

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K15/124

- Applicant** : Million Choice International Limited and Cha Kwo Ling Villagers Fraternity Association (the Association) represented by Kenneth To & Associates Ltd.
- Application Site** : Various private lots and adjoining government land (GL) in SD3, Cha Kwo Ling Tsuen, Yau Tong, Kowloon
- Site Area** : About 46,122m² (including about 43,520m² (94.4%) of GL)
- Lease** : Applicant's Site (1,672m² (3.6%) subject to the detailed survey)

Lots 618, 622RP, 622S.A RP, 622S.A ss.1, 622S.A ss2, 622S.A ss.3, 622S.A ss.4RP (part), 622S.A ss.5, 622S.A ss.7, 622S.B, 622S.C, 822RP, 822S.A, 822S.B, 822S.C, 824RP, 824S.A RP, 824S.A ss.1, 824S.A ss.2, 824S.B, 824S.C, 825S.A, 825RP, 827, 831RP, 831S.A, 832S.A, 833, 834RP, 835, 836, 838, 840, 841

Other Private Lots not Owned by Applicant (930 m² (2%) subject to the detailed survey)
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25
- Zoning** : "Undetermined" ("U")
[All uses or developments require permission from the Town Planning Board (the Board)]
- Application** : Proposed Comprehensive Residential Development with Supporting Retail and Government, Institution and Community (GIC) Facilities

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed comprehensive residential development with supporting retail and GIC facilities at the application site (the Site) (**Plan A-1**). The Site (of about 46,122m²)^[1] falls within an area zoned "U" on the approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25. The Site is currently occupied by Cha Kwo Ling Tsuen (CKLT) which is predominantly characterized with substantial number of

^[1] The Site is slightly smaller than the "U" zone (of about 46,472m²) in that the existing public road namely Fan Wah Street and a minor strip of land adjoining the Tin Hau Temple are excluded.

low-rise squatter huts and temporary structures (**Plan A-2**). According to the Covering Notes for the “U” zone on the OZP, all uses or developments require permission from the Board.

- 1.2 According to the submission, the development proposal will comprise a residential development and a stand-alone GIC block for residential care home for the elderly (RCHE)), a 30-classroom primary school and public road (the Proposal) (**Drawing A-1** and land use allocation budget in below table). Master layout plan (MLP), ground and basement floor plans, land ownership plan, phasing plan, sections, landscape master plan (LMP), photomontages and implementation timeline as submitted by the applicant are at **Drawings A-1** to **A-13**.

Total Site Area	46,122m²	100%
Residential Development Portion	35,722m ²	77.4%
- <i>Public Housing cum GIC^[#]</i>	<i>(33,120m²)</i>	<i>(71.8%)</i>
- <i>Private Housing</i>	<i>(2,602m²)</i>	<i>(5.6%)</i>
30-classroom Primary School	5,980m ²	13%
Public Road	4,420m ²	9.6%

Note: [#] The public housing development portion also comprises a standalone GIC block and the four existing buildings/structures proposed to be retained.

- 1.3 For the residential development portion, there are a total of seven residential blocks including five for public housing (Blocks T1 to T5) and two for private housing (Blocks T6 and T7) with estimated flat production of 5,319 units and 324 units respectively (**Drawing A-1**). Within the public housing portion (71.8% of Site), apart from the five residential blocks with premises-based social welfare facilities^[2], kindergarten and retail facilities (**Drawing A-2**), four existing buildings/structures (namely Law Mansion that is a Grade 3 Building currently for residential purposes, two clay mining plants currently used as recycling plants, and former Si Shan Public School which is temporarily granted for recreational uses (**Plan A-2**)) are proposed to be retained and revitalised for community uses^[3](**Drawing A-1**). The existing shelter structure for Dragon Boat Display (**Plan A-2**) is proposed to be retained with new structure near the two clay mining plants (**Drawing A-1**). The proposed domestic and non-domestic plot ratios (PR) for the public housing portion are 6.22 and 0.3 respectively, and the proposed building height (BH) for the residential blocks are between 100mPD and 123mPD (**Drawing A-1**). A piece of GL at the southern portion of the Site which is currently occupied by some squatter huts/structures (**Plan A-4**) is proposed to be developed as a decanting block (Block T1) as first phase of the development for providing about 608 units to rehouse the affected villagers (**Drawings A-1** and **A-6**).

^[2] Proposed social welfare facilities include Cha Kwo Ling Neighborhood Advice Action Council at T1, Child Care Centre (102-place) and one Neighborhood Elderly Centre at T3, and community care services facilities at T4, with estimated total Gross Floor Area (GFA) of 1,840m² (subject to detailed design).

^[3] The proposed uses for the Law Mansion, the clay mining plants and former Si Shan Public School are the Law Mansion Memorial Library, Mining History Interpretation Centre, and CKL Communal Activity Centre/CKL Villagers Fraternity Association respectively. The estimated total GFA is about 960m² (subject to detailed design).

- 1.4 The private housing portion (about 5.6% of Site) is equivalent to total areas of the private lots within the Site, out of which about 1,672m² (3.6% of Site and 64% of private land) is owned directly by the applicant or indirectly through associated companies and the remaining about 930m² (2% of Site and 36% of private land) are under multiple-ownership not owned by the applicant (**Drawing A-5**). The applicant proposes to surrender his scattered lots to the Government in exchange for re-grant of a piece of land of the same size (1,672m²) abutting CKL Road for developing a private housing with premises-based retail uses (i.e. Block T7) (i.e. a non-in-situ land exchange). Similarly, an adjoining site with area of remaining private lots (930m²) is proposed to be reserved for another private housing development (i.e. Block T6) also under a non-in-situ land exchange for application by other individual owners (**Drawing A-1**). Domestic PR of 7.5 and non-domestic PR of 0.75 (for retail uses), and BH of 100mPD are proposed for the two private housing sites. The two areas designated for private housing development involve squatter huts/temporary structures owned by the applicant and/or other lot owners and major portion being GL with some existing community use namely Communal Hall (茶果嶺鄉公所), the dragon boat display and CKL Public Toilet cum Public Bath (**Plan A-4**). Implementation of the private housing portion is proposed to be pursued after completion of the decanting block at T1 and rehousing of the affected villagers (**Drawing A-6**).
- 1.5 The major development parameters of the Proposal (excluding primary school)^[4] are summarised below:

Development Parameters	Public Housing cum GIC	Private Housing	Total
Net Development Area	33,120m ² ^[a] (92.7%)	2,602m ² (7.3%)	35,722m ²
Domestic GFA	206,171m ² (91.4%)	19,494m ² (8.6%)	225,665m ²
Non-domestic GFA			
- Retail (incl. kindergarten)	5,130m ²	1,950m ²	7,080m ²
- Premises based social welfare facilities	1,840m ²	-	1,840m ²
- GIC block for RCHE and other community facilities	2,830m ² ^[b]	-	2,830m ² ^[b]
- Total	9,800m ² (83.4%)	1,950m ² (16.6%)	11,750m ²
Domestic PR	6.22	7.5	6.32
Non-domestic PR	0.3	0.75	0.33
Overall Site Coverage	37.56%	T6 : 29% T7 : 27%	-
BH (in mPD)	T1 : 100 T2 : 111 T3 & T4 : 123 T5 : 111	T6 & T7 : 100	-

^[4]The development parameters for the primary school (area site of about 5,989m²) is not included in the submission.

