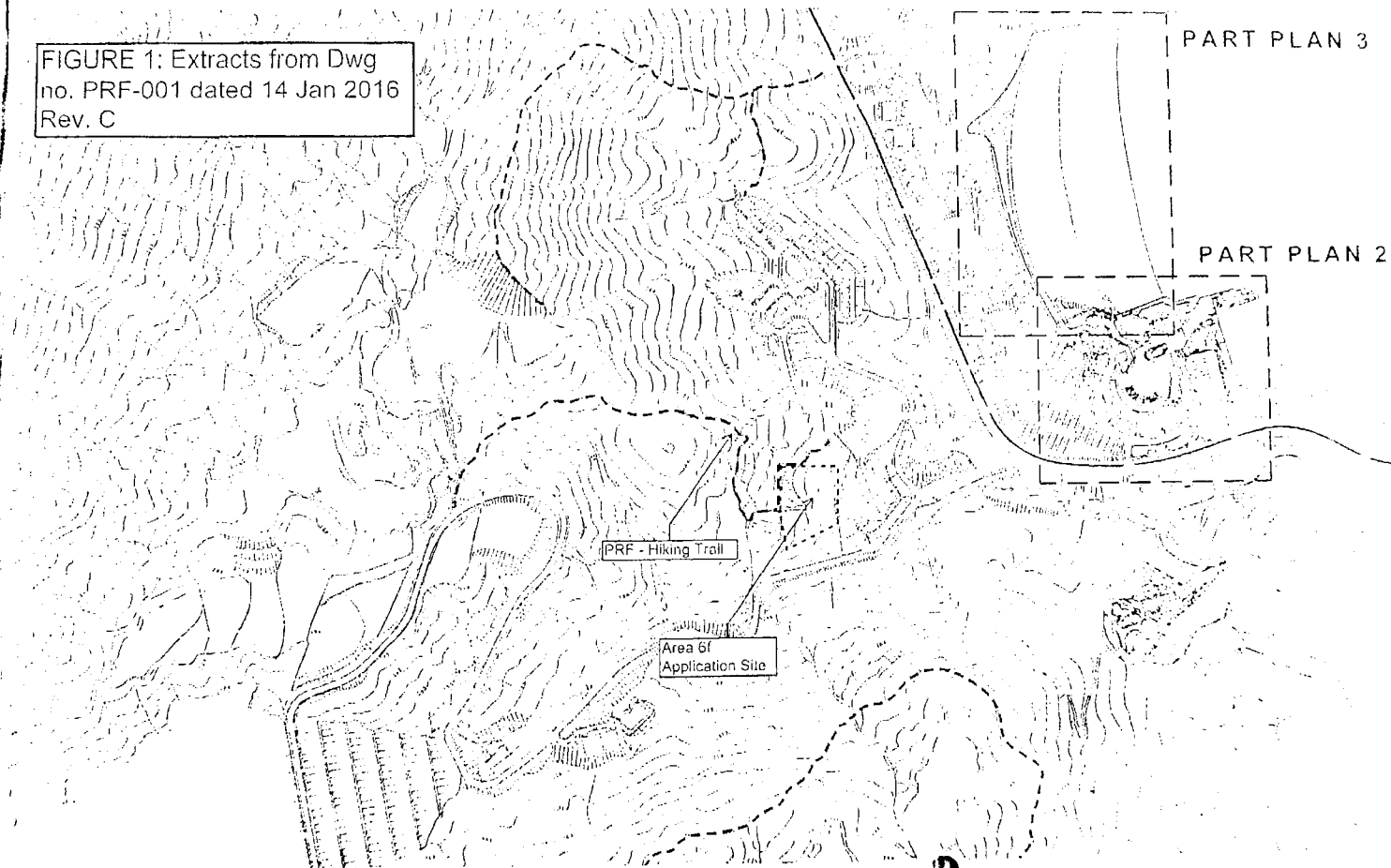
PVOC;

Existing does not match the profile
indicated by the consultant.

