

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

**APPLICATION NO. A/K20/132**

<b><u>Applicants</u></b>	Wolver Hollow Company Limited and Dragon Rider Development Limited represented by Llewelyn-Davies Hong Kong Limited
<b><u>Site</u></b>	Site bounded by Lai Hong Street, Fat Tseung Street West, Sham Mong Road and West Kowloon Corridor and a small strip of land on Lai Hong Street, Cheung Sha Wan
<b><u>Site Area</u></b>	About 23,700m <sup>2</sup> [including about 3,006m <sup>2</sup> of Government land (about 13%)]
<b><u>Land Status</u></b>	(a) <u>New Kowloon Inland Lot No. (NKIL) 6003 R.P. (Part)</u> Restricted to godown or open storage purposes or both, subject to a maximum gross floor area (GFA) of 56,000m <sup>2</sup> and a building height (BH) restriction of 45.72 metres above Principal Datum (mPD)  (b) <u>NKIL No. 6052</u> Restricted to godown purposes, with dangerous goods allowed subject to a minimum GFA of 31,800m <sup>2</sup> and a BH restriction of 45.72mPD  (c) Government land (about 3,006m <sup>2</sup> )
<b><u>Plan</u></b>	Approved South West Kowloon Outline Zoning Plan (OZP) No. S/K20/30
<b><u>Zoning</u></b>	(a) “Comprehensive Development Area” (“CDA”) (about 97.5%)  [Subject to a maximum domestic plot ratio (PR) of 6.5 and a maximum non-domestic PR of 1.5, with minor relaxation clause; and any floor space that is constructed or intended for use solely as public transport facilities, railway station development, or government, institution or community, or social welfare facilities, as required by the Government, may be disregarded]  (b) Areas shown as ‘Road’ (about 2.5%)
<b><u>Application</u></b>	Proposed Comprehensive Development for Residential and Commercial Uses, School, Social Welfare Facilities and Public Vehicle Park, with Minor Relaxation of Domestic PR Restriction (Amendments to Approved Master Layout Plan (MLP))

## 1. The Proposal

- 1.1 The applicants seek planning permission for proposed amendments to the approved MLP for a proposed comprehensive development for residential and commercial uses, school, social welfare facilities and public vehicle park at the application site (the Site) (**Plan A-1**). The proposed amendments under the current application (Proposed Scheme) are set out in paragraphs 1.4 and 1.5 below. As the main proposed amendment is the increase in number of flats from 3,140 to 3,647 units (+507 units, +16.1%) which is beyond Class A or Class B amendments specified in the Town Planning Board's Guidelines on Class A and Class B Amendments to Approved Development Proposals (TPB PG-No. 36B), a fresh application under section 16 of Town Planning Ordinance (the Ordinance) is required.
- 1.2 The Site is subject to a MLP which was previously approved with conditions by the Metro Planning Committee (the Committee) of the Board on 17.8.2018 under Application No. A/K20/128 (the Approved Scheme) with minor relaxation of the domestic PR increased from 6.5 to 7.5 while the non-domestic PR of the proposed development correspondingly reduces from the maximum PR 1.5 as permitted under the OZP to 0.5.
- 1.3 Same as in the Approved Scheme, the Site comprises Site 1 (NKIL No. 6052) and Site 2 (NKIL No. 6003 R.P. (Part)) which are under separate ownership, an existing public road Lai Fat Street and two pieces of Government land adjacent to Lai Hong Street and Sham Mong Road (**Plan A-3**)<sup>1</sup>. Major development parameters including PR, GFA and maximum BH, provision of government, institution and community (GIC) facilities including a Residential Care Home for the Elderly (RCHE) (100-place), a Day Care Centre for the Elderly (DE) (60-place), a Neighbourhood Elderly Centre (NEC), a Support Centre for Persons with Autism (SPA), public vehicle parking spaces, and a private kindergarten (GFA of 900m<sup>2</sup>) of the Proposed Scheme are same as the Approved Scheme.
- 1.4 The MLP, floor plans, section plan, Landscape Master Plan (LMP), urban design concept plan and photomontages submitted by the applicants for the Proposed Scheme are at **Drawings A-1** to **A-17**. Compared with the Approved Scheme, the major amendments are summarised as follows:
- (a) the number of flats increases from 3,140 to 3,647 (+507 units, +16.1%) comprising 244 for Site 1 and 263 for Site 2 with a reduction of average flat size by 10m<sup>2</sup> (from 45m<sup>2</sup> to 35m<sup>2</sup>) in Site 1 and 7m<sup>2</sup> (from 62m<sup>2</sup> to 55m<sup>2</sup>) in Site 2. The provision of private local open space is increased by 1,318m<sup>2</sup> (+16.1%) due to the corresponding increase in population;
  - (b) the number of building blocks for Site 1 is reduced from two to one, and the form and disposition of the building blocks of both Sites 1 and 2 have been revised (**Drawing A-1**);
  - (c) the SPA is consolidated on G/F of Site 1, instead of on G/F and 1/F in the

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<sup>1</sup> Two portions of NKIL No. 6003 R.P. falling outside the "CDA" site with a total area of about 248m<sup>2</sup> will be surrendered back to the Government (**Plan A-3**). One portion is a triangular area near the Tack Ching Girls' Secondary School and another portion is a strip of land at the corner of Fat Tseung Street West and Sham Mong Road which together with the adjoining Government land will be formed as footpath by the applicants at their costs and will be returned to the Government upon completion.

Approved Scheme to improve accessibility (**Drawings A-4 and A-5**);

- (d) the alignment of the 7m-wide Pedestrian Passageway (located at the current Lai Fat Street which will be closed) to be opened 24 hours to the public is shifted south-westward and falls within Site 2 completely for better management and maintenance, instead of straddling over Sites 1 and 2 as in the Approved Scheme (**Drawing A-12**);
- (e) setback of the podium along Tung Chau Street in Site 1 to allow better streetscape and along Sham Mong Road in Site 2 to preserve a mature tree (Tree No. T03) which will form part of the Entrance Plaza (**Drawings A-4 and A-9**); and
- (f) the provision of ancillary car parking spaces in Site 1 is increased from 117 to 126 (+9, +7.7%).

1.5 A comparison of major development parameters of the Approved Scheme and Proposed Scheme is appended below. Detailed comparison is at **Appendix II**.