Development Parameters	Public Housing cum GIC	Private Housing	Total
	RCHE : 25.5		
No of Storeys ^[c]	T1 : 33 T2 : 37 T3 & T4 : 41 T5 : 37 RCHE : 4	T6 & T7 : 29	-
No. of Flats	5,319	324	5,643
Average Flat Size	39m ²	60m ²	40m ²
Design Population	14,894	907	15,801
Local Open Space	14,894m ²	908m ²	15,802m ²
Greening Ratio	Not less than 30%		
Parking Spaces ^[d]			
Car (Motorcycle)			
- For Residents	461 (49)	35 (4)	496 (53)
- For Visitors	25 (-)	10 (-)	35 (-)
- For Retail	26 (6)	11 (2)	37 (8)
- For GIC facilities	20 (8)	-	20 (8)
Loading/Unloading (L/UL)			
- For Residents	68	2	70
- For Retail	7	3	10
- For GIC facilities	5	-	5
Target Completion	T1 : 2024 Others : 2029	2028	-

Notes:

- [a] The net development area includes the standalone GIC block and the existing buildings/structures to be retained.
- [b] These include GFAs for the GIC block for RCHE use (1,850m²), the community uses within the four existing buildings/structures proposed to be retained (960m²) and the shelter for Dragon Boat Display (50m²).
- [c] Podium(s) for premise-based retails and social welfare uses are included. One to two levels of basement car park and L/UL bays that straddles across T3 to T5 and the RCHE block would accommodate the ancillary parking facilities for the public housing developments and the social welfare uses, and one basement level is proposed for car park for the private housing (**Drawings A-3** and **A-4**). The basement level(s) for both public and private housing portion has not been included in the no. of storeys as presented above.
- [d] 8 nos. of car parking space, 15 nos. lay-by for car/taxi and 3 nos. lay-by for school buses are proposed for the primary school.

1.6 The building disposition has taken into account the two 20m wide non-building areas (NBAs) which were identified in the “Planning Review on Development of ex-Cha Kwo Ling Kaolin Mine Site” (the Planning Review) completed in 2014 to serve as wind and visual corridor, a small portion of the proposed primary school traverses the NBA in the south (**Drawing A-1**). Only low-rise building structures (e.g. RCHE block, and retail podium) and one-level basement car park are proposed along the tunnel alignment zone of the proposed Tseung Kwan O – Lam Tin Tunnel (TKO-LTT) that runs through the middle portion of the Site, and as such, a 60m wide building gap within TKO-LTT alignment between Blocks T3

and T4 could be preserved (**Drawing A-1** and **Plan A-4**).

- 1.7 About 9.6% of the Site is allocated for construction of roads with accesses from CKL Road and emergency vehicle accesses serving individual blocks and the school (**Drawings A-1** to **A-4**).
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 10.3.2020 **(Appendix I)**
 - (b) Planning statement (including Heritage Appraisal for CKLT, MLP, Geotechnical Planning Review Report, Water Supply Impact Assessment, Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Air Ventilation Assessment (Expert Evaluation) (AVA-EE), Environmental Assessment (EA), Traffic Impact Assessment (TIA), Tree Survey Plan, LMP, Visual Impact Assessment (VIA) Comparison of Implementation Timelines, and Letter from the Association to the Board) attached to the application form **(Appendix Ia)**
 - (c) Further information (FI) vide letter received on 8.7.2020 **(Appendix Ib)** providing responses to departmental comments and revised VIA, AVA-EE, tree survey report, EA, SIA, DIA, Heritage Appraisal for CKLT, Geotechnical Planning Review Report (GPRR), TIA, Water Supply Impact Assessment, LMP and basement carpark plan, and new Ecological Assessment and illustrations on building separation compliance and noise modelling files.
[Accepted but not exempted from publication and recounting requirements]
- 1.9 On 15.5.2020, the Committee agreed to defer making a decision on the application for two months as requested by the applicant in order to allow sufficient time for preparation of FI to address departmental comments. With the FI received on 8.7.2020 (**Appendix Ib**), the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in the Planning Statement and the FI at **Appendices Ia** and **Ib**, and summarized as follows:

In-Situ Rehousing for Affected CKLT Villagers

- (a) Phased development with the decanting site at Block T1 will be completed first, that would serve as in-situ rehousing and meet the aspiration of the affected villagers of CKLT^[5].

^[5] According to a survey involving 389 nos. households at CKLT conducted by the Association (one of the applicants), about 99% of the surveyed households supported redevelopment of CKLT, and 94% preferred to be resettled in-situ.

Proposed Land Exchange

- (b) Back in the 1960's, a strip of land to the north of the Site sandwiched between CKL Road and Fan Wa Street was reserved for land exchanges with some lot owners of CKLT in return for their surrendering of lots in the Site. With reference to the recent cases in Kwu Tung North New Development Area (NDA), the Government allows owners of land within the residential zone to seek land exchange for development within a certain period^[6], the applicant therefore propose to apply the surrender-and-regrant arrangement that would not only respect property rights of the applicant but also speed up the redevelopment of CKLT. In addition, should the Proposal be approved by the Board, the Association will act as the coordinator between development implementation agent and the affected villagers thus minimising resistance from the villagers and avoiding possible social unrest.

Continued CKLT Community Spirit with Preservation Proposal

- (c) With in-situ rehousing of the affected villagers within the decanting Block T1 as proposed, the cultural heritage and CKLT community spirit would be continued.
- (d) The Law Mansion and the Tin Hau Temple to the immediate east of the Site, both being graded historic buildings, will not be affected. The Law Mansion is currently partly owned by the Applicant who will try his best to acquire the remaining shareholdings of the lot where Law Mansion is erected and surrender to the Government for conservation purpose after approval of the application. While the former Si Shan Public School and the Mining Plants are not graded historic buildings, they are of significance to the CKLT and wished to be conserved by the villagers. The Proposal to in-situ preserve these structures would be acceptable to the CKL villagers.

Earlier Completion of Redevelopment and with More Flat Production

- (e) According to the applicant's implementation timelines (**Drawing A-13**), should the Proposal be approved by the Board, with voluntary surrender of private lots owned by the applicant, the proposed development could be completed by Q4 2029, which is about two years earlier than that to be undertaken by the Government as being examined under the ongoing Study and to be pursued under Lands Resumption Ordinance (Cap. 124) (LRO) (see paragraphs 3.4 and 3.5 for details). Thus, it is in line with the initiative under the 2019 Policy Address (2019 PA) to expedite the development of CKLT.