FIG. A
OPTION 2001

B.2

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



申請編號 Application No. : Y/I-D B/2

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申請編號 Application No. : Y/1-DB/2

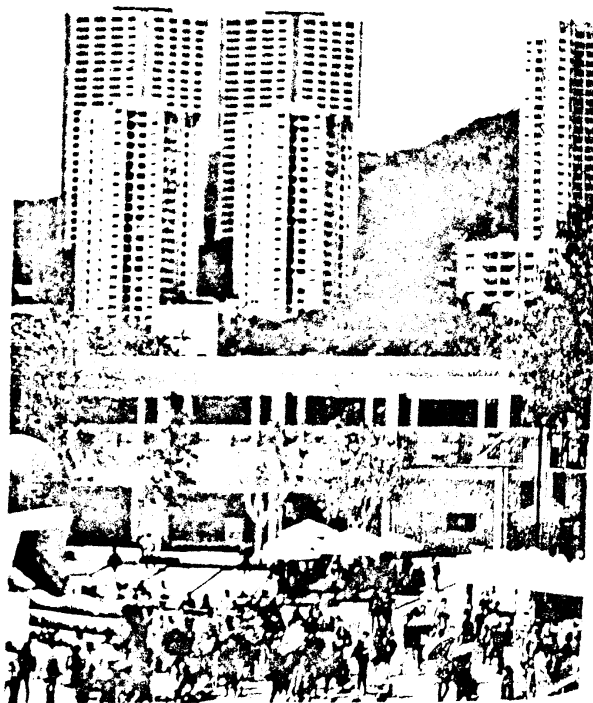
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This page is extracted from applicant's submitted documents.

Dwg. DRC-6f110b-001

Oct 2015

DISNEY DRC HEIGHT LIMITS
CONTOUR LINES OVERLAY WITH
APPROVED MASTER PLAN S.O.C. (a)