<b>Key Development Parameters</b>	<b>Approved Scheme (No. A/K20/128) (a)</b>	<b>Proposed Scheme (No. A/K20/132) (b)</b>	<b>Difference (%) (b) - (a)</b>
<b>Site Area (About)<sup>@</sup></b>			
Site 1	5,352m <sup>2</sup>		Same
Site 2	18,348m <sup>2</sup>		Same
Whole Site	23,700m <sup>2</sup>		Same
<b>PR (For Site 1, Site 2 and Whole Site)</b>			
Total	Not more than 8		Same
- Domestic	Not more than 7.5		Same
- Non-Domestic	Not more than 0.5		Same
<b>GFA</b>			
<u>Site 1</u>			
- Total	Not more than 42,816m <sup>2</sup>		Same
- Domestic	Not more than 40,140m <sup>2</sup>		Same
- Non-Domestic <sup>^</sup>	Not more than 2,676m <sup>2</sup>		Same
<u>Site 2</u>			
- Total	Not more than 146,784m <sup>2</sup>		Same
- Domestic	Not more than 137,610m <sup>2</sup>		Same
- Non-Domestic <sup>^</sup>	Not more than 9,174m <sup>2</sup>		Same
<u>Whole Site</u>			
- Total	Not more than 189,600m <sup>2</sup>		Same
- Domestic	Not more than 177,750m <sup>2</sup>		Same
- Non-Domestic <sup>^</sup>	Not more than 11,850m <sup>2</sup>		Same
<b>BH (main roof) (For Site 1, Site 2 and Whole Site)</b>			
BH (Maximum)	Not more than 150mPD		Same
<b>No. of Blocks</b>			
Site 1	2	1	-1 (-50%)
Site 2	6	6	Same
Whole Site	8	7	-1 (-12.5%)

<b>Key Development Parameters</b>	<b>Approved Scheme (No. A/K20/128) (a)</b>	<b>Proposed Scheme (No. A/K20/132) (b)</b>	<b>Difference (%) (b) - (a)</b>
<b>No. of Flats (About)</b>			
Site 1	903	1,147	+244 (+27%)
Site 2	2,237	2,500	+263 (+11.8%)
Whole Site	3,140	3,647	+507 (+16.1%)
<b>Average Flat Size (About)</b>			
Site 1	45m <sup>2</sup>	35m <sup>2</sup>	-10m <sup>2</sup> (-22.2%)
Site 2	62m <sup>2</sup>	55m <sup>2</sup>	-7m <sup>2</sup> (-11.3%)
Whole Site	57m <sup>2</sup>	49m <sup>2</sup>	-8m <sup>2</sup> (-14%)
<b>Estimated Population (About)</b>			
Site 1	2,348	2,982	+634 (+27%)
Site 2	5,816	6,500	+684 (+11.8%)
Whole Site	8,164	9,482	+1,318 (+16.1%)
<b>Private Local Open Space</b>			
Site 1	Not less than 2,348m <sup>2</sup>	Not less than 2,982m <sup>2</sup>	+634 (+27%)
Site 2	Not less than 5,816m <sup>2</sup>	Not less than 6,500m <sup>2</sup>	+684 (+11.8%)
Whole Site	Not less than 8,164m <sup>2</sup>	Not less than 9,482m <sup>2</sup>	+1,318 (+16.1%)
<b>Green Coverage (For Site 1, Site 2 and Whole Site)</b>			
Green Coverage	Not less than 30%		Same
<b>Social Welfare Facilities (GFA)**</b>			
<u>Site 1</u>			
- SPA	283m <sup>2</sup>		Same
<u>Site 2</u>			
- RCHE	2,383m <sup>2</sup>		Same
- DE	630m <sup>2</sup>		Same
- NEC	534m <sup>2</sup>		Same
Whole Site	3,830m <sup>2</sup>		Same
<b>Parking Facilities</b>			
<u>Site 1</u>			
• Ancillary #			
- Private Car	117	126	+9 (+7.7%)
- Loading/ Unloading (L/UL)	5	5	Same
• Public ##	24	24	Same
<u>Site 2</u>			
• Ancillary #			
- Private Car	594	594	Same
- L/UL	18	18	Same
• Public ##	73	73	Same
<u>Whole Site</u>			
• Ancillary #			
- Private Car	711	720	+9 (+1.3%)
- L/UL	23	23	Same
• Public ##	97	97	Same

Remarks:

- @ Site area includes Government land and is subject to site survey and detailed setting out at land grant stage.
- ^ Non-domestic GFA refers to commercial uses, school (kindergarten, nursery, commercial and tutorial schools and schools for language, computer, art, ballet and other types providing interest/hobby related courses). It includes a private kindergarten (about 900m<sup>2</sup>) in Site 1. Detailed internal layout of commercial uses will be prepared and submitted in building plan submissions. Non-domestic GFA does not include the proposed GIC facilities and the public vehicle parking spaces, which are exempted from GFA calculation.
- \*\* The net operational floor areas (NOFA) of the proposed GIC facilities are 161m<sup>2</sup> for SPA, 1353.5m<sup>2</sup> for 100-place RCHE, 358m<sup>2</sup> for 60-place DE, and 303m<sup>2</sup> for NEC under the Approved Scheme.
- # The ancillary parking spaces for private car include the provisions for domestic, non-domestic, visitor and accessible parking spaces. Ancillary L/UL spaces include the provisions for HGV and light goods vehicle.
- ## The total number of parking spaces available for public use for private car is 163 (comprising the 73 public car parking spaces, 55 ancillary commercial parking spaces and 35 visitor parking spaces). The total number of parking spaces available for public use for HGV/coach is 47 (comprising the 24 public HGV/coach parking spaces and 23 ancillary L/UL spaces for overnight lorry parking).

- 1.6 The proposed RCHE, DE, NEC and SPA will be constructed by the applicants at their development costs<sup>2</sup> and will be handed over to the Government for future operation, management and maintenance upon completion while the kindergarten will be privately operated. The public vehicle park will be constructed, operated, managed and maintained by the applicants.
- 1.7 Lai Fat Street will be closed for provision of a 17m-wide landscaped pedestrian passageway with shop frontages on two sides (the Landscaped Pedestrian Passageway), which comprises a pedestrian passageway of 7m wide that will be opened to the public 24 hours<sup>3</sup> (7m-wide Pedestrian Passageway) (**Drawing A-12**). The 7m-wide Pedestrian Passageway will be implemented, managed and maintained at all times by the applicant of Site 2.
- 1.8 It is expected that the proposed development will be completed by 2027 for technical assessment purpose. The Site includes two private lots under different land ownership and the redevelopment will be implemented in phases.
- 1.9 In support of the application, the applicants have submitted the following documents:
  - (a) Application form received on 25.9.2019 (**Appendix I**)
  - (b) Planning Statement and Technical Assessments (**Appendix Ia**)
  - (c) Letter dated 20.12.2019 providing responses to departmental and public comments, revised technical assessments including drainage impact assessment (DIA), sewerage impact assessment (SIA), environmental assessment (EA) and air ventilation assessment (AVA), revised figures and photomontage; (**Appendix Ib**)

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<sup>2</sup> The proposed social welfare facilities will be constructed by the applicants at their development costs which will be reimbursed from the Government with either the actual cost of construction or the consideration sum as stipulated in the future land lease, whichever is the lesser, according to the established practice.