[6] According to Lands Administration Office Practice Note No. 1/2014 issued by the Lands Department (LandsD), owners of private lots within the Kwu Tung North and Fanling North NDAs may apply with LandsD for a lease modification including in-situ land exchange for development of their lots for the purposes as permitted under the relevant statutory town plan or as may be permitted by the Board. Merits of each application will be considered according to the criteria as set out in the aforementioned Practice Notes including inter alia, the applications should be confined to sites planned for private development in the relevant adopted Outline Development Plans; the proposed site to be surrendered should have an area of not less than 4,000 m² (which is a reasonable size to achieve a decent development with supporting facilities); lots to be surrendered comprising the application site should be contiguous and fragmented lots will not be accepted; and surrendering of lots lying within an area planned for public use such as road, GIC use, open space, public/subsidised housing will not normally be accepted.

- (f) While the Government is conducting a land use review of the Site, approval of the current application would not pre-empt this ongoing study. Except about 5% of the Site that are under private ownership, the implementation agent of the remaining portion of the Site can always make amendments to the Proposal, should it be approved by the Board, if considered appropriate in future. The Proposal would enable more than 5,000 families, many of them are living in sub-divided flats and having waited for years, to live in public housing two years earlier thereby substantially improving their well-being. The First Phase (T1) for decanting of the existing residents and the two private housing development (T6 & T7) are separated from the rest of the development by a public road, this will have minimal impact on the rezoning of the rest of the Site, if required (**Drawing A-1**).

Lower Development Density than the Previous Statutory Development Intensity

- (g) Prior to the current “U” zoning, the Site was zoned “Residential (Group A) 4” (“R(A)4”) with a maximum domestic PR of about 5.76 (see paragraph 3.1 for details). The proposed domestic PR of 6.32 based on the net site area for residential development portion (or gross site domestic PR of about 4.89) is lower than that imposed in the previous “R(A)4” zone.

Acceptable Visual Impact and Tree Preservation / Landscape Proposal

- (h) The VIA demonstrates that the Proposal will be compatible with the existing high-rise residential buildings such as Laguna City (91mPD) and the planned residential developments at the ex-CKL Kaolin Mine Site (ex-CKLKMS) (90-110mPD) (**Drawings A-11 to A-12**). The building disposition of the Proposal complies with building separation requirement under Sustainable Building Design Guidelines (SBDG) (Appendix K of **Appendix Ib**).
- (i) According to the Tree Survey Report (Appendix E of **Appendix Ib**), no rare or protected tree species were recorded within the Site. A total of 673 trees were recorded within the Site, of which 627 of them will be felled and 446 new trees will be planted, representing a tree compensation ratio of 1:0.7. It is considered acceptable given the top priority of the proposed development is to provide housing flats to meet the urgent needs in society. A greening area of not less than 30% of the Site is proposed, which complies with the greenery requirement under SBDG. LMP and Open Space Framework are given in **Drawings A-9 and A-10**.

No Adverse Traffic, Environmental and Infrastructural Impacts

- (j) With the proposed junction improvements at the two accesses to the Site along CKL Road and minor junction improvement works (e.g. modification of road markings, changes of method-of-control of the traffic lights and minor widening at approach lane) at three existing junctions at Wai Yip Street/Wai Fat Road (J1), Wai Yip Street/CKL Road (J2) and CKL Road/Yau Tong Road (J6), the TIA as submitted by the applicant concludes that the proposed development will not induce significant traffic impact on the surrounding road network; thus is acceptable from traffic engineering point of view.
- (k) All the assessments on other technical aspects indicated that the proposed development would have no unacceptable adverse environmental or infrastructural impacts and is geologically feasible.

3. **Background**

Planning History of the “U” Zone

- 3.1 CKLT together with the ex-CKLKMS to its north at upper platform (**Plan A-2**) were rezoned to “R(A)4” and “Government, Institution or Community” (“G/IC”) in 1998 for the then proposed large-scale public housing cum school village development based on a study of the Housing Department (HD). The then “R(A)4” zone was subject to maximum GFA that are equivalent to domestic and non-domestic PR of 5.76 and 0.13. The aforementioned proposal was not pursued in view of the then adjustment in housing policy and changes in planning circumstances particularly the rising public aspirations for better harbourfront planning.
- 3.2 In 2011, the Planning Department (PlanD) commissioned the Planning Review to review the land uses of the area to facilitate early release of developable sites for housing development. Taking into account local character, existing development intensity, public aspiration for harbourfront planning and preservation of natural landscape, and possible traffic, environmental, visual and air ventilation impacts, the formed platforms of ex-CKLKMS were rezoned to “Residential (Group B)” (“R(B)”) subzones (with domestic and/or non-domestic PRs of 3.3 to 5) for mainly medium-density housing development in 2014.
- 3.3 For CKLT, the previous “R(A)4” zoning and its maximum GFA, which mainly reflected the then development proposal in 1998, were considered no longer appropriate. As the village involves substantial number of squatters and village houses, the implementation mechanism should be explored before proposing any long-term planned development. The Planning Review recommended that further detailed technical assessments would be required to ascertain the appropriate use and development intensity for the Site with reference to the latest planning circumstances and technical considerations. The area was rezoned to “U” in 2014 subject to further study on appropriate use, development intensity and implementation mechanism. Under the “U” zone, except those permitted under the Covering Notes of the OZP, all uses or developments require planning permission from the Board.

Policy Initiative and On-going Government Study

- 3.4 As announced under the 2019 PA, the Government will adopt a Government-led approach to expedite the planning of land use and infrastructure and will resume private land for established public purpose by invoking the LRO and other applicable ordinances. Amongst others, there is a policy direction to resume urban private land in CKLT for high-density public housing development and other established public purposes, with a view to expediting the development and rebuilding a new community. By doing so, the living environment of residents in the CKLT squatter area will be improved with compensation and rehousing to be provided in accordance with the prevailing policy.
- 3.5 The Civil Engineering and Development Department (CEDD) has commenced a consultancy study titled Agreement No. CE 60/2018 (CE) – Site Formation and Infrastructural Works for Proposed Public Housing Developments at Kowloon East – Feasibility Study (the Study) in mid-2019. The objective of the Study,

amongst others, is to investigate the long term land use of the “U” zone that covers the Site and areas in the vicinity for mainly public housing use with supporting infrastructure. The Study is target for completion by early 2021. Subject to the outcomes of the Study, amendments to the OZP would be made in a timely manner.

4. Compliance with the “Owner’s Consent/Notification” Requirements

The Site comprises private lots (5.6%) and GL (94.4%). The applicant is one of the “current land owner”, who owns various lots which constitute about 3.6% of the Site (**Drawing A-5**). In respect of the other “current land owners” (2%), the applicant has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by giving notification to the concerned owners. Detailed information would be deposited at the meeting for Members’ inspection. The ‘owner’s consent/notification’ requirements as set out in TPB PG-No. 31A is not applicable to the GL (94.4%) in the Site.

