

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TKO/120

<u>Applicant</u>	Architectural Services Department represented by Kenneth To & Associates Limited
<u>Site</u>	Government Land in Area 72, Tseung Kwan O
<u>Site Area</u>	About 3,015 m ²
<u>Land Status</u>	Government Land
<u>Plan</u>	Draft Tseung Kwan O Outline Zoning Plan (OZP) No. S/TKO/27 [Approved Tseung Kwan O OZP No. S/TKO/26 at the time of submission. The zoning of the application site remains unchanged on the draft OZP.]
<u>Zoning</u>	“Government, Institution or Community (4)” (“G/IC(4)”) (restricted to a maximum building height of 40m)
<u>Application</u>	Proposed Flats (Departmental Quarters for Fire Services Department) with Permitted Fire Station-cum-Ambulance Depot and Minor Relaxation of Building Height Restriction

1. The Proposal

- 1.1 The applicant seeks planning permission for the proposed flats which will be used as departmental quarters (DQ) for the Fire Services Department (FSD) at the application site (the Site) (**Plan A-1**) and minor relaxation of the building height (BH) restriction from 40m to 55.6m (+15.6m or 39%). According to the Notes of the OZP, ‘Flat’ use is a Column 2 use in the “G/IC” zone. Based on the individual merits of a development proposal, minor relaxation of the BH restriction may be considered by the Town Planning Board (the Board) on application under s.16 of the Town Planning Ordinance.
- 1.2 According to the applicant’s proposal, the proposed development comprises a 12-storey DQ building atop a 5-storey fire station-cum-ambulance depot and a standalone 8-storey drill tower. The L-shaped building will set back about 30m from the eastern boundary of the Site (**Drawing A-13**) to maintain the 100m-wide breezeway as stipulated on the Tiu Keng Leng Layout Plan (**Drawing A-1**). The private open space for the DQ will mainly be provided on 5/F and R/F (**Drawings A-11 and A-12**), while the open area on G/F will be used for drill yard and manoeuvring spaces for FSD vehicles and ambulances (**Drawing A-2**).

21 private car parking spaces, 2 motorcycle parking spaces and 1 loading/unloading space will be provided within the Site. The proposed development is scheduled for commencement in 2021 and completion by 2024 tentatively.

1.3 The major development parameters of the proposed development are summarized below:

Site area	About 3,015m ²
Total gross floor area (GFA):	About 14,850m ²
(i) Domestic	(i) About 8,510m ²
(ii) Non-domestic	(ii) About 6,340m ²
Total plot ratio (PR)	About 4.93
(i) Domestic	About 2.83
(ii) Non-domestic	About 2.10
Site coverage	
(i) Domestic	(i) Not more than 25%
(ii) Non-domestic	(ii) Not more than 65%
Maximum BH	55.6m (about 61.6mPD)
Number of blocks	2
Number of storeys and major floor uses	DQ building and fire station-cum-ambulance depot: 17 storeys - G/F-4/F: Fire station-cum-ambulance depot, drill yard, office, storage, canteen, E&M facilities, ancillary rooms - 5/F-16/F: DQ Drill tower: 8 storeys (about 34.8mPD)
Number of DQ units	132
Average unit size	50m ²
Design population	About 396
Private open space	Not less than 788m ²
Parking spaces	
- Private cars	21 (including 5 for visitors)
- Motorcycles	2
Loading/unloading space	1 (for heavy goods vehicle)

1.4 Plans showing site layout, typical floor layout, landscape master plans and photomontages of the proposed development submitted by the applicant are shown at **Drawings A-1 to A-16**.

