

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K4/71

<u>Applicant</u>	The Hong Kong Polytechnic University (PolyU) represented by Kenneth To & Associates Limited
<u>Site</u>	Tat Hong Avenue, Shek Kip Mei, Kowloon
<u>Site Area</u>	About 12,280m ²
<u>Land Status</u>	Government Land
<u>Plan</u>	Approved Shek Kip Mei Outline Zoning Plan (OZP) No. S/K4/29
<u>Zoning</u>	<p>“Government, Institution or Community (7)” (“G/IC(7)”) (about 99.8%)</p> <p>(a) maximum building height (BH) of 112 metres above Principal Datum (mPD), or the BH of the existing building, whichever is the greater</p> <p>(b) minor relaxation of the BH restriction may be considered by the Town Planning Board (the Board) on application based on individual merits of a development or redevelopment proposal</p> <p>“Green Belt” (“GB”) (about 0.2%)</p>
<u>Application</u>	Proposed Residential Institution (Student Hostel) with Minor Relaxation of BH Restriction

1. The Proposal

- 1.1 The applicant, PolyU, seeks planning permission for a proposed student hostel development with minor relaxation of the BH restriction from 112mPD to 136mPD (+24m or +21.4%) at Tat Hong Avenue, Shek Kip Mei (the Site) which is largely zoned “G/IC(7)” on the approved Shek Kip Mei OZP No. S/K4/29 (the OZP) (**Plan A-1**). According to the Notes of the OZP, ‘Residential Institution’ use within the “G/IC” zone requires planning permission from the Board, and minor relaxation of the BH restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance (the Ordinance).
- 1.2 Majority of the Site (about 99.8%) falls within an area zoned “G/IC(7)” on the OZP, with a minor portion (about 28m² or 0.2% of the site area) encroaching upon the adjoining area zoned “GB” (**Plan A-2**), which can be considered as

minor boundary adjustment in zoning boundaries under the covering Notes of the OZP.

- 1.3 The proposed development comprises four hostel blocks with 9 to 15 storeys with proposed BHs at 133mPD and 136mPD, providing 1,680 bed spaces (the Proposed Scheme). The vehicular access is proposed off Tat Hong Avenue. Car parking spaces, loading/unloading (L/UL) bays and ancillary facilities are on G/F to 4/F and hostel units are on 5/F and above. A total of 717 nos. of trees of common species are proposed to be felled to make way for the hostel development. The applicant proposes various landscape treatments including planting of 220 nos. of trees at ground and podium levels; shrubs/groundcover planting at terraces on 1/F to 3/F and at flat roofs on 13/F and 14/F; roof gardens on 5/F and 6/F; and vertical greening at facade facing Tat Hong Avenue to achieve a total greenery area of not less than 20% of site area (2,456m²). The relevant plans, section, rendering and photomontages submitted by the applicant are shown at **Drawings A-1 to A-17**.
- 1.4 Major development parameters, internal transport facilities and major uses by floor of the Proposed Scheme are as follows:

Development Parameters	Proposed Scheme
Site Area	12,280m ²
Total Plot Ratio (PR)	about 4.09
Gross Floor Area (GFA)	50,200m ²
Domestic	33,150m ²
Non-domestic	17,050m ²
Site Coverage (SC)*	48% (overall) 29% (hostel blocks)
No. of Bed Spaces	1,680
Maximum BH (Main Roof)	136mPD
No. of Blocks	4
No. of Storeys	9 to 15
Private Open Space	Not less than 1,760m ²
Greenery Area	Not less than 2,456m ² (20% of site area)
Internal Transport Facilities	
No. of Car Parking Spaces	17 (including 1 parking space for the disabled)
No. of Motorcycle Parking Spaces	2
No. of Heavy Goods Vehicle (HGV) L/UL Bays	4
No. of Lay-bys for Taxi and Private Car	2

Major Uses by Floor	
G/F to 2/F	entrance lobby, plant rooms, driveway, car park, L/UL bays
3/F	ancillary facilities, plant rooms, driveway, lay-bys
4/F	ancillary facilities, outdoor recreational space, driveway
5/F	hostel units, outdoor recreational space, driveway
6/F to 14/F	hostel units

Remarks:

* According to the applicant, the SC indicated in the Proposed Scheme is a direct projection of building mass onto the site area, and detailed calculation of SC in compliance with Building (Planning) Regulations will be subject to future building plan submission.

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 29.4.2020 **(Appendix I)**
- (b) Supplementary Planning Statement (SPS) enclosing plans and drawings, landscape proposal, Visual Impact Assessment (VIA), Geotechnical Planning Review Report (GPRR), Traffic Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Noise Impact Assessment (NIA), Air Quality Impact Assessment (AQIA) and Air Ventilation Assessment - Expert Evaluation (AVA-EE) received on 29.4.2020 **(Appendix Ia)**
- (c) Further information (FI) received on 3.7.2020 providing response to department comments* **(Appendix Ib)**
- (d) FI received on 21.8.2020 providing responses to departmental comments enclosing Waste Management Implication Assessment* **(Appendix Ic)**
- (e) FI received on 30.9.2020 providing responses to departmental comments* **(Appendix Id)**
- (f) FI received on 15.10.2020 providing responses to departmental comments # **(Appendix Ie)**
- (g) FI received on 5.11.2020 providing responses to departmental comments enclosing Preliminary Ecological Review* **(Appendix If)**
- (h) FI received on 1.12.2020 providing responses to departmental comments# **(Appendix Ig)**
- (i) FI received on 11.12.2020 providing responses to departmental comments# **(Appendix Ih)**