comments on

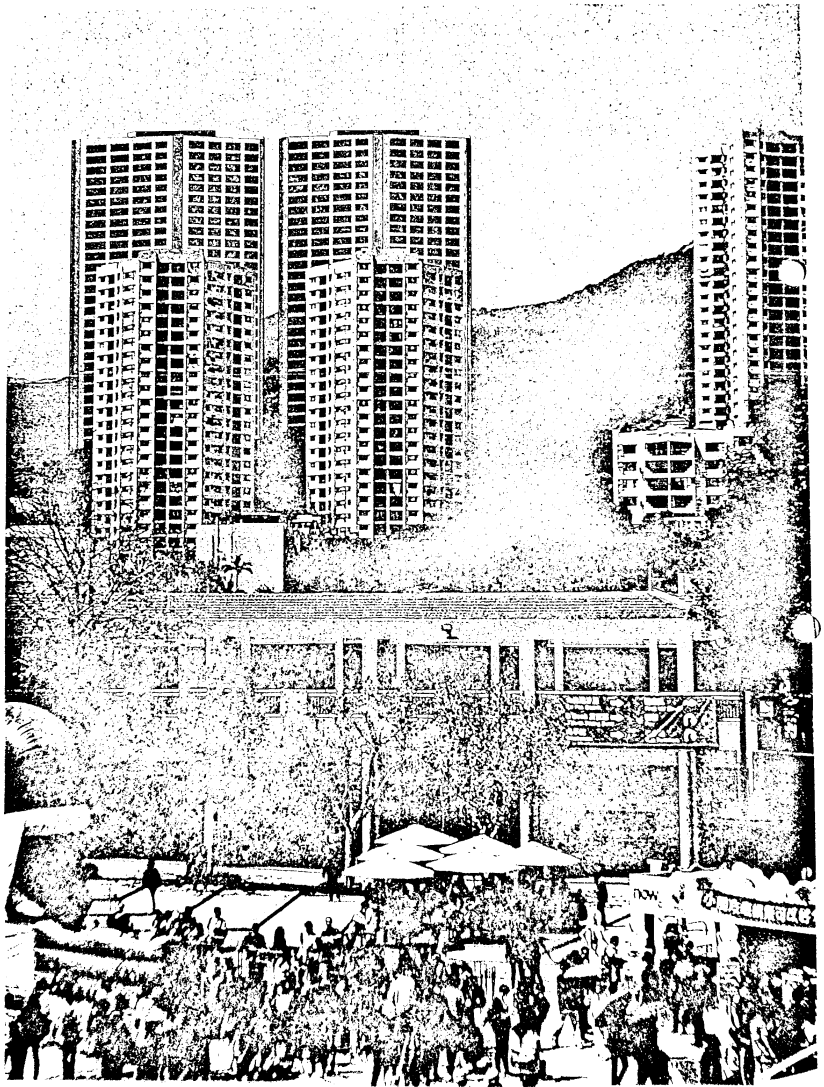
AFTER

Planning Proposal

AFTER IMPRESSION FROM PLAZA

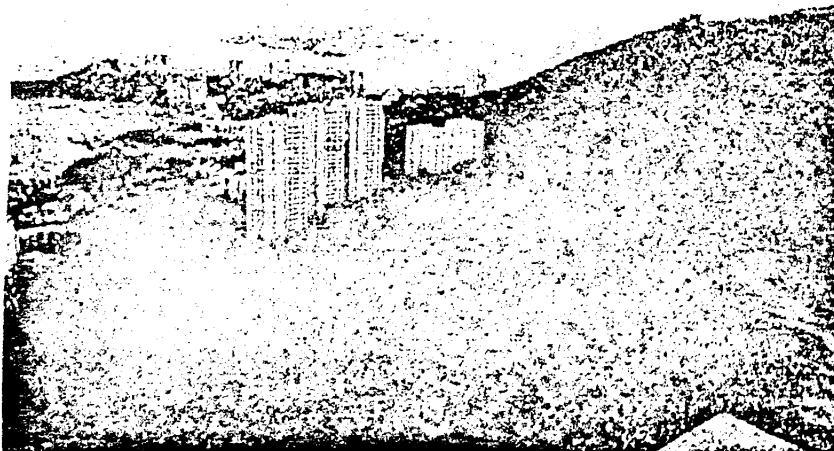
VOC comments on
HKRs 6f Planning Proposal

Fig. 1.1.1.1 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)

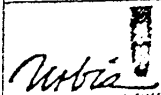


VP5: View South-East towards Application Site from Lo Fu Tau Pergola/Lookout with Proposed Development