<sup>3</sup> The proposed Landscaped Pedestrian Passageway with a minimum width of 7m that will be opened to the public is illustrated by a purple dotted line on the MLP in **Drawing A-12**.

and replacement pages of the traffic impact assessment (TIA) and visual impact assessment (VIA) \*

- (d) Letter dated 8.5.2020 providing responses to departmental comments, revised LMPs, tree survey report, AVA, EA, DIA and SIA, replacement pages of the TIA, and revised MLPs \* **(Appendix Ic)**
- (e) Letter dated 10.7.2020 providing responses to departmental and public comments, revised pages of technical assessments including TIA, EA and AVA, and revised MLPs and LMPs \* **(Appendix Id)**
- (f) Letter dated 12.8.2020 providing responses to departmental comments # **(Appendix Ie)**
- (g) Letter dated 28.8.2020 providing responses to departmental comments # **(Appendix If)**

[\* Accepted but not exempted from publication and recounting requirements.]

[# Accepted and exempted from the publication and recounting requirements.]

1.10 The application was originally scheduled for consideration by the Committee on 15.11.2019. Upon requests of the applicants, the Committee agreed on 15.11.2019, 17.3.2020 and 26.6.2020 to defer making a decision on the application for two months each in order to allow time for the applicants to prepare further information to address departmental and public comments received. With the applicants' further information received on 10.7.2020, the application is scheduled for consideration by the Committee at this meeting.

## 2. **Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the Planning Statement and submissions of further information at **Appendices Ia to If**. They are summarised as follows:

### In Line with Government's Policy to Increase Housing Supply

- (a) the Proposed Scheme will provide an addition of 507 units compared with the Approved Scheme, which can alleviate the shortage of housing supply in Hong Kong. The average flat size of the proposed development is in line with other similar residential developments in Cheung Sha Wan/Sham Shui Po ranging from 32m<sup>2</sup> to 40m<sup>2</sup>. The proposed development could meet different housing needs in the area;

### Better Demarcation of the Landscaped Pedestrian Passageway

- (b) the alignment of the proposed 7m-wide Pedestrian Passageway will fall within Site 2 completely (**Drawing A-12**) for better future management and maintenance, instead of straddling over Sites 1 and 2 as in the Approved Scheme. The responsibilities of operation, management and maintenance of the Landscaped

Pedestrian Passageway (including the 7m-wide portion) will be under the commercial portions of respective sites;

### Planning Gains

- (c) the same planning gains including the type of social welfare facilities and the number of public vehicle parking spaces committed in the Approved Scheme will remain unchanged to serve the need of the community. A 9-classroom private kindergarten (GFA: 900m<sup>2</sup>) will be provided in Site 1. The existing Lai Fat Street is proposed to be closed for provision of Landscaped Pedestrian Passageway to allow pedestrian movement to the surrounding areas;

### Design Merits

- (d) as compared with the Approved Scheme, the Proposed Scheme has introduced the following additional design merits:
  - (i) zigzag form of tower block at Site 1 (**Drawing A-1**);
  - (ii) reduced BH of towers (i.e. Towers 5 and 6 in Site 2<sup>4</sup> from 150mPD to 146.85mPD and from 144mPD to 140.55mPD respectively) closer to the Landscaped Pedestrian Passageway to improve the overall visual amenity while maintaining a stepped BH profile descending from the northeast to southwest of the Site (**Drawing A-8**);
  - (iii) commercial uses at podium level consolidated (**Drawing A-4**) and two-level terraced podium design along the Landscaped Pedestrian Passageway for a more vibrant and active frontage, and higher headroom at podium level for visual and air permeability (**Drawing A-8**);
  - (iv) the SPA consolidated on G/F in Site 1 to provide convenient and easy access to the future users (**Drawings A-4 and A-5**);
  - (v) an existing mature tree (Tree No. T03) at the boundary of Site 2 along Sham Mong Road is now retained through setback of the podium along Sham Mong Road in responses to the concerns raised by the Committee at its meeting when considering the Approved Scheme, and the podium along Tung Chau Street for Site 1 has also been setback for planting (**Drawings A-4 and A-9**);
  - (vi) building separation of about 15m between Towers 5 and 6 of Site 2 and about 17m between the podiums of Sites 1 and 2 are maintained in the Proposed Scheme (**Drawing A-8**);

### Compliance with Planning Intention of “CDA” zone

- (e) the proposed redevelopment of the existing godowns into a comprehensive residential and commercial development is in line with the planning intention of the “CDA” zone for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other

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<sup>4</sup> Towers 1, 3, 4 and 6 in the Proposed Scheme were named Towers 3, 1, 6 and 4 respectively in the Approved Scheme (**Drawing A-1**).

supporting facilities. The proposed development is compatible with the residential developments in the surrounding areas;

#### Development Intensity Compatible with Surrounding Context

- (f) the proposed domestic PR of 7.5, which is same as in the Approved Scheme and the result of reshuffling of domestic and non-domestic distribution, is compatible with the residential developments in the vicinity (including the Sparkle, Banyan Garden and Liberte, the Pacifica) and the other planned residential developments zoned “Residential (Group E)1” (“R(E)1”) and “Residential (Group A)” (“R(A)”) nearby. The proposed BH of not more than 150mPD is compatible with those of the surrounding developments (ranging from 100mPD to 152mPD) and the northeast-southwest BH profile with BH descending from the hinterland towards the waterfront in the area;

#### Timely Implementation and Phased Development

- (g) all the private lots within the Site are owned by the two land owners and the two existing godowns can be vacated according to their redevelopment programme. Due effort has been made to formulate a comprehensive MLP to ensure a comprehensive redevelopment scheme that can be timely implemented. Flexibility has been allowed for ‘phased development’ by ensuring that the development at both Sites 1 and 2 will be self-contained in terms of development parameters, layout design, open space, vehicular access, car parking space, L/UL space and other infrastructure requirements. The environmental assessment concluded that there will be no insurmountable adverse impacts when only one of the existing godowns is to be redeveloped first;

#### Sustainable in Visual, Environment, Traffic, Drainage and Sewerage Aspects

- (h) technical assessments concluded that the Proposed Scheme, with implementation of appropriate mitigation measures, will not cause any significant impact on the urban design, landscape, visual, air ventilation, traffic, environmental, drainage and sewerage aspects;
- (i) the ancillary car parking and L/UL facilities of the Proposed Scheme will be provided as per the high-end requirements stipulated under the Hong Kong Planning Standards and Guidelines (HKPSG). The proposed ancillary car parking spaces have been further reviewed based on the latest HKPSG currently under review. A number of ancillary parking spaces and L/UL bays will be available for overnight parking for public use and a 10-hour time period is proposed tentatively, subject to further review of actual operation at later stage. The internal layout and floor space of the Site has been optimised and is subject to site constraints including accommodating the whole SPA at G/F for users’ easy access and setback of podiums of the Sites 1 and 2 along roads for planting and preservation of an existing tree (T03) and hence area available for providing parking spaces including public parking spaces has been reduced; and
- (j) it is expected that the traffic flow of HGVs will be reduced upon the demolition of the existing warehouses. When the public vehicle parks are in operation, there will be on-duty staff to manage the traffic condition at the entrances of the public



vehicle parks to ensure the pedestrian/student safety.