Remarks:

* *accepted but not exempted from publication and recounting requirements*

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1.6 The application was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 26.6.2020. Upon requests of the applicant, the Committee agreed on 26.6.2020 and 21.8.2020 to

defer making a decision on the application for two months each in order to allow time for the applicant to prepare FI to address the departmental comments. The applicant subsequently submitted FIs on 5.11.2020, 1.12.2020 and 11.12.2020 (**Appendices If, Ig and Ih** respectively) and 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 detailed in the SPS and the FIs at **Appendices Ia to Ih** and summarised as follows:

Meeting Some of the Projected Shortfall in Hostel Places

- (a) Student hostel life is an essential part of higher education. The Finance Committee of the Legislative Council approved on 7.7.2018 to make a one-off grant to the six University Grants Committee (UGC)-funded universities for development of student hostels for meeting the shortfalls. PolyU received funding for developing 1,680 bed spaces at the Site and 1,279 bed spaces at Ho Man Tin Slope to make up the shortfall of 2,959 bed spaces. The target of the proposed development is to optimise scarce land resources in a sustainable manner and deliver the targeted amount of bed spaces within the designated timeframe by October 2027 as prescribed by the HDF.
- (b) The shortfall of hostel places is estimated with regard to various considerations including the prevailing policy that all undergraduate students shall be given the opportunity of staying in a student hostel for at least one year of their programme, and that all research postgraduates and non-local students as well as undergraduate students whose daily travelling time to and from the campus exceeds four hours should be provided with student hostel places.

Suitable Location and Compatible with Surrounding Land Use Character

- (c) PolyU has been facing shortfall in both hostel bed spaces as well as spaces for teaching and learning. A number of projects have been applied for/being carried out including on-campus redevelopment plans aimed to redevelop or extend the existing low-rise buildings within the main campus in Hung Hom. PolyU would still face a shortfall in academic space even after all completed and planned redevelopment/extension of existing buildings, and hence housing a student hostel within the main campus is impossible.
- (d) The subject vacant “G/IC” site originally reserved for a joint universities’ soccer pitch is earmarked for developing student hostel to provide sufficient hostel places. Such development does not rule out the potential of developing the soccer pitch but would be a more efficient use of scarce land resource to meet a more pressing demand.
- (e) The Site is located relatively close to mass transit (in particular East Rail Line with the Hung Hom Terminal close to the PolyU’s campus). It is considered suitable for young people with high mobility. The neighbouring sites are occupied by domestic use. It is suitable in the existing land use pattern and is not considered incompatible with the surrounding land uses.

In Line with the Planning Intention

- (f) The proposed student hostel will serve the eligible students, both local and non-local, of PolyU. This is in line with the planning intention of the “G/IC” zone, which is to provide support to the institutional establishments.

Geotechnical Constraint, Appropriate Development Quantum and BH

- (g) Ground investigation reveals that the rock level is high within the Site and deep excavation is not preferred as it would cause nuisance in particular noise impacts to the adjacent developments.
- (h) A 112mPD OZP-compliance scheme will result in extensive excavation requiring long construction period and involving large volume of rock excavation with air and noise impacts. The works programme would likely go beyond the deadline set by the HDF (in 2027) and the targeted 1,680 bed spaces cannot be achieved after deducting space for retaining structures and fulfilling the relevant building regulations. The Proposed Scheme requires less excavation and the construction period can be shortened significantly to minimise impacts to the neighbouring developments.
- (i) Due considerations on buffer for retaining features, building separation, open space provision, prescribed window and emergency vehicular access (EVA) requirements have been taken into account to optimise the SC. Reducing the bulkiness and enhancing localised wind environment are considered in proposing the SC of the hostel blocks. Building separation of 15m wide between the hostel blocks is introduced to increase site permeability (**Drawing A-17**). The floor-to-floor heights of the domestic floors of 3m are not considered excessive.
- (j) The proposed BH will not breach the ridgeline of Beacon Hill behind (**Drawing A-16**) and will not exceed the ground floor level of the residential developments on Lung Kui Road, creating a stepped building height profile with the neighbouring developments.

Design Features

- (k) On the southern portion of the Site which is relatively open to public views, building profile sets back from Tat Hong Avenue up to 4/F and 5/F at the lower levels, and then 6/F and above in the remaining part of the Site further from Tat Hong Avenue, allowing more space for greening and adding visual interest to Tat Hong Avenue. G/F would setback from the site boundary and 1/F would overhang from above to provide shading to the footpath along the Site (**Drawing A-11**). Edges of the Site will be landscaped as far as practicable, and area to the east of the EVA will be designated as landscape area for passive recreational use. Tree planting at G/F has already been maximised and provided where practicable with due consideration on circulation. Compensatory trees are proposed near the buildings and the passive recreational areas to strike a balance between providing sufficient outdoor recreational area and tree planting (**Drawings A2, A-12 and A-13**).