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Applications

There is no similar application for the same use within area zoned “U” on the approved Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-4 and Site photos on Plans A-5 to A-7)

7.1 The Site is:

- (a) located near the harbourfront abutting CKL Road;
- (b) mainly occupied by CKLT with one-to-three storeys squatters, temporary structures, and some temporary uses. There is a Grade 3 historic building within the Site i.e. Law Mansion (**Plan A-2**). Some sitting out-areas, refuse collection points, and public bathrooms/toilets are provided in the village;
- (c) occupied by some GIC facilities such as CKL Communal Hall being used by the Association, the Neighbourhood Advice-Action Council Cha Kwo Ling Centre, and the Hong Kong Theatre Works and a recreational society for archery and gold practice under temporary STT within the Ex-Si Shan Public School; and
- (d) the tunnel alignment zone of the proposed TKO-LTT would run through the middle portion of the Site (**Plan A-4**).

7.2 The surrounding:

- (a) to its north-east at an upper platform is the ex-CKLKMS planned for medium-density residential development under “R(B)1” to “R(B)4” zones with maximum PR from 3.3 to 5 and maximum BH from 90 to 110mPD (**Plan A-1**);
- (b) the green knoll to its east, northeast and southeast are vegetated areas zoned “Green Belt” (“GB”);
- (c) to its south is Tin Hau Temple (a Grade 3 Building) which is zoned “G/IC” (**Plans A-2 and A-3**);
- (d) to its west across CKL Road are harbourfront areas zoned “Open Space” and “G/IC” with long-term intention to form part of a continuous waterfront promenade linking Yau Tong and Kai Tak areas and are currently being used as works site for construction of TKO-LTT and Trunk Road T2; and
- (e) to its north between Fan Wa street and CKL Road is a cluster of tenement buildings rezoned “R(A)”, and Laguna City zoned “R(A)1” and “R(A)2” with maximum domestic/non-domestic GFAs of 440,000m²/15,000m² and 100,906m²/4,568m² respectively (corresponding total gross site PRs of 4.89 and 5.15).

8. Planning Intention

As stated in the Explanatory Statement (ES), the long-term use of the “U” zone will be subject to future study. Under the “U” zone, except those uses permitted under the Covering Notes of the OZP, all uses or developments require permission from the Board. According to the ES, the Project proponent is required to submit appropriate assessments to demonstrate that the proposed developments would have no adverse impacts on the area for the Board’s consideration. The proposed development should also be compatible with the surroundings in terms of land use, development intensity and building height with due regard to its waterfront location.

9. Comments from Relevant Government Departments

9.1 The following Government bureaux/departments have been consulted and their views on the application are summarized as follows:

Policy Perspective

9.1.1 Secretary for Development (SDEV):

The Government announced in the 2019 PA the commissioning of studies on the land use and supporting infrastructure of the three urban squatter areas in CKLT, Ngau Chi Wan Village and Chuk Yuen United Village. It is estimated that over seven hectares of land in the three areas would be cleared for integrated planning and development of new communities

comprising mainly public housing. Among them, a study covering CKLT has commenced in mid-2019. As there is an ongoing Government study reviewing the long-term use of the Site with intention for public housing development with supporting GIC uses and infrastructure, the Government is not in a position to pursue any land exchange (in-situ or non-in-situ) for private housing at this stage, when the intention is to pursue public housing through land resumption under the LRO. From the policy perspective, he does not support the current application.

Land Administration

9.1.2 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) The Site comprises 34 private lots (one of the lots is erected with a Grade 3 historical building “Law Mansion”), 16 GL allocations to various government departments, 10 short term tenancies, 6 government land licences, numerous squatter structures and unleased and unallocated GL.
- (b) The Proposal involves developing the Site into a residential development comprising five public housing towers (T1 to T5) and two private housing towers (T6 & T7) with supporting retail and GIC facilities. The applicant proposes to surrender its 22 building lots and 39/63 share of another building lot scattered in the Site in exchange for one private housing site having an area of 1,672m² (“the T7 Site”) under the Proposal, which constitutes about 3.6% of the land involved in the current application. The total area of the Applicant’s private lots of 1,672m² as alleged by the Applicant is subject to verification and the T7 Site is mainly on GL with small portion of private land. The exchange as proposed by the Applicant would be a non-in-situ land exchange that has to be subject to mutual agreement of both the Government and the private lots owners and requires approval by the Government based on individual merits and justifications. Noting that DEVB does not support the current planning application nor any land exchange for private housing on the Site at the present stage, LandsD would neither be in the position to process any application(s) for land exchange, if submitted by the Applicant or concerned land owners.

Interface with the On-going Government Studies

9.1.3 Comments of the Project Manager (South), CEDD (PM(S), CEDD):

He objects to the current application on the following grounds:

- (a) His office commenced the Study in mid-2019 covering the “U” zone with objectives to review the long term land use of the Site for public housing with supporting infrastructure. Apart from public

housing development, other GIC uses that would serve the community as a whole and traffic infrastructures for improving the road network of the area is being reviewed. The Study is expected to be completed by early 2021.

- (b) As compared with the preliminary proposal of the Study embracing public housing developments, and standalone GIC facilities (for example, educational, recreational, community, health, social welfare uses), there are considerable differences in terms of development layouts and quantum as those under the Proposal. Should the Proposal be approved, the development layouts for the public housing and other GIC facilities being examined under the Study have to be re-visited to take on board the Proposal and nearly all the technical assessments on traffic, water supplies, drainage/sewerage, air ventilation, visual and environmental aspects have to be re-conducted. This would have considerable time implication on the study programme and cause delay to the implementation of the redevelopment of CKLT.
- (c) On technical side, the existing traffic flows surveyed by the applicant in 2019 in the TIA are around 10-20% less than the flows surveyed by CEDD in 2018 and 2019 for ex-CKLKMS and CKLT respectively. It is noted that TD raises similar concern on this issue. Thereby, the applicant may have underestimated the existing and predicted traffic conditions and adverse traffic impacts is anticipated with new population brought by 5,643 housing units as proposed by the applicant.
- (d) The applicant's implementation timelines (**Drawing A-13**) has not taken into account the investigation and detailed design (I&D) stage as well as the time for public consultation and gazettal under the Roads (Works, Use and Compensation) Ordinance (Cap.370) (the Roads Ordinance). Before construction of the decanting block (i.e. T1), site formation and infrastructural works have to be conducted and according to the established mechanism, funding application to the Finance Committee of the Legislative Council for conducting the public works concerned can be carried out only after the completion of the consultation exercises and I&D works. As noted from the implementation timelines, the target commencement of construction of decanting block in June 2021 is unrealistic as the site formation and infrastructural works for the block and the detailed design and tendering works have to be completed within 9 months (from September 2020 to June 2021). Besides, new public roads are proposed by the applicant under the Proposal for the decanting block, it is likely that the procedures of gazettal under the Roads Ordinance are necessary and the proposed development programme have to be further extended. To this end, target completion of decanting block by 2024 and full completion by 2029 as proposed by the applicant is unrealistic from public works project perspective.

9.1.4 Comments of the Project Manager (East), CEDD:

- (a) The construction works of the Trunk Road T2 project has commenced in which the tunnel alignment runs underneath the Site (**Plan A-4**). He advises that the design, construction and maintenance of the proposed buildings/structures of the Proposal either within or in close vicinity of the limit of works area should not constrain the construction, modification, maintenance, management, operation and use of the tunnel of Trunk Road T2.
- (b) His other comments on the potential interface issue with the tunnel of Trunk Road T2 are at **Appendix II**.