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

- (a) Application form received on 14.1.2020 **(Appendix I)**

- (b) Supporting Planning Statement¹
- (c) Supplementary Information received on 20.1.2020 including replacement page of the application form with revised plans **(Appendix Ia)**
- (d) Further Information (FI) received on 13.3.2020 including responses to departmental and public comments, technical assessments, replacement page of the Supplementary Planning Statement and architectural renderings^{*1}
- (e) FI received on 16.3.2020 including replacement pages of the revised Traffic Impact Assessment^{*1}
- (f) FI received on 9.4.2020 including responses to departmental comments and revised technical assessments^{*1}
- (g) FI received on 22.4.2020 including replacement page of responses-to-comments and revised photomontage of the Visual Impact Assessment^{^1}
- (h) FI received on 8.5.2020 including responses to departmental comments with revised technical assessments^{*1}
- (i) FI received on 18.6.2020 including revised proposed development parameters^{*1}
- (j) FI received on 19.6.2020 replacement pages of the Supporting Planning Statement, responses to departmental comments and various revised technical assessments^{*1}
- (k) FI received on 24.6.2020 including clarification on the domestic and non-domestic plot ratios^{^1}
- (l) FI received on 3.7.2020 including revised figures of the Traffic Impact Assessment^{*1}
- (m) FI received on 17.7.2020 including a revised Air Ventilation Assessment^{*1}
- (n) FI received on 26.8.2020 including a consolidated Supporting Planning Statement with responses to public comments and technical assessments[^] **(Appendix Ib)**
- (o) ***FI received on 2.9.2020 including the Noise Impact Assessment of Appendix Ib***[^] **(Appendix Ic)**

¹ The consolidated Supporting Planning Statement at **Appendix Ib** and **Appendix Ic** have incorporated the original Supporting Planning Statement and all previous FIs. The applicant has confirmed that the previous FIs could be superseded by the consolidated Supporting Planning Statement. Hence, the superseded FIs are not attached.

* Not exempted from publication and recounting requirements

^ Exempted from publication and recounting requirements

- 1.6 The application was originally scheduled for consideration by the Rural and New Town Planning Committee (the Committee) on 6.3.2020. Upon the request of the applicant, on 6.3.2020, the Committee agreed to defer making a decision on the application for two months to allow time for the applicant to address the departmental comments. The applicant submitted revised technical assessments in response to departments' comments as detailed in paragraph 1.5. The application is scheduled for consideration at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supporting Planning Statement at **Appendix Ib**. They are summarised as follows:

- (a) As at 31.10.2019, "H" grade DQ units has the most prominent shortfall rate of about 43%. There were only 1,820 "H" grade DQ units available for allocation whilst 2,465 Rank and File (R&F) officers are eligible for this grade. The current waiting time for an R&F officer to be allocated a DQ is about six years. The proposed development could partially meet the outstanding demand, and it is supported by the Security Bureau. The proposed minor relaxation of BH restriction can accommodate an additional of 66 DQ unit with a total of 132 units.
- (b) The proposed development is in-line with government's on-going policy on better land utilisation and has the merit of fulfilling the need of professional fire and ambulance services.
- (c) The Site is well served by various public transport services. The MTR Tiu Keng Leng Station and the associated public transport interchange are within 300m to the northwest of the Site.
- (d) The proposed development would conform with the prevailing planning intention of "G/IC(4)" zone and is appropriate in terms of its scale and compatibility with the surrounding land uses and BH.
- (e) The proposed BH of 61.6mPD will still comply with the stepped height profile which descends from inland at 170mPD at Park Central, to 97mPD at the planned government development in TKO Area 67, and to 60mPD, 50mPD and 35mPD in the "R(A)6" zone by the waterfront.
- (f) The total greenery provision of the proposed development is maximised to 824m² (27.3%). The proposed development complies with Sustainable Building Design Guidelines and adopts green building design.
- (g) Various technical assessments have been carried out and the proposed development will not generate adverse visual, landscape, traffic, noise, drainage, sewerage and air ventilation impacts.

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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

4. Background

- 4.1 The Site has been reserved for fire station and ambulance depot on the Tiu Keng Leng Layout Plan since 2006.
- 4.2 To address the shortfall of DQ units, the government announced the support to expedite DQ projects for disciplined services, including FSD, in the 2014 and 2015 Policy Addresses. Policy support was given by the Security Bureau in 2015 for the provision of DQ for FSD in Area 72, TKO.