- (l) The site boundary is of distances of 24m to 42m from Mount Beacon, and the proposed hostel blocks further set back from the eastern site boundary, providing a resultant visual buffer of about 50m to 60m from Mount Beacon. The orientation of the northernmost three hostel blocks is proposed in a way that windows of the hostel rooms are positioned away from facing nearby residents directly to avoid overlooking problem (**Drawings A-1 and A-8**). The buffer areas (of distances of 24m to 42m) will be untouched to preserve the existing trees.
- (m) The top levels of the southernmost hostel block adopt a stepping profile from 130mPD to 136mPD, echoing with the profile of Run Run Shaw Creative Media Centre of the City University of Hong Kong (CityU) as visible from Shek Kip Mei Service Reservoir Playground (**Drawings A-11 and A-15**).
- (n) To the immediate west of the Site is an area earmarked for future student hostel development for CityU (**Plan A-2**). The Proposed Scheme provides sufficient setback from the common boundary with the future CityU student hostel development with a staircase/lane which also provides the access to the possible location for mini-soccer pitch development (**Drawings A-1 and A-12**, and **Plan A-2**).
- (o) The applicant targets to obtain BEAM Plus gold rating for the proposed development.

Conservation

- (p) Given that there is one amphibian species of conservation importance noted within the Site, suitable measures, e.g. translocation, would be agreed with Agriculture, Fisheries and Conservation Department (AFCD) and carried out prior to commencement of construction works.

Technical Assessments

- (q) Technical assessments submitted, including VIA, GPRR, TIA, DIA, SIA, NIA, AQIA, AVA-EE and Preliminary Ecological Review, demonstrate that the proposed development would not result in adverse impacts. On the traffic aspect, hall parking permission would be mainly granted to working staff while permission for student residents would be limited to those with disability and exceptional parking need. PolyU's management office would take control of the vehicles using the ramp and ensure that only one vehicle exceeding 8m long would move along the ramp at any occasion.

Consultation

- (r) The applicant has actively liaised with the stakeholders prior to the application. Meetings with District Council Members and Owner's Committee of the nearby residential development, namely Mount Beacon, were carried out in February and March 2020. The applicant has conducted various technical assessments and adjusted the orientation of the hostel blocks to address the stakeholders' concerns on technical aspects and privacy. The applicant will continue to follow up and liaise with the stakeholders along the development process and during operation.

Precedent of Relaxation of BH Restriction in the Vicinity

- (s) On 23.3.2007, the Board approved the application No. A/K4/49 for relaxation of BH restriction from 112mPD to 130mPD (+18m or +16.1%) for the development of Run Run Shaw Creative Media Centre of CityU, which is also located at Tat Hong Avenue (**Plan A-1**).

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

As the application site involves Government land only, the ‘owner’s consent/notification’ 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) is not applicable to the application.

4. Background

- 4.1 In 2001, a review on BH covering the eastern part of the Shek Kip Mei area including the Site was conducted in view of the relocation of the airport to Chek Lap Kok. After the review, a maximum BH restriction of 112mPD for the Site was proposed to tally with the BH of the then proposed development of Multi-media Building of CityU¹ adjacent to the Site. The BH restriction was incorporated in the draft Shek Kip Mei OZP No. S/K4/13 exhibited on 5.10.2001.
- 4.2 The Explanatory Statement (ES) of the OZP stipulates two visual corridors in the Shek Kip Mei area: one in north-south direction and the other in an east-west direction. The north-south visual corridor spans from Police Recreation Ground together with a small green knoll in the south to Tai Hang Sai Estate and a group of low-rise Government, Institution or Community (GIC) facilities in the north, gradually leading to Shek Kip Mei Park and opening up a mountainous vista of the distant Beacon Hill in the far north (**Plan A-1**). The BH bands under the OZP help preserve views to the ridgelines, achieve both the west-to-east and north-to-south gradation height profiles, and maintain visual permeability and wind penetration.

5. Previous Application

There is no previous application on the application site.

6. Similar Applications

- 6.1 There is no similar application for ‘Residential Institution’ use with minor relaxation of BH restriction within the “G/IC” zone on the Shek Kip Mei OZP. Nevertheless, there are four applications (Nos. A/K4/41, A/K4/49, A/K4/68 and

¹ The then proposed Multi-media Building of CityU (currently completed as Run Run Shaw Creative Media Centre) at the junction of Cornwall Street and Tat Hong Avenue was the subject of a request for amendment to OZP from “Residential (Group C) 6” (“R(C)6”) zone to “G/IC” zone with a maximum BH of 112mPD which was agreed in principle by the Committee on 20.7.2001.