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

#### For the Portion of Private Land

- 3.1 The applicants are the sole 'current land owners'. Detailed information would be deposited at the meeting for Members' inspection.

#### For the Portion of Government Land

- 3.2 The "owner's consent/notification" requirement as set out in the Town Planning Board Guidelines on Satisfying the 'Owner's Consent/Notification' Requirements under Sections 12A and 16 of the Ordinance (TPB PG-No. 31A) is not applicable on the portion of Government land within the Site.

### **4. Town Planning Board Guidelines**

- 4.1 According to the Town Planning Board Guidelines for Designation of "CDA" zones and Monitoring the Progress of "CDA" Developments (TPB-PG No. 17A), "CDA" zones are intended to achieve the following objectives to:
- (a) facilitate urban renewal and restructuring of land uses in the old urban areas;
  - (b) provide incentives for the restructuring of obsolete areas; including old industrial areas; and the phasing out of non-conforming uses, such as open storage and container back-up uses in the rural areas;
  - (c) provide opportunities for site amalgamation and restructuring of road patterns and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
  - (d) provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land uses;
  - (e) ensure adequate as well as timely provision of government, institution or community uses, transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
  - (f) ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

### **5. Background**

- 5.1 The Site was rezoned from "Industrial" ("I") and an area shown as 'Road' to "CDA" on the draft South West Kowloon OZP No. S/K20/5 gazetted on 24.4.1998 to reflect

the Committee's agreement on 20.2.1998 to a rezoning request to facilitate a comprehensive development of residential, hotel, office, retail and exhibition centre with a maximum domestic PR of 3.4 and maximum non-domestic PR of 4.6 at the Site.

- 5.2 On 8.10.1999, a request for amendments to the Notes of the OZP for the "CDA" zone to allow stronger emphasis on residential provision was partially agreed by the Committee, with revision to the maximum domestic and non-domestic PRs from 3.4 and 4.6 to 6.5 and 1.5 respectively. The amendment was incorporated into the draft South West Kowloon OZP No. S/K20/8 gazetted on 3.12.1999.

## 6. Previous Applications

- 6.1 There are four previous planning applications (Nos. A/K20/17, A/K20/32, A/K20/43 and A/K20/128) relating to the Site after it was rezoned to "CDA" on 24.4.1998.
- 6.2 Application No. A/K20/17 with domestic PR and non-domestic PR of 3.4 and 4.6 respectively in line with the PR restrictions of the then OZP for proposed comprehensive commercial/residential development with hotel and exhibition/convention centre, and provision of public parking spaces for cars, light goods and medium goods vehicles was approved with conditions by the Committee on 30.10.1998.
- 6.3 Application No. A/K20/32 with domestic PR and non-domestic PR of 6.5 and 1.5 respectively in compliance with the PR restrictions of the then OZP for proposed comprehensive residential development with ancillary retail uses and public parking provisions for cars, light goods and heavy goods vehicles was approved with conditions by the Committee on 14.4.2000.
- 6.4 Application No. A/K20/43 for proposed amendment to the approved scheme under Application No. A/K20/32 with revision to the implementation programme (without changes to the development parameters) was approved by the Director of Planning under the delegation of authority of the Board on 28.6.2001 and the validity of the planning permission was up to 28.6.2004. Applications for extension of time for commencement of development had been approved and the validity of the planning permission was extended up to 28.6.2008. As the approved scheme was not implemented, the planning permission for the application No. A/K20/43 was lapsed on 28.6.2008.
- 6.5 Application No. A/K20/128 for proposed comprehensive development for residential and commercial uses, school, social welfare facilities and public vehicle park with minor relaxation of restriction of domestic PR from 6.5 to 7.5 was approved with conditions by the Committee on 17.8.2018. All approval conditions have not yet complied with.
- 6.6 The locations and details of the previous applications are at **Plan A-1** and **Appendix III** respectively.

## 7. Similar Applications

There are similar applications for comprehensive residential and/or commercial development in four sites zoned “CDA” on the South West Kowloon OZP, namely MTR Nam Cheong Station for private residential and commercial development (Application No. A/K20/119), North West Kowloon Reclamation (NWKR) Site 6 for public housing development (Application No. A/K20/124), and off Hing Wah Street for private residential development (Application No. A/K20/130) and hotel development (Application No. A/K20/131) which were approved with conditions by the Committee on 1.3.2013, 17.7.2015, 16.11.2018 and 1.2.2019 respectively. Details of the similar applications are at **Plan A-2** and **Appendix IV** respectively.

## 8. The Site and Its Surrounding Areas (Plans A-1 to A-9)

### 8.1 The Site:

- (a) is located in the south-western part of Sham Shui Po. It is bounded by Fat Tseung Street West, Sham Mong Road, Lai Hong Street and Tung Chau Street/West Kowloon Corridor (**Plans A-1** and **A-4**);
- (b) is accessible via Fat Tseung Street West for Site 1 and via Fat Tseung Street West/Lai Hong Street/Lai Fat Street for Site 2;
- (c) comprises mainly two private lots, namely NKIL No. 6052 in the north occupied by a 12-storey dangerous goods godown (Kerry Hung Kai Warehouse (Cheung Sha Wan)) completed in 1991, and NKIL No. 6003 R.P. in the south occupied by a 8-storey godown (Yuen Fat Warehouse) completed in 1987 (**Plans A-3, A-5, A-6** and **A-8**); and
- (d) includes three pieces of Government land, namely Lai Fat Street which is a public road separating the two lots, a vegetated sloping area with trees along Sham Mong Road, and a small strip of Lai Hong Street (**Plan A-3**).