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 There are 4 similar applications (No. A/TKO/95, 99, 105 and 110) for DQ and/or minor relaxation of BH restriction in “G/IC” zone within the OZP.
- 6.2 Applications No. A/TKO/95 and 110 for proposed DQ of Customs and Excise Department, and Application No. A/TKO/105 for proposed DQ of FSD with minor relaxation of BH restriction from 40m to 52m (+12m or 30%) were all approved with conditions by the Committee on 19.4.2013, 18.3.2016 and 16.3.2018 respectively mainly on the considerations that the proposed developments were in line with the planning intention of the “G/IC” zone; would meet government policy to provide DQ for eligible civil servants; were not incompatible with the surrounding developments; and would not have significant adverse environmental, traffic, sewerage, drainage, and/or landscape impacts on the surrounding areas.
- 6.3 Application No. A/TKO/99 was for proposed minor relaxation of BH restriction from 75m (81mPD) to 100.5m (100mPD) including a basement floor for government offices development. The application was approved with conditions by the Committee on 4.9.2015, inter alia, a condition restricting the maximum BH to 97mPD (+16mPD or 20%), mainly on the considerations that the proposed minor relaxation of BH restriction would optimize the utilization of scarce land resources to accommodate the needs of various government departments; was not incompatible with the surrounding developments; and would not have significant adverse environmental, traffic, sewerage, drainage,

and/or landscape impacts on the surrounding area.

6.4 Details of the 4 similar applications are set out in **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) formed and partly vacant with the southern portion occupied by temporary works area of Civil Engineering and Development Department (CEDD);
- (b) accessible from Chui Shin Street; and
- (c) within 300m from Tiu Keng Leng MTR Station.

7.2 The surrounding areas have the following characteristics:

- (a) an area of existing and planned residential and GIC uses;
- (b) major existing residential developments include Ocean Shores (about 168mPD) and Metro Town (about 202mPD) to its southwest and northwest, Park Central (about 168mPD) to its northeast, and Capri and Alto Residences (about 50-60mPD) to its southeast (**Plan A-5**);
- (c) major existing GIC uses include the Chui Ling Road Substation (about 21mPD), Hong Kong Design Institute (about 63mPD), Hong Kong Institute of Vocational Education (Lee Wai Lee), Tiu Keng Leng Public Library and Sports Centre (about 23mPD) to its north and northwest, and French International School (about 32mPD) to the east;
- (d) major planned GIC uses include a refuse collection point, social welfare complex and police station to its north (currently occupied by a temporary public vehicle park), government offices development (subject to a relaxed maximum BH of 97mPD permitted under Application No. A/TKO/99) to its east; and
- (e) the area to the south, southwest and west is zoned "O" which is reserved for the development of the Tiu Keng Leng Park and is currently partly occupied by temporary works area.

8. Planning Intention

According to the OZP, 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, organizations providing social services to meet community needs, and other institutional establishments.

9. Comments from Relevant Government Departments

9.1 The following government departments have been consulted and their views are summarized as follows:

Policy Aspect

9.1.1 Comments of the Secretary for Security (S for S):

He supports the application as the relaxation of height restriction would allow more units to be built in the site, which is in line with the policy direction of building more DQ units to meet the persistent shortfall.

Land Administration

9.1.2 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) No comment from land administrative point of view.
- (b) The Site is situated on government land with portion of it temporarily allocated to government departments for their use. The applicant should liaise with the relevant departments for the implementation of its project and submit the Permanent Government Land Allocation (PGLA) application to his office for consideration. In particular, portions of the proposed site encroached on the Pink Stippled Black Area and Pink Hatched Black Stippled Black Area of the GLA-TSK 3393 under EC(38) of the said GLA. Three calendar months' notice in writing shall require to be given to CEDD to obtain the possession of the said areas.

Traffic

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

No comment on the Traffic Impact Assessment (TIA) report.