A/K4/69) for minor relaxation of BH restrictions and two applications (Nos. A/K4/25 and A/K4/55) for proposed 'Residential Institution' (Student Hostel) within the "G/IC" zone considered by the Committee (**Plan A-1**). A gist of the application details is summarised below:

Applications for Minor Relaxation of BH Restrictions within "G/IC" zone				
Application No.	Location	Zone	BH relaxation	Decision (date of decision by the Committee)
A/K4/41	18 Tat Chee Avenue	G/IC(2)	from 46mPD to 58.46mPD (+12.46m or +27.1%)	Approved with condition (12.4.2002)
A/K4/49	Junction of Cornwall Street and Tat Hong Avenue	G/IC(5)	from 112mPD to 130mPD (+18m or +16.1%)	Approved with conditions (23.3.2007)
A/K4/68	5, 7 and 11 Tong Yam Street	G/IC	from 8 storeys to 42 storeys (+34 storeys or +425%)	Rejected (15.6.2018)
A/K4/69	83 Tat Chee Avenue	G/IC(4)	from 70mPD to 90.8mPD (+20.8m or +29.7%)	Approved with conditions (7.12.2018)
Applications for 'Residential Institution' within "G/IC" zone				
A/K4/25	Junction of Cornwall Street and Tat Hong Avenue	G/IC	N.A. (nil BH restriction under the prevailing OZP)	Approved with conditions (22.5.1998)
A/K4/55		G/IC(6)	N.A. (proposed BH at 133.88mPD complied with restriction under the prevailing OZP)	Approved with conditions (13.3.2009)

6.2 The three applications (Nos. A/K4/41, A/K4/49 and A/K4/69) for permitted 'School' use and 'Educational Institution' use were approved mainly on the grounds of compliance with the planning intention and/or that the proposed BHs were not incompatible with the surroundings.

6.3 Application No. A/K4/25 for 'Residential Institution' (Student Hostel) use was approved with conditions by the Committee on 22.5.1998 mainly on the consideration that the proposed development was in line with the scale and

character of developments in the vicinity. Application No. A/K4/55 was for amendments to the approved scheme under application No. A/K4/25 and was approved with conditions by the Committee on 13.3.2009 mainly on the consideration that the proposed development was in line with the planning intention and would not generate adverse environmental and traffic impacts.

- 6.4 Application No. A/K4/68 for proposed redevelopment comprising school, church and flat with relaxation of BH restriction from 8 storeys to 42 storeys (+34 storeys or 425%) was rejected by the Committee on 15.6.2018 mainly for reasons that the BH relaxation was not minor and it would set undesirable precedent.

7. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3 and site photos on Plans A-4 and A-5)

7.1 The Site is:

- (a) located at the foothill of Beacon Hill below Lung Cheung Road and accessible via Tat Hong Avenue;
- (b) currently vacant and is a sloping land above Tat Hong Avenue with two major platforms at about 95mPD and 103mPD and mainly covered by natural vegetation; and
- (c) previously occupied by the Cornwall Street Temporary Housing Area until 1993 and subsequently reserved for a proposed joint universities' soccer pitch.

7.2 The surrounding area has the following characteristics:

- (a) to the east is the residential development Mount Beacon;
- (b) to the south across Tat Hong Avenue is the Student Residence of CityU which is the subject of the approved applications Nos. A/K4/25 and A/K4/55 for student hostel development mentioned in paragraphs 6.1 and 6.3 above;
- (c) to the southwest is the Run Run Shaw Creative Media Centre of CityU which is the subject of the approved application No. A/K4/49 for minor relaxation of BH restriction mentioned in paragraphs 6.1 and 6.2 above;
- (d) to the north across Lung Cheung Road are the existing residential development Mont Rouge and a residential site zoned "R(C)12" under construction; and
- (e) Kowloon Tong Station of the Mass Transit Railway Kwun Tong Line and East Rail Line is located about 800m from the Site.

8. Planning Intention

- 8.1 The planning intention of the “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.
- 8.2 As stated in the ES of the OZP, the subject “G/IC(7)” zone to the south of Lung Cheung Road is for a proposed joint universities’ soccer pitch.
- 8.3 According to the ES of the OZP, BH restrictions for the “G/IC” zone in terms of mPD or number of storeys, which mainly reflect the existing and planned BHs of developments, have been incorporated into the OZP mainly to provide visual and spatial relief to the area. A minor relaxation clause in respect of the BH restrictions is incorporated into the Notes of the OZP to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation of BH restriction will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air and visual permeability; and
 - (e) other factors such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

9. Comments from Relevant Government Bureau/Departments

- 9.1 The following government bureau/departments have been consulted and their views on the application are summarised as follows:

Policy Perspective

- 9.1.1 Comments of the Secretary for Education (SED) and UGC Secretariat:

- (a) policy support is given to the application to facilitate the proposed student hostel development of PolyU at Tat Hong Avenue, Shek Kip Mei. The project is funded by the HDF as

approved by the Legislative Council in July 2018 and shall provide 1,680 hostel places to meet part of the university's hostel shortfall;