### 8.2 The surrounding areas have the following characteristics:

- (a) the area primarily is a residential neighbourhood with some GIC uses;
- (b) to the west of the Site along Lai Hong Street are two secondary schools (Tack Ching Girl’s Secondary School and Tsung Tsin Christian Academy) and the Water Supplies Department Kowloon West Regional Building and the Hing Wah Street West Playground;
- (c) further to the west across Hing Wah Street West is a high-rise and high-density residential neighbourhood (generally zoned “R(A)” comprising private residential developments (including Aqua Marine, The Pacifica, Banyan Garden, Liberte and One West Kowloon) with maximum BH in the range of 133mPD to 185mPD and the public housing development of Hoi Lai Estate with maximum BH of 120mPD with each of the “Government, Institution or Community” (“G/IC”) zones south of Sham Shing Road and Hoi Lai Street occupied by two schools (**Plans A-1** and **A-2**);

- (d) to the east of the Site on Fat Tseung Street West is a public housing development named Hoi Tak Court zoned “R(A)11” (maximum BH of 120mPD) and various GIC uses including the Cheung Sha Wan Sewage Pumping Station, the West Kowloon Law Court Building and two schools within the “G/IC” zone along Ying Wa Street (**Plan A-1**). The “Open Space” (“O”) zone adjacent to the West Kowloon Law Court Building is now temporarily used as the West Kowloon Mediation Centre;
- (e) to the south and southeast across Sham Mong Road are two “CDA” sites including the NWKR Site 6 for public housing development with various GIC uses and public open space under construction (maximum BH of 139mPD) and the comprehensive private residential and commercial development named Cullinan West above the MTR Nam Cheong Station (maximum BH of about 182mPD) (**Plan A-1**). Further to the southwest of NWKR Site 6 are public housing developments named Hoi Ying Estate and Hoi Lok Court in the “R(A)12” zone (maximum BH of 125mPD), as well as two “CDA” sites (maximum BH 100mPD) along the harbourfront (**Plan A-2**); and
- (f) to the north across West Kowloon Corridor are The Sparkle zoned “R(A)9” (maximum BH of 152mPD), the Wang Cheong Factory Estate and the Cheung Sha Wan Wholesale Poultry Market (zoned “O” and “G/IC”), one industrial building and one industrial-office building zoned “R(E)1” (maximum BH of 80mPD) and the Cheung Sha Wan Vegetable Market (maximum BH of 100mPD) zoned “R(A)” on the approved Cheung Sha Wan OZP No. S/K5/37 (**Plans A-2 and A-3**).

## 9. **Planning Intention**

- 9.1 The planning intention of the “CDA” zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking into account of various environmental, traffic, infrastructure and other constraints.
- 9.2 Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Ordinance. Paragraph 8.2.10 of the Explanatory Statement of the OZP also states that the minor PR relaxation may be considered to provide flexibility for innovative design adapted to the characteristics of particular sites.

## 10. **Comments from Relevant Government Departments**

- 10.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

- 10.1.1 Comments of the Chief Estate Surveyor/Land Supply, Lands Department

(CES/LS, LandsD):

- (a) no objection to the planning application;
- (b) the Site covers most of the Remaining Portion of NKIL No. 6003 (“NKIL 6003 RP”), the entire NKIL No. 6052 (“NKIL 6052”) and adjoining Government land including an existing public road namely Lai Fat Street;
- (c) NKIL 6003 RP was granted by private treaty under Conditions of Grant No.11842 as varied or modified by three Modification Letters dated 25.10.1993, 19.1.2001 and 19.1.2001 respectively and extended by a Particulars and Conditions of Extension of Lease Term dated 9.8.1995 and is restricted to godown or open storage purposes or both. The site area is 16,210m<sup>2</sup> and the lease conditions of NKIL 6003 RP also contain, amongst others, a height restriction of 45.72mPD, a maximum GFA of 56,000m<sup>2</sup> and a non-alienation restriction;
- (d) NKIL 6052 is held under Conditions of Sale No. 12042 and is restricted to godown purposes, with dangerous goods can be stored in the Dangerous Goods Premises. The site area of the lot is 4,728m<sup>2</sup> and the lease conditions of NKIL 6052 also contain, amongst others, a minimum GFA of 31,800m<sup>2</sup> and a height restriction of 45.72mPD;
- (e) the three pieces of Government land falling within the Site are unleased Government Land, including an existing public road namely Lai Fat Street being managed and maintained by the Transport Department (TD) and Highways Department (HyD) respectively;
- (f) if the planning application is approved by the Board, the owners of NKIL 6003 RP and NKIL 6052 have to apply to LandsD for a land exchange(s) for the proposed development. Two land exchange applications were received from the lot owners of NKIL 6003 RP and NKIL 6052 respectively and are being processed by LandsD. However, there is no guarantee that applications (which involve grant of Government land and proposed road works on existing public road) will be approved. Such applications will be considered by LandsD acting in the capacity of Landlord as its sole discretion and subject to necessary statutory procedures under Roads (Works, Use and Compensation) Ordinance (Cap. 370), if required, for the proposed road works and policy clearance and approval by the higher authority. In the event that the land exchange application(s) is/are approved by LandsD, it/they shall be subject to such terms and conditions, including payment of a premium/premia and administrative fee(s), as may be imposed by LandsD;
- (g) permanent closure of Lai Fat Street is proposed. Necessary statutory procedures under Roads (Works, Use and Compensation)

Ordinance (Cap. 370) for the proposed road closure are required. The applicants are reminded that they are liable for all the administrative costs and compensation claims in connection with the proposed road works; and

- (h) detailed comments are at **Appendix V**.

### **Building Matter**

10.1.2 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) no objection in principle to the application;
- (b) according to the Building (Planning) Regulation (B(P)R) 23(2)(a), in determining the area of the Site on which a building is erected for the purpose of B(P)Rs 20, 21 or 22, no account shall be taken of any part of any street or service lane. In this respect, Lai Fat Street and the small strip of land on Lai Hong Street should not be included in site area for the purpose of site coverage and PR calculations under the Buildings Ordinance (BO);
- (c) under PNAP APP-2, 100% GFA concession may be granted for underground private and public carpark;
- (d) detailed comments under the BO will be given at building plan submission stage;
- (e) regarding the average flat size of the proposed development, there is no requirement on minimum area of residential flat under the BO; and
- (f) detailed comments are at **Appendix V**.

### **Traffic and Parking Facilities**

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

- (a) no in-principle objection to the application;
- (b) should the application be approved by the Board, the following conditions are recommended:
  - (i) the design and provision of ingress/egress point(s), vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the C for T or of the Board;
  - (ii) the provision of a public vehicle park, as proposed by the applicants, to the satisfaction of the C for T or of the Board;
  - (iii) the submission of revised TIA and implementation of the traffic improvement measures identified therein to the satisfaction of the C for T or of the Board;

- (c) it is reminded that the public vehicle park should be funded, constructed, managed, operated and maintained by the applicants at their own cost; and
  - (d) detailed comments are at **Appendix V**.
- 10.1.4 Comments of the Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD):
- (a) no in-principle objection to the application;
  - (b) the land exchange and closure of Lai Fat Street as well as the implementation of the Landscaped Pedestrian Passageway are the land matter and traffic engineering matter. LandsD and TD should be consulted;
  - (c) as the Landscaped Pedestrian Passageway would be managed and maintained at all times by the applicants, and would not be handed over to the Government for maintenance, he has no comment to the arrangement from highway's maintenance viewpoint; and
  - (d) for the small strip of land at corner of Sham Mong Road and Fat Tseung Street West, HyD may take up for maintenance provided that TD agrees to take up the area for management; the area is constructed in compliance with highway's standards; and demarcation line shall be provided between area and adjacent lot boundaries.