Traffic Aspect

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

- (a) The Area of Influence (AOI) of the TIA excluded those junctions within Kwun Tong Business Area (KTBA) but it is anticipated that the traffic arising from the development would enter/leave the KTBA. Thus, the TIA is considered not comprehensive enough to apprise the traffic impacts of the Proposal. The AOI should cover all the major roads leading to/from the Site including those listed out in **Appendix II**.
- (b) (b) the applicant has applied a factor of 15% to boost up the traffic flows surveyed by the applicant in 2019, which are about 10-20% less than the traffic flows surveyed by the Consultant of CEDD conducted in 2018 and 2019. Without sound reference/assumption to justify this factor, the junction performance assessment results may not be conclusive to reflect the existing actual traffic conditions.
- (c) Based on the TIA (**Appendix Ib**), with the proposed development, it is noted that 7 out of 13 junctions^[7] assessed would be overloaded in year 2032. However, except for junctions at Wai Yip Street/Wai Fat Street, (J1), Wai Fat Road/CKL Road (J2) and CKL Road/Yau Tong Road (J6), no junction improvement schemes were proposed at the above junctions^[8]. Appropriate traffic improvement measures shall be identified and implemented to mitigate the situation as far as practicable. In view of the above, the traffic assessment results are considered unacceptable and the proposed development intensity of the Proposal has not been ascertained from traffic engineering perspective.

^[7] Based on the TIA report, the following junctions would be overloaded in year 2032 design scenario, namely Wai Yip Street/ Wai Fat Street, (J1), Wai Fat Road / CKL Road (J2), CKL Road / Wing Fook Street (J3), CKL Road / Yau Tong Road (J6), CKL Road / Lei Yue Mun Road (J7), Lei Yue Mun Road / Kai Tin Road roundabout (J10) and Lei Yue Mun Road / Slip Road to EHC (J11).

^[8] Minor junction improvement works include modification of road markings, changes of method-of-control of the traffic lights and minor widening at approach lane (see Figures 4.6 to 4.8 of Appendix I of **Appendix Ia**)

- (d) His other technical comments in respect of the methodology adopted in traffic forecasting methodology, parking provision, and assessments on pedestrian and public transport services are in **Appendix II**.

Urban Design and Visual Aspects

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

- (a) The Site is on a relatively flat terrain in an elongated parcel of land currently occupied by single to three storeys squatters and village houses of CKLT. This Site covers an area of about 4.6ha. To its immediate north is the large scale residential development Laguna City with BH up to 92mPD. The west of the Site is flanked by the CKL Road and the waterfront open space; and to the east is a hillside zoned “GB”. Further east of the Site are four “R(B)” sites with BH Restriction (BHR) ranging from 90mPD to 110mPD uphill. The intention of the stepped BHR profile is to ensure that the proposed developments within the “R(B)” zones are compatible with the surrounding and have a variation in BH for better townscape. The Yau Tong Bay “Comprehensive Development Area” (“CDA”) site is located to its south-east across the Eastern Harbour Crossing (EHX) with a BHR of 120mPD.
- (b) The application involves a residential development with supporting retail and GIC facilities. The Proposal comprises seven residential blocks with BH in the range of 100mPD to 123mPD, four existing buildings/structures to accommodate community uses, one primary school site the northern part and another 4-storey RCHE with a sunken plaza in the middle of the Site. Two 20m-wide ventilation and visual corridors at the northern part of the Site, a 60m-wide building separation between Towers 3 and 4, as well as a 45m-setback from the southern boundary near Tower T1 are also proposed.
- (c) It is set out in the ES of the OZP that the proposed development under the “U” zone should be compatible with the surroundings in terms of land use, development intensity and BH with due regard to its waterfront location. Given the backdrop and harbourfront setting of the Site, the applicant is required to explain how the proposed residential towers with maximum BH up to 123mPD under this scheme, particularly those proposed public housing towers (T2, T3 and T4) in elongated shape, would respond well and blend in with the harbourfront setting and the local context (**Drawing A-11**). According to the Urban Design Guidelines and the Harbour Planning Principles and Guidelines, developments within and around the harbourfront areas should generally adopt a gradation of height profile with BH descending towards the harbour to avoid dominating the harbour and to increase visual permeability from the waterfront into the inner areas.

- (d) Adopting urban design considerations, such as setting back the towers away from CKL Road as far as possible, diversifying building mass, etc. into the design may be relevant. Opportunity should be explored to break down the elongated public housing towers into smaller blocks to reduce the visual bulkiness and maintain a design and towers disposition that harmonised with the surroundings. To enhance visual permeability and to create visual interest, the applicant may consider providing setback parallel to the prevailing wind with effective NBAs or building separation, better façade treatment, etc.
- (e) His other comments on the VIA are at **Appendix II**.

9.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) The applicant should provide sound justifications for the proposed BHs ranging from 100mPD to 123mPD having regard to the adjacent existing and planned developments.
- (b) It is noted from “Current Lot Ownership” (**Drawing A-5**) that large amount of lands within the Site are GL or private lots held by others. There is high uncertainty that these site area could be integrated into the proposed development package.

Air Ventilation Aspect

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

- (a) According to Appendix B of **Appendix Ib**, it was indicated that an extra 60m-wide view and ventilation corridor could create a breezeway to further enhance the view and permeability; however, there is no discussion about this proposed measure in the AVA.
- (b) His other technical comments on the AVA are at **Appendix II**.

Landscape Aspect

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

- (a) With reference to the aerial photo of 2019, the Site is situated in an area of urban fringe landscape character dominated by low-rise village houses and temporary structures with scattered tree groups within the CKLT and vegetated slopes at the north-eastern side of the Site. Existing and planned “G/IC” and “O”, and medium to high-rise residential development/”CDA” are observed near the Site. The proposed development is not incompatible to the landscape character of the surrounding environment.
- (b) According to the revised Tree Survey Report (Appendix E of **Appendix Ib**), about 673 nos. of tree are identified within the Site and 621 nos., which are generally common or weed species or fruit

trees with poor to fair form and health condition, are proposed to be felled due to conflicts with the proposed development. Three nos. of large trees with diameter at breast height (DBH) over 1m (trees nos. FM1, FM3, FM4) are identified within the Site. 52 trees (including trees nos. FM1, FM3 and FM4) are with good health condition are proposed to be retained on Site. Another mature tree (T90) with DBH of 1.55m, which is near to Tin Hau Temple and in close vicinity to the southern boundary of the Site, is also proposed to be retained. 446 nos. of new tree planting are proposed with the Site. Besides, according to LMP as submitted, 15,802m² local open space would be provided for the estimated residents of 15,801. Hard and soft landscape treatments are proposed on G/F and upper levels as indicated in the LMP.

(c) His other technical comments are at **Appendix II**.