- (b) owing to land and resources constraints as well as competing priorities, the number of publicly-funded student hostel places has long been falling short of the projected requirement. In order to expedite student hostel development to address the shortfall in full and to put precious earmarked land resources into meaningful use as early as possible, the Government proposed and the Finance Committee of the Legislative Council approved the HDF to make a one-off grant to the six UGC-funded universities with hostel shortfalls. This included, amongst others, the proposed development of student hostel by PolyU at the subject site;
- (c) according to the prevailing policy, the Government would fund at most 75% of student hostel development while the university is responsible to meet the remaining development costs. One of the policy objectives of the HDF is to provide certainty on the availability of funding from the Government, which in turn facilitates universities to enlist donations from the community early. In line with the prevailing practice, universities would continue to assume full responsibility and accountability for their projects. They must ensure that their projects comply with all relevant legislation, and should seek approval from the relevant authorities where necessary and consult stakeholders including the local community on their projects. Land allocation would not take place and the proposed development would not commence unless and until the statutory planning procedure is concluded with the Board's approval;
- (d) owing to the lack of land space for new hostel development within universities' campuses, the Government had explored if there were existing sites suitable for developing student hostels. The subject "G/IC(7)" site is opposite to CityU's existing hostels and main campus with convenient access by public transport, and is considered suitable for hostel developments by both CityU and PolyU. With the acute shortfall in hostel places in the universities concerned, the size and the location of the subject "G/IC(7)" site and its immediate availability, it is considered that the site can be more efficiently utilised if it can accommodate both student hostels and a mini-soccer pitch;
- (e) while it is considered that the subject "G/IC(7)" site at Tat Hong Avenue might be suitable for student hostels development, subject to the approval by the Board on the planning application, the universities would also consult stakeholders including the local community on their projects as appropriate; and
- (f) part of the subject "G/IC(7)" site has been designated for 'joint universities' soccer pitch' use. The Government will continue to

discuss with the user universities on the plan to take forward the development of the min-soccer pitch within the subject “G/IC(7)” site (**Plan A-2**).

Land Administration

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

- (a) he has no objection to the application;
- (b) the Site falls within unleased and unallocated Government land and portion of the Green Hatched Black Area (“GHBA”) of NKIL 6284 being maintained by the private lot owner under the Conditions of Grant of NKIL 6284. The GHBA or any part thereof shall be re-delivered to the Government upon demand by the Government; and
- (c) application for private treaty grant to implement the subject planning application, if approved by the Board, will be processed by LandsD acting in the capacity as Landlord at its sole discretion subject to policy support and endorsement given by the concerned policy bureau. There is no guarantee that the application will be approved. If the application for private treaty grant is approved, it would be subject to such terms and conditions including, amongst others, the payment of premium and administrative fee, as may be imposed by LandsD.

Traffic

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

- (a) he has no in-principle objection to the application from traffic engineering point of view;
- (b) to create an enjoyable walking environment, the applicant is encouraged to provide building canopies, including over public footpath(s) and/or right-of-way(s) in accordance with the followings:
 - (i) Chapter 8 of the Hong Kong Planning Standards and Guidelines provides for the provision of building canopies (para. 5.6.11) and for the subject of pedestrian planning be included in development studies and planning applications (para. 5.9.2);
 - (ii) “Projections over Public Streets” stipulated in Lands Administration Office Practice Note 3/2020 (Design and Height Clause under Lease); and/or
 - (iii) the BO, in particular Building (Planning) Regulations 10 in Cap. 123F regarding balconies and canopies over streets.

Environment and Ecology

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

- (a) he has no in-principle objection to the application;
- (b) detailed comments on the SIA are at **Appendix II**;
- (c) it is considered that the proposed development would not cause insurmountable environmental impact. Notwithstanding this, should the application be approved, it is recommended to impose the following approval conditions:
 - (i) the submission of an updated NIA and the implementation of noise mitigation measures identified therein for the proposed development to the satisfaction of DEP or of the Board;
 - (ii) the submission of an updated SIA for the proposed development to the satisfaction of DEP or of the Board; and
 - (iii) the implementation of the local sewerage upgrading/ sewerage connection works as identified in the updated SIA for the proposed development in condition (ii) above to the satisfaction of the Director of Drainage Services or of the Board.

9.1.5 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) he has no in-principle objection to the application given that the applicant has agreed to carry out mitigation measures, including translocation for the amphibian species of conservation importance identified at the Site;
- (b) his suggestions on mix of species of the landscape proposal are at **Appendix II**; and
- (c) should the application be approved, it is recommended to impose the following approval condition:

the submission and the implementation of translocation proposal of any amphibian species of conservation importance within the Site before commencement of any preparatory works including site clearance and tree felling at the Site to the satisfaction of DAFC or of the Board.

Urban Design and Landscape

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

Urban Design and Visual Aspects

- (a) the Site of about 12,280m² prescribed with a maximum BH of 112mPD is located on a vegetated slope sandwiched between Tat Hong Avenue to the south and Lung Cheung Road to the north. To the north across Lung Cheung Road at a higher elevation are a site zoned “R(C)12” prescribed with a maximum BH of 162.7mPD and a residential development with existing BHs ranging from about 149mPD to 166mPD; to the immediate east is a residential development with existing BHs ranging from about 86mPD to 109mPD; to the south across Tat Hong Avenue is the Student Residence of CityU with existing BHs ranging from about 75mPD to 131mPD; and to the southwest is the Run Run Shaw Creative Media Centre with existing BH of about 121mPD (**Plans A-1 and A-2**). Given the site context and the photomontages of the VIA illustrating views of the proposed development from public viewing points, the proposed development with a BH up to 136mPD would unlikely induce significant adverse effects on the visual character of the surrounding townscape or compromise the north-south visual corridor as stated in the ES of the OZP;
- (b) the proposed development comprises four blocks with the Y-shaped block atop a podium located at the southern portion of the Site forming the development facade facing Tat Hong Avenue. Landscape treatments in the form of vertical greening, tree planting, planting areas and roof gardens have been provided at G/F to 6/F, 13/F and 14/F of the proposed development (**Drawings A-2 to A-10, A-12 and A-13**). Multi-layer edge plantings have been incorporated along the staggered podium facade facing Tat Hong Avenue, and there are also proposed plantings and retained existing vegetation along some other parts of the site boundary which would promote visual interest, soften the development edges and enhance pedestrian comfort (**Drawings A-12 and A-13**). The proposed relaxation of BH is not related to the above design measures;