### **Environment**

- 10.1.5 Comments of the Director of Environmental Protection (DEP):
- (a) should the application be approved, the following approval conditions to fully address the outstanding issues of potential noise and land contamination issues are recommended to be imposed:
    - (i) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of Director of Environmental Protection or of the Board;
    - (ii) the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of Director of Environmental Protection or of the Board;
  - (b) no further comment on the revised SIA. The Drainage Services Department (DSD), as the maintenance agent of public sewers, should be consulted on the implementation of the local sewerage

upgrading/sewerage connection works identified in the SIA Report;

- (c) as the proposed development would involve demolition of the existing buildings, the applicants are advised to minimise the generation of construction and demolition (C&D) materials, reuse and recycle the C&D materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
- (d) regarding the public comment concerning the noise from school activities affecting the relationships with neighboring residents, it should be noted that school(s) is (are) typically built near residential area in Hong Kong context. For this particular case, there is a setback distance between the Tack Ching's Secondary School and the proposed development (i.e. 34m). It is expected that the noise from daily activities in the Tack Ching Girls' Secondary school would unlikely be a major noise issue to the future residents of the proposed development.

#### **Drainage and Sewerage Aspects**

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

- (a) no comments to the application and the revised SIA from public drainage and sewerage operation and maintenance point of view;
- (b) the SIA needs to meet the full satisfaction of Environmental Protection Department (EPD), the planning authority of sewerage infrastructure. DSD's comments on the SIA are subject to views and agreement of EPD;
- (c) should the application be approved by the Board, the following conditions are recommended:
  - (i) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Board;
  - (ii) the implementation of mitigation measures identified in the DIA if the existing drain along Lai Fat Street is diverted to the satisfaction of the Director of Drainage Services or of the Board;
- (d) detailed comments are at **Appendix V**.



**Urban Design, Air Ventilation and Landscape**

- 10.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):
- (a) no comment on the application from visual impact point of view;
  - (b) the proposed development mainly consists of 7 residential towers with BH ranging from 140.55mPD to 150mPD, which may not be incompatible to adjacent residential developments (Hoi Tak Court, public housing development at NWKR Site 6 and The Sparkle) with BH ranging from 120mPD to 152mPD;
  - (c) both the residential towers and podium length appear more than 60m, which may have adverse impact on the air ventilation and visual permeability. The applicants are advised to comply with the building separation requirements of the design guidelines promulgated in PNAP APP-152;
  - (d) it is noted some of the façade areas are facing west. Solar control devices should be considered to reduce solar heat gain and avoid glare as far as practicable; and
  - (e) for RCHE, DC, NEC and SPA, the design should consider barrier-free and elderly friendly issues.
- 10.1.8 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

**Urban Design and Visual**

- (a) in comparison with the previously Approved Scheme under application No. A/K20/128, the two schemes are similar in terms of development parameters. The changes are mainly related to the increase in number of flat production and associated changes in built form and disposition of the towers. Furthermore, there are changes in the placement of shops, and the 7m-wide Pedestrian Passageway is now included entirely in Site 2. While there are adjustments to the tower shapes and disposition for Sites 1 and 2, the major changes are related to the built form design at Site 1, from two connected towers, one relatively linear shape and one T-shape, to a zig-zag one tower;
- (b) in terms of BH, the Proposed Scheme proposes a total of 7 residential towers with one tower (Tower 1) at Site 1 (BH of 150mPD) and 6 towers (Tower 1 to Tower 6) at Site 2 (BH ranging from 140.55mPD to 150mPD). The proposed BH profile of the Proposed Scheme is considered similar to that of the Approved Scheme. Significant impact on the visual character of the townscape is not anticipated;

- (c) regarding the 17m-wide Landscape Pedestrian Passageway to be transformed from the existing Lai Fat Street dividing Sites 1 and 2, the applicants confirmed that the 7m-wide Pedestrian Passageway will be opened 24 hours to the public. The Proposed Scheme consolidates the commercial portion within the podium close to the Landscaped Pedestrian Passageway with shop frontages, such relocation could achieve a greater synergy effect with the pedestrianised walking environment with shop frontages along Lai Fat Street. The Landscape Pedestrian Passageway and the proposed setback of podiums along Tung Chau Street and Sham Mong Road with landscape treatment such as planting of trees, portable planters, lawn areas and beaches/sitting out areas would create visual interests and enhanced pedestrian environment;
- (d) the proposed comprehensive residential development above commercial and kindergarten and GIC uses at the podium floors development involving a minor relaxation in domestic plot ratio would unlikely cause any grave concerns in terms of visual impact as illustrated in the supporting VIA. It is recognised that there is a wider building gap between the proposed development and the adjacent development i.e. the Sparkle;

#### Air Ventilation Assessment

- (e) an Air Ventilation Assessment Initial Study (AVA IS) using computational fluid dynamics has been conducted to support the current application. Two scenarios, i.e. the Approved Scheme and Proposed Scheme, have been assessed in the study;
- (f) according to the latest simulation results, similar overall ventilation performance of the surrounding and along the site boundary is achieved by the two studied schemes under annual condition. Better ventilation performance along site boundary is achieved by the Proposed Scheme when compared to the Baseline Scheme under summer condition, while the overall performance of the surrounding is similar. The Proposed Scheme maintains the 17m building separations between the podium of the two sites, adopts a more permeable podiums and incorporates a 15m building separation between Towers 5 and 6 of Site 2. As such, no significant air ventilation impact is anticipated when comparing the Proposed Scheme with the Approved Scheme;

#### Landscape

- (g) no objection to the application from landscape planning perspective;
- (h) the tree T03 is proposed to be retained, adequate landscape provisions including tree planting along Tung Chau Street and Sham Mong Road, and planters with trellises along 17m-wide Landscape Pedestrian Passageway, lawn areas, gardens in various

levels, green roof, etc. are proposed in enhancing the landscape quality of the development;

(i) it is observed that a small portion of the proposed planter for the retained tree T03 is located outside the boundary of the Site. The applicants are reminded to seek comments and agreement from the relevant authorities on the party responsible for management and maintenance;

(j) should the application be approved by the Board, the following condition is recommended:

“the submission and implementation of a Landscape Master Plan to the satisfaction of Director of Planning or of the Board”; and

(k) detailed comments are at **Appendix V**.