Heritage and Conservation Aspects

9.1.10 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES (AM), AMO):

- (a) It is noted that Law Mansion is situated within the Site boundary while CKL Tin Hau Temple is at the immediate vicinity of the Site. Both are Grade 3^[9] historic buildings (“Graded Buildings” hereunder) accorded by the Antiquities Advisory Board (“AAB”).
- (b) According to the Heritage Appraisal submitted by the applicant (**Appendix Ib**), the Law Mansion will be preserved, restored and adaptively reused as ‘Law Mansion Community Library’ which forms part of the proposed housing development while CKL Tin Hau Temple will be preserved in-situ. From the heritage conservation perspective, the proposed in-situ preservation of the two Graded Buildings approach of preserving and adaptively re-using them is in line with the heritage conservation policy.
- (c) He reserves further comments on the application pending in particular, (i) submission of assessment which address the potential impact(s) of the proposed development on the two Graded Buildings, and (ii) the conservation proposal of the Law Mansion for its adaptive reuse as Law Mansion Community Library. Notwithstanding, should the Board approval this application, to ensure the in-situ preservation of Law Mansion would be implemented properly, approval conditions on heritage conservation aspect as set out in paragraph 12.2 are suggested.

^[9] A Grade 3 historic building, by definition, refers to “buildings of some merit; preservation in some form would be desirable and alternative means should be considered if preservation is not practicable”. The grading system is administrative in nature and does not affect the ownership, usage, management and development rights of the historic buildings.

- (d) The other buildings/structures proposed to be retained (i.e. Mining Plants, Former Si Shan Public School etc.) are neither graded items nor new items pending for heritage assessment by AAB, he has no comment to offer. The specific issues that need to be taken into account to review the heritage impact of the proposed development project on the two Graded Buildings are in **Appendix II**.

Environmental and Ecological Aspects

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

Air Quality Aspect

- (a) The revised air quality impact assessment at **Appendix Ib** fails to address his comments on the EA. Hence, the applicant still fails to submit the quantitative assessment on air quality impact to assess the potential air quality impact arising from the various major emission sources nearby (e.g. EHX portal, EHX building, T2 ventilation building, T2 portal) on the proposed development.

Noise Aspect

- (b) The proposed development is subject to noise impact from the nearby road traffic (CKL Road) and fixed noise source (industrial operations). His technical comments on the noise impact assessment in the revised EA are at **Appendix II**.

Land Contamination

- (c) The applicant has conducted the site appraisal for the Site which concludes that the potential land contamination is anticipated associated with the previous land use (i.e. waste metal collection point and sorting of material waste and waste paper collection point, as shown in Appendix 10 of the Environmental Assessment at **Appendix Ib**) and the detailed land contamination assessment will be conducted at the later stage. In this connection, should the Board approve the application, an approval condition on the submission and implementation of the land contamination is recommended.

Sewerage Impact

- (d) The SIA as submitted is considered in order and no insurmountable sewerage impact is anticipated. Thus, he has no further comments on the SIA.

Conclusion

- (e) Based on the above, he is unable to support the application as the applicant has not demonstrated the environmental acceptability of the proposed development.

9.1.12 Comments of the Director of Agriculture, Fisheries & Conservation (DAFC):

- (a) According to the Ecological Assessment (in Appendix D of the **Appendix Ib**), the proposed development would cover mainly “developed area” with minor encroachment onto young and

disturbed woodland with low floral and faunal diversity. In view of limited impact on disturbed woodland habitat and associated wildlife which are locally common species, it seems that the ecological impacts due to the proposed development would unlikely be significant. Regarding the tree survey information provided, it is noted that trees proposed to be felled are of common species mostly in fair to poor conditions with over 60% of them being either fruit trees, ornamental species or exotic species planted in the squatter areas, while compensatory tree planting has been proposed to make up over 70% of tree loss.

(b) His other technical comments are at **Appendix II**.

Provision of GIC Facilities

9.1.13 Comments of the Secretary for Education (S for Education):

Given a design population of about 15,800, a 30-classroom primary school has to be provided at the proposed development. The proposed school site (with gross site area of 5,980m²) (**Drawing A-1**), consists of significant slopes and is in irregular shape with average width of about 30m, is considered not desirable nor efficient for providing school block of a 30-classroom primary school; the proposed size and configuration are below the requirement under Hong Kong Planning Standards and Guidelines (HKPSG) (i.e. reference site area of 6,200m² with a minimum width of 65m).

9.1.14 Comments of the Director of Social Welfare (DSW):

In view of the acute welfare demand, the large size of the Site and the substantial planned population under the Proposal, the applicant should explore feasibility for provision of more suitable welfare facilities at the Site. As for the type of social welfare facilities to be provided, he will take into account factors such as the location, area, nearby environment, the supply and demand for services in the local community, etc.

Others

9.1.15 Comments of the Principal Assistant Secretary (Harbour), DEVB (PAS (H), DEVB):

The Harbourfront Commission's Task Force on Harbourfront Enhancement in Kowloon, Tsuen Wan and Kwai Tsing (the Task Force) has been consulted on the application by circulation and has been invited to submit comments in writing to the Board direct. He has not received any comment from the members of the Task Force.

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

His technical comments on the SIA and DIA submitted by the applicant regarding the discharge flow distribution, runoff discharge, and the calculation details are at **Appendix II**.

9.1.17 Comments of the Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD):

The GPRR submitted by the applicant recommends that a Natural Terrain Hazard Study (NTHS) should be carried out in the later detailed design stage. He reminds the applicant that the NTHS report must be submitted to the Geotechnical Control Checking Panel on Natural Terrain Submission (the Panel) of his Office for review and endorsement. Thus, any specific comments on the NTHS in the GPRR report could be provided only upon a submission to the Panel.

9.1.18 Comments of the Chief Engineering/Construction, Water Supplies Department (CE/C, WSD):

The physical impact on the existing waterworks installation (including water mains) due to the proposed development was not identified and addressed in the Water Supply Impact Assessment. Should the Board approve the application, an approval condition on the submission of a revised assessment is recommended

9.1.19 Comments of the Director of Housing:

In respect of the applicant's assumption to commence construction of decanting housing at T1 by June 2021, as commented by PM(S), CEDD in paragraph 9.1.3 (d) above, under the prevailing policy, the government has to provide a cleared and formed site with service infrastructure before handover to the implementation agent for construction of public housing development.

9.1.20 Chief Building Surveyor/Kowloon, BD (CBS/K, BD):

While detailed comments under the Building Ordinance can only be formulated at the building plan submission stage; his general comments on the applicant's calculation of building separation compliance under SBDG (Appendix K of **Appendix Ib**) are at **Appendix II**.

9.1.21 District Officer (Kwun Tong), Home Affairs Department (HAD):

His office has no comment on the application. The Board should take into account all public comments gathered in the consultation exercises in the decision making process.

9.2 The following Government B/Ds have no comments on the application:

- (a) Chief Engineer/Port Works, Civil Engineering Office, CEDD;
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Commissioner of Police;
- (d) Director of Leisure and Cultural Services;
- (e) Director of Electrical and Mechanical Services;
- (f) Director of Fire Services; and
- (g) Director of Food and Environmental Hygiene.