Air Ventilation

- (c) an AVA-EE has been submitted to demonstrate the ventilation performance under the baseline scheme (BH of 112mPD) and the Proposed Scheme (BH of 136mPD) (**Drawing A-17**). Given that the downstream areas under various prevailing winds are relatively open and some of them are at a high elevation of over 120mPD, it is unlikely that the Proposed Scheme would induce significant adverse impact on the surrounding pedestrian wind

environment when comparing to the baseline scheme. The measures incorporated in the Proposed Scheme such as the three building gaps of at least 15m wide (6/F and above) between the hostel blocks may promote building permeability and bring about some localised improvement to the immediate surrounding wind environment as compared to the baseline scheme;

Landscape Aspect

- (d) he has no objection to the application from landscape planning perspective in view of the site constraint and feasible landscape treatments, including the proposed planting of 220 nos. of trees, within the development to improve the overall landscape quality;
- (e) the Site is situated in an area of residential urban fringe landscape character. The Site is currently a vegetated slope and surrounded by clustered tree groups. There are residential and institutional buildings at further southeast, south and southwest to the Site. Given that the Site is located within “G/IC(7)” zone and similar land uses are found in proximity, the proposed use is considered not incompatible with the surrounding landscape setting;
- (f) it is noted that 717 nos. of existing trees of common species, including 216 nos. of invasive *Leucaena leucocephala*, within the Site are proposed to be felled due to conflict with the proposed development. According to the applicant, tree planting at ground floor has already been maximised and provided where practicable with due consideration. Tree planting at podium level, terrace planters along the building edges and vertical greening at the building facade facing Tat Hong Avenue are proposed in order to maximise greening effect; and
- (g) the applicant is reminded that approval of the planning application under the Ordinance does not imply approval of tree preservation/removal scheme under the lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.

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

- (a) it is noted that the proposed development consists of four tower blocks with height up to 136mPD which may not be incompatible with the adjacent hostel development with a height restriction of 134.9mPD (**Plan A-1**); and
- (b) detailed comments on building design are at **Appendix II**.

Building Matters

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

- (a) he has no objection to the application;
- (b) all proposed building works should comply with the BO and allied regulations. In this regard, it is noted that the proposed SC of the development exceeds the permissible SC under the Building (Planning) Regulations; and
- (c) basic information and development parameters are provided in the SPS and it is noted that the scheme is subject to further refinement when its details are firmed up. Hence detailed comments on the development potential of the proposal under the BO can only be formulated at the plan approval stage under the building regime.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of Fire Services Department; and
- (b) EVA arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

Local Concern

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

- (a) he has no comment on the application; and
- (b) feedback from a member of Sham Shui Po East Area Committee has been received which indicates support to the application (**Appendix III**).

9.2 The following government departments have no objection to or no comment on the application:

- (a) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (b) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (c) Project Manager (South) (PM(S)), CEDD;
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- (e) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD); and
- (f) Commissioner of Police (C of P).

10. **Public Comments Received During Statutory Publication Periods**

10.1 During the statutory publication periods, a total of 2,006 comments were received, including 464 supporting comments from individuals including the students, staff and alumni of PolyU (369 comments in 9 standard proformas) (samples at **Appendix IVa**); 1,465 objecting comments from individuals including the residents and the representative of Owner's Committee of Mount Beacon (557 comments in 12 standard proformas) (samples at **Appendix IVb**); 44 comments expressing concerns on the application (7 comments in one standard proforma) (samples at **Appendix IVc**), and 33 comments including one from the Vice Chairman of Sham Shui Po East Area Committee did not indicate any views. A full set of the public comments is deposited at the meeting for Members' inspection.

10.2 Major grounds of support are summarised as follows (**Appendix IVa**):

- (a) it helps to address the shortfall in student hostel spaces for both local and non-local students;
- (b) it can reduce travelling time and accommodation costs while providing private spaces to the students, benefiting their learning and the all-rounded hall life education; and
- (c) it enables PolyU to develop and maintain a functional, sustainable and community-linked campus in support of its mission of learning, teaching and research.