申請編號 Application No. : Y/I-DB/2

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TITLE

PHOTOMONTAGE - VP5 (VSR REC4) FROM LO FU TAU PERGOLA/LOOKOUT

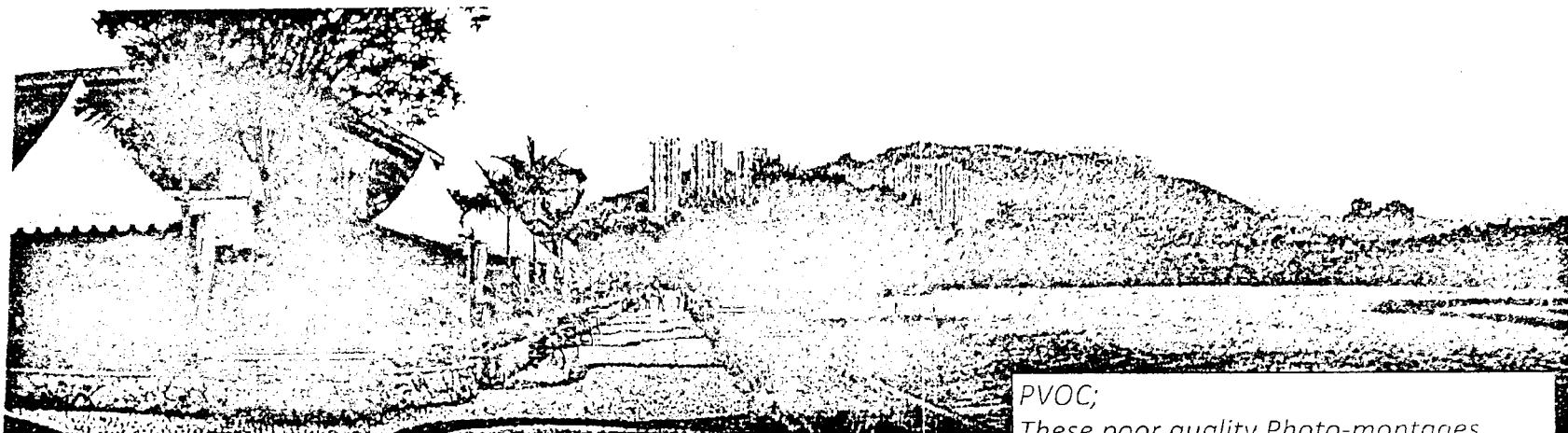
PROJECT

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

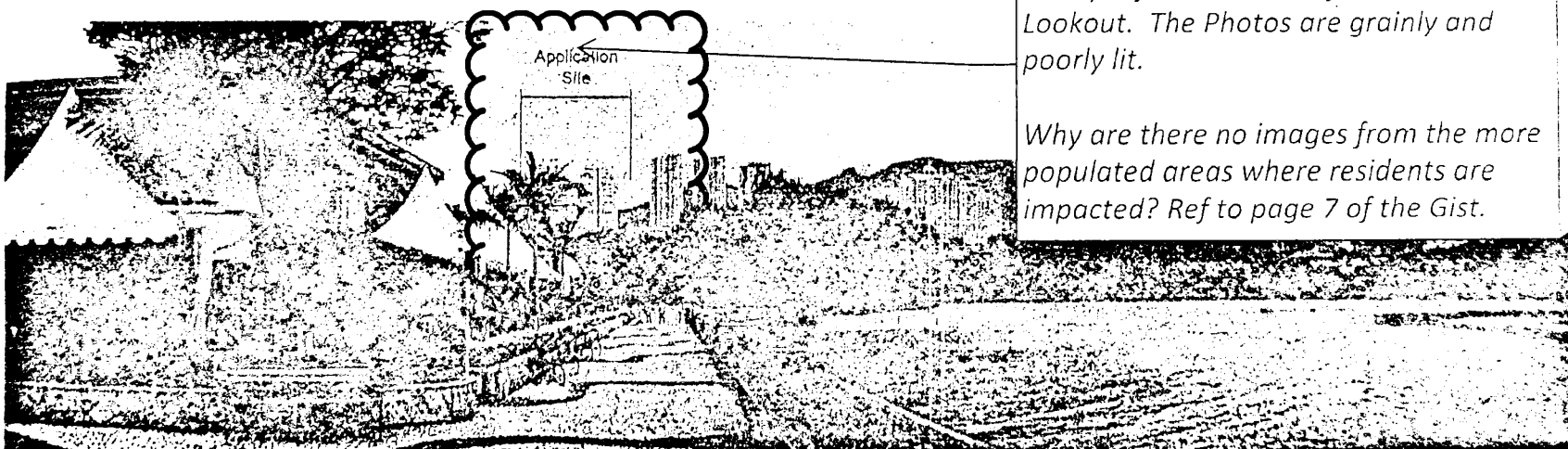
OCTOBER 2016

FIGURE

B.10



VP12. View West towards Application Site from D-Deck (Existing Condition)

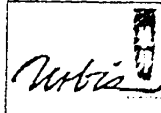


VP12. View West towards Application Site from D-Deck with Proposed Development

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

PROJECT

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

OCTOBER 2010

ANNEX

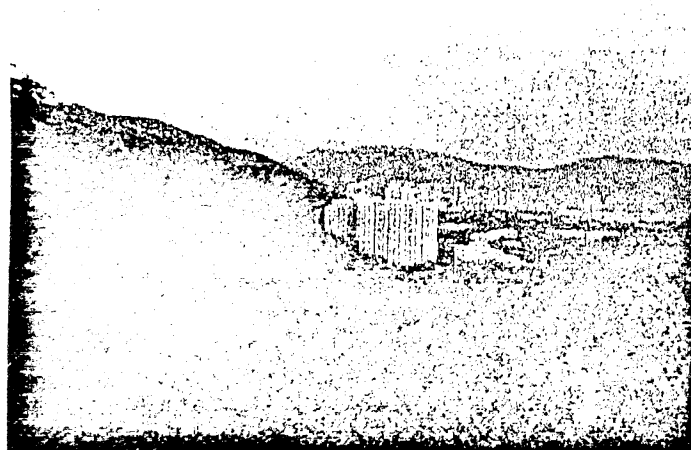
B.14

申請編號 Application No. : Y/1-DB/2

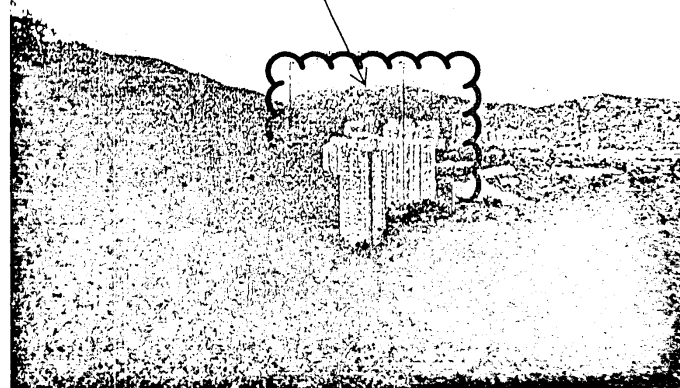
此頁摘自申請人提交的文件。

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 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