10.1.9 Comments of the Director of Leisure and Cultural Services (DLCS):

Tree Preservation

(a) in compliance with Development Bureau Technical Circular (Works) No. 4/2020, every possible effort should be made to preserve the existing trees on site and minimise the adverse impact on them during the works period;

(b) a comprehensive tree assessment schedule on proposed treatment of trees with full justifications must be provided along with the Tree Preservation and Removal Proposal for processing;

(c) if any tree is inevitably affected, prior application for tree felling/transplanting should be made 12 months in advance to LandsD for approval;

(d) Leisure and Cultural Services Department (LCSD) reserves the right to comment on the project from tree preservation perspective upon request by LandsD in accordance with the above technical circular;

(e) protective measures for trees to be retained adjacent to hoarding of the Site should be provided; and

(f) no comment to the application as the proposed amendments within the Site will not encroach onto the landscaped area with trees under the horticultural maintenance of LCSD along the Sham Mong Road.

### **Fire Safety**

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

- (a) no objection to the application;
- (b) fire service installations and water supplies for fire-fighting being provided to the satisfaction of the Fire Services Department;
- (c) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (d) the arrangement of emergency vehicular access shall comply with Section 6, Part D of the *Code of Practice for Fire Safety in Buildings 2011* which is administered by BD.

### **Social Welfare Facilities**

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

- (a) no adverse comment on the planning application;
- (b) the provision of welfare facilities (a SPA, a 100-place RCHE, a 60-place DE and a NEC) under the Approved Scheme remains unchanged in the current planning application;
- (c) the applicants will ensure all requirements regarding the welfare facilities as stipulated in the land exchange documents as well as all current and prevailing ordinance and regulations will be fulfilled and there will be ongoing liaison with the Social Welfare Department at detailed design stage; and
- (d) detailed comments are at **Appendix V**.

### **Kindergarten**

10.1.12 Comments of the Secretary for Education (SED):

- (a) no view on the proposed private kindergarten to be provided at the Site;
- (b) the triangular area near the Tack Ching Girls' Secondary School has been designated a DPA under Government Land Allocation (GLA-NLK686) allocated to the Education Bureau; and
- (c) detailed comments are at **Appendix V**.

### **District Officer's Comments**

10.1.13 Comments of the District Officer (Sham Shui Po), Home Affairs Department (DO/SSP, HAD):

- (a) no comment on the planning application;
- (b) the comprehensive development under planning application No. A/K20/132 was discussed in the 2<sup>nd</sup> Planning Development and Transport Affairs Committee (PTAC) of the Sham Shui Po District Council on 12.3.2020. The relevant discussion paper (PTAC Paper No. 6/20) and extracts of minutes of the PTAC meeting are attached at **Appendices VIa** and **VIb** respectively;
- (c) members of the PTAC expressed views and suggestions on the influence on transport, particularly the insufficiency of public parking spaces. They have reservations in supporting the proposed application and the following motion (translation of original Chinese version)<sup>5</sup> was passed at the PTAC meeting:  
  
‘PTAC objects the planning application No. A/K20/132 as the proposed development with the increase of number of flats would cause adverse impacts on traffic, air ventilation aspects etc.. The Board should reject the planning application’; and
- (d) a letter of PTAC’s Chairman addressed to the Committee was submitted on 19.3.2020 expressing PTAC members concerns on the application (**Appendix VIc**).

10.2 The following Government departments have no comment/no objection to the application:

- (a) Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) Project Manager/South, Civil Engineering and Development Department (PM/S, CEDD);
- (e) Head of the Geotechnical Engineering Office (H(GEO)), CEDD;
- (f) Director of Food and Environmental Hygiene (DFEH);
- (g) Director of Housing (D of Housing); and
- (h) Commissioner of Police (C of P).

## **11. Public Comments Received During Statutory Publication Period**

- 11.1 During the statutory public inspection periods, a total of 32 public comments including 17 objecting to the application and 15 expressing concerns on the application were received (**Appendix VII**).
- 11.2 The 17 objecting comments are from individuals and a nearby school while 15 comments expressing concerns/comments on the application are from a District Councillor, another nearby schools and individuals. The objection reasons and concerns/comments are summarised as follows:

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<sup>5</sup> Original motion in Chinese: 「本會反對發展商得寸進尺再增加 A/K20/132 單位數目，因為有關申請對社區帶來交通、空氣流通等負面影響。本會同時要求城規會否決有關申請。」

- (a) the increase of flat number with the same total GFA will reduce the average flat size and create 'nano flats';
- (b) with an increase in the flat number, there is no additional provision of ancillary and public car parking spaces, GIC facilities, open space and commercial/retail facilities to serve the community. It is proposed to provide a footbridge connecting the Site to MTR Nam Cheong Station;
- (c) the proposed development will worsen the existing traffic condition and illegal parking problem, resulting adverse traffic impacts. The proposed public vehicle park, which will include parking spaces for HGVs/coaches, and the increased traffic flow will be a safety concern to the students of the nearby schools;
- (d) the proposed BHs are not in accordance to the concept of stepped height profile. The proposed development will cause wall effect and adverse air ventilation and visual impacts, and worsen the air quality in the district;
- (e) technical assessments on traffic and visual are incorrect;
- (f) the noise from school activities will affect the future residents of the proposed development and hence may cause complaints to the school;
- (g) a triangular piece of the western corner of NKIL 6003 R.P. as claimed by the Tack Ching Girls' Secondary School should be returned to the school as soon as possible; and
- (h) the existing warehouses serve the logistics industry in Hong Kong and the demolition of the warehouses will take away the employment opportunity. There are other existing old/aging buildings in the district that are more suitable for residential redevelopment.

## **12. Planning Considerations and Assessments**

12.1 The application is to seek planning permission for the proposed amendments to the previously approved MLP for proposed comprehensive residential, commercial, social welfare facilities and public vehicle park uses, with minor relaxation of domestic PR and reduction of non-domestic PR under application No. A/K20/128 which was approved on 17.8.2018. Compared with the Approved Scheme, the major changes in the Proposed Scheme involve an increase in flat number of 507 units (+16.1%) and an increase in private local open space due to the corresponding increase in population, reduction in the number of towers by one in Site 1, the alignment of the 7m-wide Pedestrian Passageway to fall within Site 2 completely (instead of straddling over Sites 1 and 2), an increase in ancillary car parking spaces and setback of the podium along Sham Mong Road in Site 2 to preserve an existing mature tree (Tree No. T03) as set out in paragraph 1.4 above. Other major development parameters including site area, PR, GFA and BH remain the same as in the Approved Scheme.

- 12.2 While there is an increase in number of flats by 507 units (+16.1%) as compared with the Approve Scheme, the total PR remain at 8 under the Proposed Scheme. The provision of private open space (i.e. 1m<sup>2</sup> per person) and parking and L/UL facilities have been amended to comply with the requirements as per the HKPSG.