9.1.4 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (a) No comment on the subject application.
- (b) The applicant should be reminded that he shall be responsible for carrying out any modification to the existing road features contingent upon the captioned development (e.g. proposed

modification of traffic arrangement at Chui Ling Road as presented in TIA Report).

Urban Design, Visual and Air Ventilation Aspects

Urban Design and Visual

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

No comment from the visual impact point of view.

Air Ventilation

9.1.6 Comments of CTP/UD&L, PlanD:

- (a) An Air Ventilation Assessment Expert Evaluation (AVA EE) has been conducted to compare the performance of the Baseline Scheme (i.e. OZP-Compliant Scheme) with the Proposed Scheme in support of the captioned planning application. According to the AVA EE report, mitigation measures including (i) 30m-width setback from the east of the site boundary at G/F to 4/F (**Drawing A-13**); (ii) reduction of building coverage from 44% to 25% at 5/F to R/F; and (iii) refined building shape, are proposed with the aim to address the potential adverse air ventilation impact induced by the proposed development with taller building height on the surrounding.
- (b) Although a small portion (i.e. 300mm-wide) of the building structure at 5/F to R/F (**Drawing A-8**) under the Proposed Scheme would encroach onto the 100m-wide breezeway due to the construction constraints by using prefabricated module and precast staircase, it is expected the performance of such 100m-wide breezeway would still be comparable under both the Baseline and Proposed Schemes.
- (c) Considering the above, it is not anticipated that the proposal with mitigation measures described above would generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared with the Baseline Scheme.

Environmental Aspect

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

No comment on the revised Environmental Assessment and Sewerage Impact Assessment.

Drainage Aspect

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

No comment from drainage and sewerage viewpoints.

Fire Safety

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

No objection in principle to the proposal subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS.

Local Views

9.1.10 Comments of the District Officer (Sai Kung) (DO(SK)):

It is noted that some local personalities, including Sai Kung District Council (SKDC) members and residents who live in the vicinity, have raised objection to the subject application. Their major concerns include potential adverse visual impacts brought by the proposed relaxation of BH restriction and weakening of ventilation corridor in the area. In particular, they urge the applicant to reduce the BH so as to minimize the potential nuisance which might be brought to the neighbourhood environment, by exploring various means such as accommodating the proposed office space at the Fire and Ambulance Services Academy in Pak Shing Kok instead.

9.2 The following departments have no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD);
- (b) Chief Building Surveyor/North Territories East (2) and Rail, Buildings Department (CBS/NTE2&Rail, BD)
- (c) Commissioner of Police (C of P);
- (d) Project Manager (East), CEDD (PM(E), CEDD); and
- (e) Director of Electrical and Mechanical Services (DEMS).

10. Public Comments Received During Statutory Publication Period

10.1 During the public inspection periods, a total of 259 public comments were received (**Appendix III**). Among the 259 public comments, 88 comments from individuals are in support of the application, 136 comments from 4 SKDC Members, Ocean Shores Owners' Committee and individuals indicate objection, and 33 provide comments on the application.

10.2 The SKDC members and some individuals object to the application mainly on grounds that the proposed development would generate adverse visual, air

ventilation, environmental, noise and traffic impacts and increase the burden on community facilities; the property value of the adjacent residential developments would be affected; the proposed minor relaxation of BH restriction departs from the intention of stipulating BH restriction for the Site and stepped height profile for the town centre area; there is no public open space provided within the Site; and approval of the application would create undesirable precedent for similar applications. Some commenters support the application for the reasons that the proposed development is compatible with the surrounding environment and will utilise the land resources. Some individuals opine that the development potential of the Site can be maximised with higher BH and more DQ units, and more car parking spaces can be provided within the development.