10.3 Major grounds of objection and main concerns are summarised as follows (**Appendices IVb and IVc**):

Need for student hostel

- (a) use of public resources for additional student accommodation is not justified; the number of students especially overseas students will decline after the social events in 2019; the project is wasting tax-payer's money;

Site selection and procedures

- (b) it is not in line with the planning intention and incompatible with the surrounding quiet and high-end character;
- (c) the Site was earmarked by Education Bureau (EDB)/HDF and allocated to PolyU without going through proper procedures and consultation, prior to technical assessments; earmarking the Site for hostel development by EDB is overriding the OZP and outside EDB's jurisdiction;
- (d) the applicant did not consult stakeholders and nearby residents;

- (e) influx of students will bring security problems given the past experience of mass protests in the surrounding area; the conflicts that took place at university campuses in 2019 showed that universities could be used as bases for extreme activities and pose safety concerns;
- (f) sites near the PolyU campus should be selected instead;
- (g) the Site should be used for housing development, GIC developments or retained for the original soccer pitch;

Environmental, traffic, ecological, geological, landscape and visual impacts

- (h) the proposed development will cause adverse impacts on traffic/pedestrian flows, noise, air quality, light pollution, air ventilation, and visual aspects. A natural terrain hazard study should be carried out to assess the potential risk;
- (i) loss of large number of mature trees/woodland and natural landscape would undermine the Site as a breathing space; hostel development will be detrimental to the ecological environment and habitat for various wildlife at the Site; there is no details on translocation of the frogs identified; the proposed compensatory planting is inadequate;
- (j) the technical assessments including TIA, NIA, VIA, AVA, ecological survey are inadequate, flawed with wrong assumptions and misleading results;

Development intensity, scale and design

- (k) the increase in BH is not minor and the proposed development is excessive;
- (l) there is no innovative design for improving the amenity and no design merits to justify the BH relaxation; and
- (m) there will be overlooking problem between residents of Mount Beacon and the proposed hostel.

11. Planning Considerations and Assessments

Planning Intention and Land Use Compatibility

- 11.1 The application is for a proposed student hostel development with minor relaxation of the BH restriction from 112mPD to 136mPD (+24m or +21.4%) at the Site which falls largely within the “G/IC(7)” zone. The proposed development, which is the student hostel for PolyU, is generally in line with the planning intention of the “G/IC” zone which is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory, and is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing

social services to meet community needs and other institutional establishments. From land use point of view, the proposed development is considered not incompatible with the surrounding residential and student hostel developments.

Policy Aspect

- 11.2 The proposed development funded by the HDF is to provide 1,680 bed spaces to meet part of PolyU's hostel shortfall of 2,959 bed spaces. According to the applicant, the proposed relaxation of BH will optimise scarce land resources to deliver the targeted amount of bed spaces within the timeframe prescribed by the HDF. Policy support is given by SED and UGC Secretariat to the application to facilitate the student hostel development funded by the HDF.
- 11.3 According to the applicant, PolyU has been facing shortfall in both hostel bed spaces as well as spaces for teaching and learning even after all completed and planned redevelopment/extension of existing buildings in the PolyU Hung Hom main campus, and hence housing a student hostel within the main campus is impossible and the proposed development would be a more efficient use of scarce land resource to meet the pressing demand. SED and UGC Secretariat comment that owing to the lack of land space for new hostel development within universities' campuses, the Government had explored for sites suitable for developing student hostels and the subject "G/IC(7)" site, being opposite to CityU's existing hostels and main campus with convenient access by public transport, is considered suitable for hostel developments by both CityU and PolyU. With the acute shortfall in hostel places in the universities concerned, the size and the location of the site and its immediate availability, SED and UGC Secretariat consider that the subject "G/IC(7)" site can be more efficiently utilised if it can accommodate both student hostels and a mini-soccer pitch. The Government will continue to discuss with the user universities on the plan to take forward the development of the mini-soccer pitch within the site.
- 11.4 As commented by SED and UGC Secretariat, the applicant assumes full responsibility and accountability for their project and must ensure that their project comply with all applicable legislations, and they would consult stakeholders including the local community on their project as appropriate.

Minor Relaxation of BH Restriction

- 11.5 The Site is located on a sloping land, with two major platforms at about 95mPD and 103mPD previously occupied by a temporary housing area which had ceased operation. According to the SPS and GPRR submitted by the applicant, a high rock level within the Site presents geotechnical constraint for development. H(GEO), CEDD has no comment in this regard. According to the applicant, a 112mPD OZP-compliance scheme will require extensive excavation, rendering a works programme which goes beyond the deadline set by the HDF, and the targeted bed space number cannot be met as areas will be deducted for retaining structures and fulfilling the relevant building regulations. The applicant indicates that the Proposed Scheme can shorten the site formation and foundation works, and hence reduce nuisance to the neighbouring developments during construction.
- 11.6 Surrounding the Site to the north include a residential development named Mont Rouge with existing BHs at about 149mPD to 166mPD and the planned

residential development subject to BH restriction of 162.7mPD; to the east is another residential development named Mount Beacon with existing BHs at about 86mPD to 109mPD; to the south is Student Residence of CityU with existing BHs at about 75mPD to 131mPD; and to the southwest is Run Run Shaw Creative Media Centre of CityU with existing BH at 121mPD (**Plans A-1 and A-2**). Given the site context, CTP/UD&L, PlanD considers that the proposed development with BH at 136mPD would unlikely induce significant adverse effects on the visual character of the surrounding townscape. CA/CMD2, ArchSD considers that the proposed development would not be incompatible with the adjacent hostel development.