#### Planning Intention

- 12.3 The proposed comprehensive development primarily for residential use with supporting commercial and community facilities including social welfare facilities and public vehicle park is generally in line with the planning intention of the “CDA” zone.

#### Urban Design and Landscape Aspects

- 12.4 Compared with the Approved Scheme, the Proposed Scheme has incorporated various design changes including setback of podiums along Tung Chau Street and Sham Mong Road for planting of both Sites 1 and 2 and for tree preservation of an existing tree (No. T03) at the boundary of Site 2. CTP/UD&L, PlanD opines that the proposed setback of podiums along Tung Chau Street and Sham Mong Road with landscape treatment together with the preserved existing tree (No. T03) will enhance the landscape quality of the proposed development and the pedestrian environment. The proposed development would unlikely cause any grave concerns in terms of visual impact as illustrated in the submitted VIA. CA/CMD2, ArchSD has no adverse comment from visual impact point of view. CTP/UD&L, PlanD has suggested an approval condition for submission and implementation of a LMP in paragraph 13.2 below.
- 12.5 In the Proposed Scheme, the alignment of the proposed 7m-wide Pedestrian Passageway, which will be open 24 hours to the public, will fall completely within Site 2 (**Drawing A-12**), instead of straddling over Sites 1 and 2 as in the Approved Scheme. This proposed arrangement would facilitate better future management and maintenance.

#### Traffic Aspect

- 12.6 On traffic aspect, the applicants have submitted TIA in support the proposed development. The provision of ancillary car parking spaces has been further reviewed and is increased under the Proposed Scheme based on the parking standard of the latest HKPSG currently under review. C for T has no objection to the application and recommended relevant approval conditions should be imposed (paragraph 13.2 below).

#### Other Technical Aspects

- 12.7 The proposed amendments to the Approved Scheme will not create adverse traffic, environmental, air ventilation, drainage, sewerage, and fire safety impacts on the surrounding areas according to the various assessment conducted by the applicants. Concerned Government departments consulted including CHE/K, HyD, DEP, CTP/UD&L, PlanD, CE/MS, DSD and D of FS have no adverse comments on the application. Relevant approval conditions on traffic, land contamination, noise impact, sewerage and drainage are suggested to be imposed.

### Provision of Public Facilities

12.8 The provision of public facilities under the Approved Scheme including a RCHE, a DE, a NEC, a SPA, public vehicle parks with 73 private car and 24 HGV/coach parking spaces, and a kindergarten of 900m<sup>2</sup> will be retained under the Proposed Scheme. Besides, as claimed by the applicants, a number of ancillary parking spaces and L/UL bays will be available for overnight parking for public use. DSW, C for T and SED have no adverse comments on the proposed provision. Approval conditions on provision of public facilities are suggested in paragraph 13.2 below. The Proposed Scheme would result in an increase in population of 1,318 and will not have significant impact on the provision of GIC facilities in the area. PlanD will closely monitor and continue to liaise with relevant departments on the provision of GIC facilities to meet the needs of the residents.

### Public Comments

12.9 Regarding the public comments received, the planning assessment above and departmental comments in paragraph 10 are relevant. Regarding the public concerns on the potential 'nano flats' of the proposed development, the applicants have indicated that the proposed average flat size of about 35m<sup>2</sup> for Site 1 and about 55m<sup>2</sup> for Site 2 are in line with other similar residential developments in Cheung Sha Wan/Sham Shui Po ranging from about 32m<sup>2</sup> to 40m<sup>2</sup> per flat to meet different housing need in the area. CBS/K, BD has advised that there is no requirement on minimum area of residential flat under the BO.

12.10 Regarding the safety concerns to the students of the nearby schools due to increase in traffic, the applicants have indicated that it is expected the traffic flow of HGVs will be reduced upon the demolition of the existing warehouses, and there will be on-duty staff to manage the traffic condition at the entrance of the public vehicle parks to ensure the pedestrian/student safety. Regarding the suggestion to have a footbridge connecting the Site and MTR Nam Cheong Station, after crossing Fat Tseung Street West to Hoi Tak Court from the Site, there will be an elevated walkway system which is composed of the proposed footbridge between Hoi Tak Court and Hoi Tat Estate (both under construction), the proposed elevated walkway within Hoi Tat Estate, the existing footbridges at the junction of Tonkin Street West/Sham Mong Road, and the commercial podium of Cullinan West which is linked to the MTR Nam Cheong Station (**Plan A-10**).

## **13. Planning Department's Views**

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department has no objection to the application.

13.2 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 also suggested for Members' consideration:



Approval conditions

- (a) the submission and implementation of a revised Master Layout Plan taking into account the approval conditions (b) to (l) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the provision of a landscaped pedestrian passageway of Lai Fat Street to be open 24 hours for public use, as proposed by the applicants, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the design and provision of ingress/egress point(s), vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the provision of a public vehicle park, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the submission of revised traffic impact assessment and the implementation of the traffic improvement measures identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the provision of social welfare facilities, as proposed by the applicants, to the satisfaction of the Director of Social Welfare or of the Town Planning Board;
- (h) the provision of a kindergarten, as proposed by the applicants, to the satisfaction of the Secretary for Education or of the Town Planning Board;
- (i) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (j) the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (k) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (l) the implementation of mitigation measures identified in the drainage impact assessment the existing drain along Lai Fat Street is diverted to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and

- (m) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

- 13.3 There is no strong reason to recommend rejection of the application.

**14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicants.

**15. Attachments**

<b>Appendix I</b>	Application form received on 25.9.2019
<b>Appendix Ia</b>	Planning Statement and Technical Assessments
<b>Appendix Ib</b>	Letter dated 20.12.2019 providing responses to departmental and public comments, revised technical assessments including DIA, SIA, EA and AVA, revised figures and photomontage; and replacement pages of TIA and VIA
<b>Appendix Ic</b>	Letter dated 8.5.2020 providing responses to departmental comments, revised LMP and tree survey report, AVA, EA, DIA and SIA, replacement pages of the TIA, and revised MLPs
<b>Appendix Id</b>	Letter dated 10.7.2020 providing responses to departmental and public comments, revised pages of technical assessments including TIA, EA and AVA, and revised MLPs and LMPs
<b>Appendix Ie</b>	Letter dated 12.8.2020 providing responses to departmental comments
<b>Appendix If</b>	Letter dated 28.8.2020 providing responses to departmental comments
<b>Appendix II</b>	Comparison of the Major Parameters of the Approved Scheme and Proposed Scheme
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<b>Appendix V</b>	Detailed Comments from Government Departments
<b>Appendix VIa</b>	PTAC Paper No. 6/20
<b>Appendix VIb</b>	Extract of Minutes of Meeting of PTAC of the Sham Shui Po District Council held on 12.3.2020
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<b>Appendix VII</b>	Public Comments
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**PLANNING DEPARTMENT  
SEPTEMBER 2020**