11. Planning Considerations and Assessments

- 11.1 This application is for the development of DQ for FSD with minor relaxation of BH from 40m to 55.6m (i.e. +15.6m or + 39%) at the Site in TKO Area 72. The Site zoned “G/IC(4)” on the OZP has been reserved for fire station and ambulance depot on the Tiu Keng Leng Layout Plan since 2006. 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, organizations providing social services to meet community needs, and other institutional establishments. The Policy Address 2014 and Policy Address 2015 announced that the government will expedite DQ projects for disciplined services departments. The proposed DQ providing accommodations for R&F officers of FSD is in line with the planning intention, and to meet government policy to provide DQ for eligible civil servants as a type of housing accommodation or for operational need, as supported by the Security Bureau.
- 11.2 The proposed DQ on top of the fire station cum ambulance depot, while leaving the open area for provision of drilling yard and manoeuvring spaces for FSD vehicles and ambulances, would provide 66 additional units to reach a total of 132 units. Since there is an outstanding demand for DQ units in FSD and the current average waiting time for DQ unit is about 6 years for eligible officers, the proposed DQ with relaxation of BH has a merit of meeting the policy objective to shorten the waiting time of eligible officers and to optimize the utilization of scarce land resources.
- 11.3 The proposed DQ development, with maximum BH of 61.6mPD, is considered not incompatible with the surrounding developments, which is predominated by a cluster of GIC and residential uses, including the government offices in Area 67 (97mPD as approved under Application No. A/TKO/99), Hong Kong Design Institute (about 63mPD) and various high-rise residential developments including Ocean Shores and Metro Town (about 168-202mPD). It is considered the BH profile in the TKO South area, which generally descends from the town centre area towards the waterfront, can be maintained (**Plan A-5**). The Visual Impact Assessment submitted by the applicant concludes that

the proposed development would not induce adverse visual impact and CTP/UD&L of PlanD has no comment on the application from the visual impact point of view.

- 11.4 According to the AVA EE submitted by the applicant, the 100m-wide breezeway as stipulated on the Tiu Keng Leng Layout Plan has been maintained. In view of the setback, building coverage and the building shape, CTP/UD&L of PlanD considers that the proposed development would not generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared to the OZP compliant scheme.
- 11.5 The applicant has also submitted technical assessments to demonstrate that there are no adverse traffic, environmental and infrastructural impacts arising from the proposed development. Relevant government departments including C for T, DEP and CE/MS of DSD have no objection to/adverse comment on the application.
- 11.6 Among the four similar applications (No. A/TKO/95, 99, 105 and 110), Applications No. A/TKO/99 and 105 for government offices and DQ respectively involve minor relaxation of BH restriction up to 20% to 30%, on considerations of optimizing utilization of land resources and no adverse impacts.
- 11.7 Regarding the public comments in paragraph 10 above in relation to adverse visual, air ventilation and environment impacts and departure from the original BH restriction, the planning assessments in paragraphs 11.3 to 11.5 are relevant. Regarding the suggestion to accommodate the proposed office space at the Fire and Ambulance Services Academy in Pak Shing Kok as referred by DO(SK) (paragraph 9.1.10), the administrative function of the office within the subject development is essential to the operation of the fire station-cum-ambulance depot in delivering emergency services.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, 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 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 condition of approval and advisory clauses are also suggested for Members' reference:

Approval Condition

the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Board.

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reasons for rejection are suggested for Members’ reference:

The proposed relaxation of building height restrictions is considered not minor in nature and the applicant fails to provide strong justifications to support the proposed relaxation.

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.

14. Attachments

Appendix I	Application form
Appendix Ia	Supplementary Information received on 20.1.2020
Appendix Ib	FI received on 26.8.2020
Appendix Ic	<i>FI received on 2.9.2020</i>
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Advisory Clauses
Drawing A-1	Block Plan
Drawings A-2 to A-9	Floor Plans
Drawings A-10 to A-12	Landscape Master Plans
Drawing A-13	Layout Plan Showing Setback
Drawings A-14 to A-16	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4c	Site Photos
Plan A-5	Building Height Plan

**PLANNING DEPARTMENT
SEPTEMBER 2020**