Planning and Design Merits

- 11.7 In the Proposed Scheme, landscape treatments in the form of vertical greening, planting of 220 nos. of trees, planting areas at terraces on 1/F to 3/F and at flat roofs on 13/F and 14/F, and roof gardens on 5/F and 6/F have been provided. Multi-layer edge plantings have been incorporated along the staggered podium facade facing Tat Hong Avenue (**Drawings A-2 to A-10, A-12 and A-13**). CTP/UD&L, PlanD considers that the above design measures would promote visual interest, soften the development edges and enhance pedestrian comfort. Noting the landscape treatments proposed to maximise greening effect, CTP/UD&L, PlanD has no objection from landscape planning perspective.
- 11.8 From air ventilation perspective, CTP/UD&L, PlanD also considers that the Proposed Scheme would unlikely induce significant adverse impact, and with the measure of building gaps with at least 15m wide (**Drawing A-17**), the Proposed Scheme will promote building permeability and bring about some localised improvement to the immediate surrounding wind environment as compared with the baseline scheme.
- 11.9 The proposed design and landscaping measures would enhance pedestrian comfort, promote building permeability and visual interest, and bring about some localised improvement to the immediate surrounding wind environment as compared to the baseline scheme. The Site is also subject to constraints as stated in paragraph 11.5 above. The Proposed Scheme meets criteria (c), (d) and (e) for consideration of minor relaxation of BH restriction as stipulated in the ES of the OZP (paragraph 8.3 above). The proposed development has incorporated design measures including setting back the building profile from Tat Hong Avenue, shading to the footpath along the Site, a buffer of 50m to 60m from the nearby Mount Beacon, and orienting some hostel blocks to avoid overlooking problem.

Technical Considerations

- 11.10 The GPRR, TIA, DIA, SIA, NIA, AQIA and Preliminary Ecological Review submitted indicate that the proposed development would not cause insurmountable impacts to the surrounding. Concerned departments including CEDD, Transport Department, Environmental Protection Department, DSD and AFCD have no adverse comments on the application. To address DEP's concern on noise and sewerage impacts, DAFC's concern on an amphibian species identified at the Site and D of FS's concern on fire safety, approval conditions in paragraphs 12.2 (a) to (e) below are recommended.

Similar Application

- 11.11 The Committee has previously approved three applications for minor relaxation of BH within the “G/IC” zone in the Shek Kip Mei area (application Nos. A/K4/41, A/K4/49 and A/K4/69) on grounds of compliance with the planning intention and/or that the proposed BHs were not incompatible with the surroundings. Approval of this application is consistent with the Committee’s previous decisions.

Public Comments

- 11.12 Regarding the views of the public comments received, the planning assessments above and departmental comments in paragraph 9 above are relevant. On the site selection concerns, the applicant points out that student hostel life is an essential part of higher education and the university still has a shortfall of 2,959 bed spaces which needs to be partly fulfilled by the proposed development. PolyU would face a shortfall in academic space even after all completed and planned redevelopment/extension of existing buildings in Hung Hom and hence housing a student hostel within the main campus is impossible. SED and UGC Secretariat comment that with the acute shortfall in hostel places in the universities concerned, the size and the location of the site and its immediate availability, the subject “G/IC(7)” site can be more efficiently utilised if it can accommodate both student hostels and a mini-soccer pitch.
- 11.13 In relation to the public comments that the stakeholders and nearby residents were not consulted and the concerns on privacy, the application and the FIs submitted have been published for public comments under the established procedures under the Ordinance. The applicant indicates that liaison with the stakeholders was carried out prior to the application in February and March 2020. In addressing the concerns raised in the meetings with District Council Members and Owner’s Committee of Mount Beacon, the applicant has conducted various technical assessments and adjusted the orientation of the hostel blocks to avoid overlooking problem. The technical assessments indicate that the proposed development would not cause insurmountable impacts to the surrounding and the concerned departments have no objection to the application. The applicant will continue to follow up and liaise with the stakeholders along the development process and during operation. SED and UGC Secretariat comment that the universities receiving the HDF would consult stakeholders including the local community on their projects as appropriate.

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 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.12.2024, 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' reference:

Approval conditions

- (a) the submission of an updated Noise Impact Assessment and the implementation of noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment for the proposed development in condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission and the implementation of translocation proposal of any amphibian species of conservation importance within the application site before commencement of any preparatory works including site clearance and tree felling at the application site to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board; and
- (e) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

There is no strong planning and design merits to justify the proposed minor relaxation of building height restriction.

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 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.

- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

Attachments

Appendix I	Application form received on 29.4.2020
Appendix Ia	Supplementary Planning Statement received on 29.4.2020
Appendix Ib	Further information received on 3.7.2020
Appendix Ic	Further information received on 21.8.2020
Appendix Id	Further information received on 30.9.2020
Appendix Ie	Further information received on 15.10.2020
Appendix If	Further information received on 5.11.2020
Appendix Ig	Further information received on 1.12.2020
Appendix Ih	Further information received on 11.12.2020
Appendix II	Detailed comments from government departments
Appendix III	Comments from Sham Shui Po East Area Committee member
Appendix IVa to IVc	Samples of public comments
Appendix V	Advisory clauses
Drawings A-1	Master layout plan submitted by the applicant
Drawings A-2 to A-10	Floor plans submitted by the applicant
Drawings A-11	Section submitted by the applicant
Drawings A-12	Landscape master plan submitted by the applicant
Drawings A-13 to A-16	Rendering and photomontages submitted by the applicant
Drawing A-17	Building separation plan submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4 and A-5	Site photos

**PLANNING DEPARTMENT
DECEMBER 2020**