此頁摘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

OCTOBER 2010

SHEET

B.12

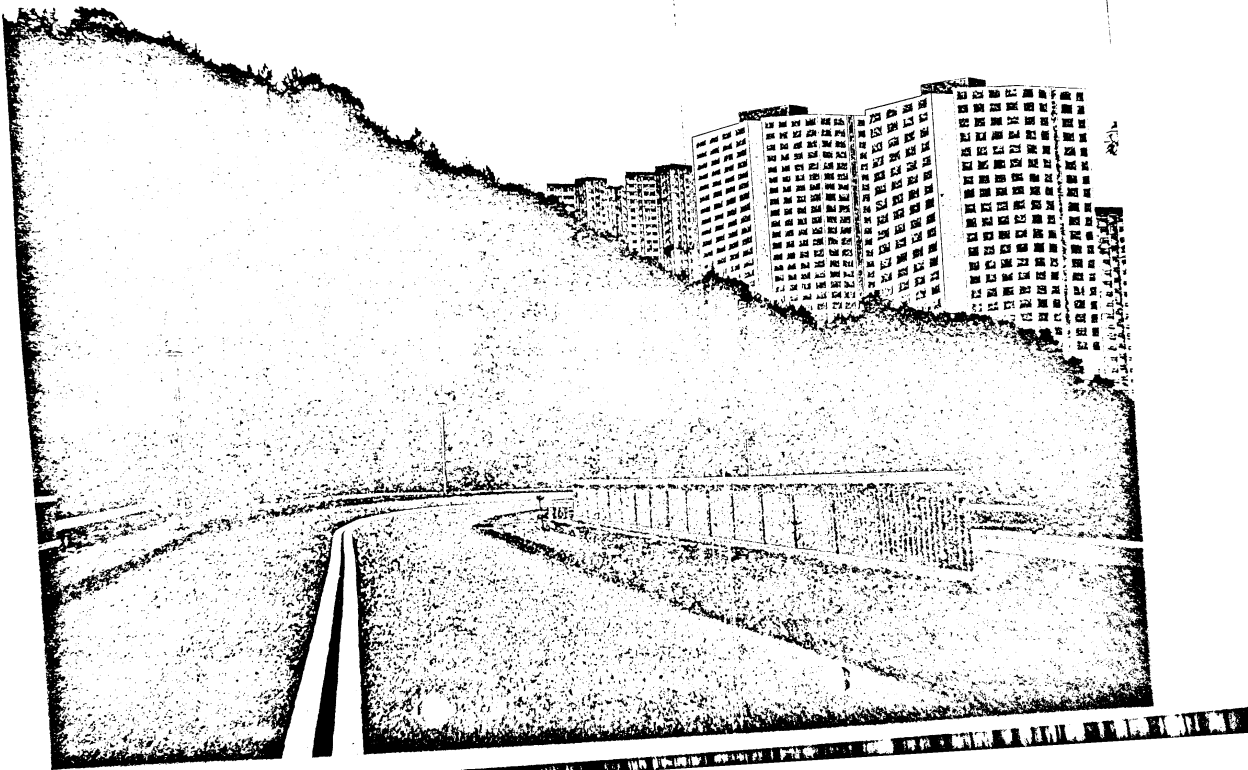
PROJECT

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



PVOC;

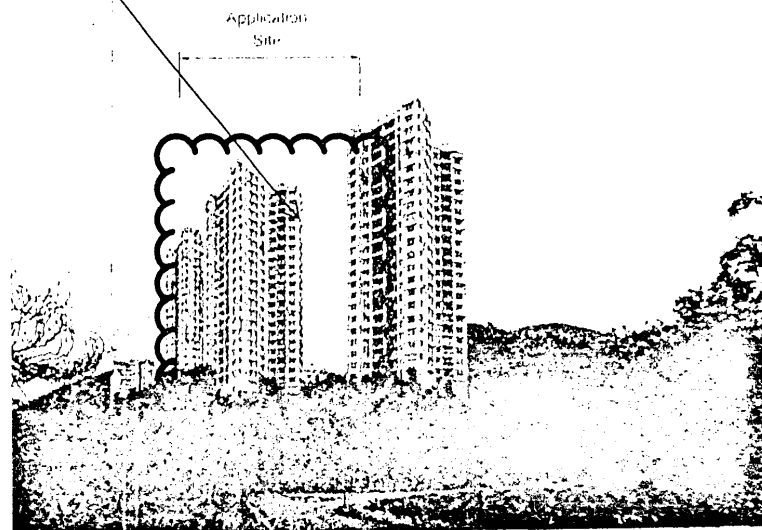
Why is this Photo-montage used - there are very few residents at this location who would be affected.

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)

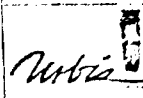


VP15. View West towards Application Site from Middle Lane with Proposed Development.

申請編號 Application No. : Y / 1 - 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 - VP15 (VSR T3) FROM MIDDLE LANE

PROJECT

DISCOVERY BAY OPTIMIZATION OF LAND USE - REFINEMENT OF AREA 61'

6.15

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.

D

O

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"/>
園境設計總圖／園境設計圖 Master landscape plan(s)/Landscape plan(s)	<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)
摘錄圖則 Extract Plans of Public
arr 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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