10. Public Comments Received During the Statutory Publication Period

- 10.1 The application and the FI (**Appendix Ib**) were published for public inspection on 17.3.2020 and 21.7.2020. Within the two statutory public inspection periods, a total of 2,519 public comments were received, with 1,336 providing support, 1,173 opposing and 10 providing comments. All the comments received are deposited at the Secretariat for Members' inspection.
- 10.2 Among the 1,336 supporting comments, 1,330 are from the residents of CKLT in standard letters, 3 from organisations (namely 茶果嶺原居民權益協進會, 茶果嶺鄉民聯合會 and 起動九龍東發展關注組) and 3 from other individuals (samples at **Appendices III-1 to 6**). As for the 1,173 opposing comments, **1,115** are from the residents of Laguna City including the Estate Owners' Committees, **16** from the residents of CKLT, **2** from the same Member of Kwun Tong District Council (KTDC), **1** from the Designing Hong Kong and **39** from other individuals (samples at **Appendices III-7 to 18**). 10 comments providing views including one from Hong Kong and China Gas Co. Ltd (HKCG Ltd), 1 from the Society for Community Organization (SCO), and 6 from individuals are received (samples at **Appendices III-19 to 20**).
- 10.3 Supporting comments are on the grounds that the redevelopment of CKLT under the Proposal would have more flat production (about +2,300) in a faster development programme by 2-3 years earlier than that being reviewed under the Government's ongoing Study. The Proposal would help to improve the existing poor living environment in the squatter areas in respect of fire safety, hygiene and drainage/flooding issues. The Proposal to preserve the existing buildings/structures (e.g. Law Mansion, the Dragon Boat Display etc.) with provision of GIC facilities is supported. One comment considers that for redevelopment involving private land, the Government should be open to non-in-situ land exchange with full land premium charged as such arrangement would protect the private property right while respecting the public interest.
- 10.4 Opposing comments from some residents of CKLT are on the grounds that the applicant has not consulted the affected villagers nor obtained the consent of other private lot owners on the Proposal, there are concerns about the resettlement arrangement, and that demolition of CKLT should only be commenced after the current situation triggered by the novel coronavirus infection has improved. Residents of Laguna City, the KTDC Member and individuals object to the application on the consideration that the proposal may bring adverse impacts on air ventilation, visual impact, air quality, road traffic and pedestrian traffic/public transport services aspects, and inadequacy in GIC provisions. With insufficient parking facilities proposed, there would be illegal roadside parking in the area. There is a request for providing an additional access road leading from ex-CKLKMS to CKL Road to minimize the traffic impacts to surrounding areas. There are comments that the Site should be developed for low-rise residential developments instead of public housing. There are insufficient details in the Proposal on how to preserve the historic buildings/structures with respect to their cultural and historical values.
- 10.5 HKCG Ltd comments that as the Site is in close vicinity to existing CKL Pigging Station and 600mm Intermediate Pressure gas pipeline, the project proponent

should conduct a Quantitative Risk Assessment to evaluate the potential risk and determine the necessary mitigation measure if required. The SCO comments that the Government should consider the non-in-situ land exchange as proposed by the applicant, and any read across implication on the two other urban squatters in Ngau Chi Wan Village and Chuk Yuen United Village which are also under review as announced in PA 2019. Redevelopment of the Site should take into account the waterfront area and traffic/infrastructural capacity of the Area with provision of GIC to serve the community.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed residential development with supporting retail and GIC facilities at the Site (4.6ha) within the “U” zone. Under the “U” zone, except for those uses permitted under the Covering Notes of the OZP, all uses or developments require permission from the Board. As set out in the ES of the OZP, the long term use of the “U” zone will be subject to future study. Project proponents is required to submit appropriate assessments to demonstrate that the proposed developments would have no adverse impacts on the area for the Board’s consideration. Any proposed developments should be compatible with the surroundings in terms of land use, development intensity and BH with due regard to its waterfront location.
- 11.2 The Proposal comprises seven residential blocks (five for public and two for private housing) with a total of 5,643 flats, one primary school, some premises-based GIC facilities, one 4-storey social welfare block for RCHE and retention of four existing buildings/structures (including Law Mansion, a Grade 3 Building) for community uses. The proposed domestic (non-domestic) PRs for the public housing and private housing developments are 6.22 (0.3) and 7.5 (0.75) respectively with corresponding BHs between 100mPD to 123mPD for the five public housing blocks and 100mPD for the two private housing blocks.

Government’s Policy for the Site

- 11.3 As announced in PA 2019, the Government has committed to expediting the planning work for CKLT amongst other urban squatters. The Government has a clear policy to resume private land in CKLT for public housing development and other established public purposes. In line with this policy initiative, the CEDD has commenced the Study to review the long-term land uses of the Site for provision of public housing, GIC facilities (for example, educational, recreational, community, health, social welfare uses) required to serve the district-wide demand, and transport and other infrastructural improvements to benefit the wider district. The exact quantum and details of the provision of public housing and GIC facilities are subject to outcomes of the Study, which is expected to be completed by early 2021. As there is an on-going Government study reviewing the long-term use of the Site with intention for public housing development with supporting GIC uses and infrastructure, DEVB does not support the current application and advises that the Government will not be in a position to pursue any land exchange (in-situ or non-in-situ) for private housing at this stage, when the intention is to go for public housing through land resumption.

- 11.4 Should the applicant's proposal be approved, PM(S), CEDD advises that the development layout and quantum under review in the Study have to be revisited to take on board the Proposal, including excising part of the Site for private housing, and nearly all the on-going technical assessments have to be re-conducted which will have considerable time implication on the study programme.

Long Term Land Use Planning

- 11.5 The Site is intended for public housing development with supporting GIC uses and infrastructure improvements. As advised by PM(S), CEDD, the preliminary proposal of the Study embraces public housing developments, and standalone GIC facilities (for example, educational, recreational, community, health, social welfare uses) as well as traffic infrastructure for area-wide improvements. Whilst the applicant's Proposal comprises both public and private housing, a welfare block for RCHE, a primary school and some premises-based kindergarten/social welfare facilities, it is less comprehensive than the proposals being considered under the Study, with less GIC facilities and infrastructural improvements for the benefit of the wider district. S for Education comments that the proposed school site is not suitable for a 30-classroom primary school development as it fails to meet the size and configuration requirements under the HKPSG. DSW also advises that in view of the acute welfare demand, the large size of the Site and the substantial planned population, the provision of more social welfare facilities should be explored in the Proposal. Furthermore, if the two parcels of lands for private housing (i.e. Blocks T6 and T7 as proposed by the applicant) be excised from the Site as proposed, the net developable area for public housing and other standalone GIC facilities would be reduced and confined to the area currently proposed by the applicant that would undermine the comprehensiveness of the land use planning of the Site.

Technical Feasibility

- 11.6 The technical assessments submitted by the applicant are yet to demonstrate the feasibility of the Proposal. According to the Study being undertaken by CEDD, traffic capacity is one of the major constraints on the development intensity of the Site. Having reviewed the TIA as submitted by the applicant, C for T comments that the traffic assessment results are considered unacceptable and the proposed development intensity of the Proposed has not been ascertained from traffic engineering perspective. Noting that only minor local junction improvements works (as discussed in paragraph 2(j) above) are proposed by the applicant to support the proposed development with over 5,600 flats, PM(S), CEDD also comments that the applicant may have under-estimated the existing and predicted traffic conditions, and adverse traffic impacts is anticipated with proposed flat production.
- 11.7 Regarding other technical assessments as submitted, CA/CMD2, ArchSD and CTP/UD&L, PlanD, DEP, CE/MS, DSD, CE/C, WSD and ES (A&M), AMO indicate there are deficiencies in all the assessments covering urban design/visual, environmental, drainage, water supply and heritage preservation aspects as highlighted in paragraph 9 above and **Appendix II** and they are not to the satisfaction of relevant government departments.

- 11.8 In view of the above, the technical feasibility of the Proposal has not been ascertained and the project proponent have not demonstrated that the Proposal would have no adverse impacts on the area.

Non-In-Situ Land Exchange as Proposed by the Applicant

- 11.9 The applicant, who only owns 3.6% of the land in scattered lots within the Site, proposes foot-to-foot non-in-situ land exchange arrangement for two pieces of land in the Site for redevelopment of private housings by the applicant and other owners of private lots. The applicant claims that the proposed arrangement is preferable for application in the Site that would expedite the housing development and reduce resistance from residents in CKLT. Feasibility of the proposal aside, LandsD advises that in the absence of policy support from DEVB, it would not be in a position to process the land exchange application(s) by the applicant and/or other private lot owners concerned.

Development Programme

- 11.10 According to the applicant, first phase of the development with a decanting block at T1 would re-house most of the affected CKLT villagers with population intake by 2024; and that the remaining developments would be completed in phases in 2028 (for the two private housing blocks) and in 2029 for the remaining public housing developments (**Drawing A-13**). The proposed decanting site is currently on GL occupied by some squatter huts/structures (**Plan A-4**) that would involve off-site resettlement of the residents affected. As advised by PM(S), CEDD, relevant site formation and infrastructural works would have to be conducted before the construction of the decanting block; thus, the proposal to commence the construction of the decanting block by June 2021 with first population intake by 2024 for rehousing purposes is unrealistic. Given LandsD's advice that they will not be in a position to process any land exchange for private housing development at the Site, the programme for completion of the private housing blocks by 2028 may not be a realistic assumption. For CEDD to take forward the public works portion of the Proposal, it is necessary to go through the statutory planning process, public consultation, I&D, and funding application for such public works that has not been taken into account in the applicant's implementation timeline (**Drawing A-13**). Hence, the applicant's claim of a faster development programme is unsubstantiated.

Public Comments

- 11.11 Regarding the public comments on the potential adverse impacts on traffic, air ventilation, visual impact, pedestrian traffic and public transport services aspects, inadequacy in GIC provisions, the land exchange arrangement, redevelopment programme, public consultation and the long term land use of the Site, the above assessments are relevant.
- 11.12 Relevant Government departments have devoted resources to improve the living environment of the residents in CKLT, for the time being before redevelopment of the CKLT. On fire safety aspects, Fire Services Department conducts monthly fire safety inspection and fire safety education activities at CKLT in order to enhance fire safety knowledge and awareness to CKLT villagers. On the hygiene conditions, Food and Environmental Hygiene Department provides routine street cleansing, pest control and public toilet cum bathhouse services to

CKLT, and will continue to closely monitor the situation and communicate with parties concerned on maintaining environmental hygiene of CKLT. HAD has been carrying out drainage and other environment improvement works at CKLT. Inspection works to keep drains and pipes free from blockage and leakage are conducted regularly. In order to alleviate the flood risk in low-lying areas of CKLT due to the storm surge and seawater intrusion, DSD had installed 6 nos. of flap valves in the public stormwater drainage facilities along CKL Road by June 2019.

Conclusion

- 11.13 The Site is zoned “U” on the OZP and the appropriate land uses and development intensity are to be ascertained under the on-going government Study. Government has promulgated a clear policy intention and demonstrated a commitment to replan the Site for a comprehensive development with public housing, GIC facilities and infrastructure improvement at the Site. The Study has commenced in mid-2019 and is targeted for completion by early 2021. The application would undermine the comprehensive replanning and redevelopment of the Site and should not be supported. Furthermore, the technical feasibility of the Proposal has not been ascertained.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:
- (a) the application site is zoned “Undetermined” which will be subject to future study. A Government study is being undertaken for comprehensive replanning of the site for public housing development with supporting facilities. Approval of this application with less Government, institution and community facilities and infrastructural improvement would undermine the comprehensive planning of land uses for the application site; and
 - (b) the applicant failed to demonstrate the technical feasibility of the proposed development and that the proposed development will have no adverse impacts on the area.
- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 4.9.2024, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members’ reference:

Approval conditions

- (a) the submission and implementation of a landscape master plan to the satisfaction of the Director of Planning or of the Town Planning Board;

- (b) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board;
- (c) the submission of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the implementation of the sewerage and drainage facilities identified in the revised Sewerage Impact Assessment in condition (b) above and the revised Drainage Impact Assessment in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a revised Environmental Assessment, and the implementation of the environmental mitigation measure(s) identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measure(s) identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (g) the submission of a revised traffic impact assessment and implementation of the mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (h) the design and provision of vehicular access, and vehicle parking/loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (i) the submission of a revised Water Impact Assessment to the satisfaction of the Director of Water Supplies or of the Town Planning Board;
- (j) the submission of a Conservation Management Plan (CMP) for the conservation of Law Mansion at Nos. 50A, 51 & 51A Cha Kwo Ling Road prior to the commencement of any works and implementation of the CMP to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board;
- (k) the submission of a full set of photographic, cartographic, and/or 3D scanning records of Law Mansion at Nos. 50A, 51 & 51A Cha Kwo Ling Road, prior to commencement of works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board; and
- (l) the submission of the Natural Terrain Hazard Study and the implementation of mitigation measure(s), if any, to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.

Advisory clauses

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

13. Decision Sought

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

14. Attachments

Appendix I	Application form from the applicant received on 10.3.2020
Appendix Ia	Planning Statement and Technical Assessments received on 10.3.2020
Appendix Ib	Further Information vide letter received on 8.7.2020
Appendix II	Other Technical Comments from Government Departments
Appendices III-1 to -20	Public comments received during the Statutory Publication Periods
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawings A-2 to A-4	Ground Floor and Basement Floor Plans
Drawing A-5	Lot Ownership Plan
Drawing A-6	Phasing Plan
Drawings A-7 to A-8	Section Plans
Drawing A-9	Landscape Master Plan
Drawing A-10	Open Space Framework
Drawings A-11 to A12	Photomontages
Drawing A-13	Proposed Implementation Timeline
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Land Ownership
Plan A-5 to A-7	Site Photos