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S12A Planning Application

Rezoning from “Other Specified Uses” annotated “Business”(“OU(B)”) to “Residential (Group E) 2” (“R(E)2”)

For Proposed Commercial-cum-Residential Development with Social Welfare Facilities (Residential Care Home for the Elderly and/or Residential Care Homes for Persons with Disabilities) (RCHes and/or RCHDs), at Lot 316 in D.D. 444 and Kwai Chung Town Lot (KCTL) 146, 97-107 Wo Yi Hop Road, New Territories

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Executive Summary

The Applicant, **LAI SUN TEXTILES COMPANY LIMITED**, now seeks town planning permission from the Town Planning Board (TPB) for a Section 12A planning application for proposed rezoning from “Other Specified Uses” annotated “Business”(“OU(B)”) to “Residential (Group E) 2” (“R(E)2”) to facilitate the redevelopment of the existing 15-storey industrial building (IB), known as Park Sun Building, into a 28-storey Commercial-cum-Residential Development with Social Welfare Facilities (Residential Care Home for the Elderly and/or Residential Care Homes for Persons with Disabilities) (RCHes and/or RCHDs) atop 1 basement carpark floors at Lot 316 in D.D. 444 and Kwai Chung Town Lot (KCTL) 146, 97-107 Wo Yi Hop Road, New Territories (hereinafter referred to as “the Application Site”).

According to the Approved Kwai Chung Outline Zoning Plan No. S/KC/32 (the OZP), the “Flat” and Social Welfare Facility involving residential care are neither Column 1 or Column 2 uses upon redevelopment. In this regard, the Applicant proposes to amend the OZP to rezone the Application Site from “OU(B)” to “R(E)2” with a maximum gross floor area of 28,589m², of which a maximum domestic gross floor area of 16,458m² and a non-domestic gross floor area of not less than 7,200m² for Residential Care Home(s) for the Elderly and/or Residential Care Home(s) for Persons with Disabilities shall be provided. The maximum building height remains at 130 mPD as stipulated on the current OZP.

With due consideration of the government’s policy intention and the social needs, the proposed amendment is aimed at providing more new private housing supply in Kwai Chung Sub-Area and offering quality residential care services for the elderly and person with disabilities (PWDs). Converting the existing Park Sun Building for commercial-cum-residential with GIC facilities would make optimal use of scarce land resources to support the Government’s policy through private initiative without the need of going through the lengthy land resumption process implemented by the Government.

The Application Site is located at a prime location in the very east periphery of the “OU(B)” area and next to the residential zone across the Wo Yip Hop Road. Recognizing the seriousness of the demand for private housing and residential care services, and a favorable circumstance of the subject “OU(B)” zone being transformed from a traditional industrial district into a vibrant commercial hotspot, the Applicant has a great intention to further re-energize the local community through the proposed commercial-cum-residential with GIC facilities model.

The proposed development aligns with prevailing policy objectives, justifies land use compatibility and technical considerations. It is anticipated that the development would not cause any insurmountable impacts on landscape, visual, traffic, air quality, noise, air ventilation, drainage and sewerage impact to the surrounding area. With these justifications, the Applicant respectfully requests the TPB to approve the application.

行政摘要

申請人麗新紡織有限公司，現向城市規劃委員會（下稱城規會）提出第 12A 條修訂圖則申請，擬議從「其他指定用途，只適用於「商貿」」改劃至「住宅(戊類) 2」，將位於新界和宜合道 97 至 107 號，丈量約份 444 地段第 316 號及葵涌市地段第 146 號，現有 15 層高工業大樓（百新大廈），重建成一座 28 層商住發展項目及一層地庫，並設有社會福利設施（安老院舍及/或殘疾人士院舍）（下稱該申請地點）。

根據葵涌分區計劃大綱核准圖編號 S/KC/32（下稱大綱圖），擬議住宅及社會福利設施（涉及住宿照顧者）不屬於第一欄及第二欄用途。因此，申請人擬議修訂大綱圖，將該地點由從「其他指定用途，只適用於「商貿」」改劃至「住宅(戊類) 2」，不得超過最高總樓面面積 28,589 平方米，當中住宅樓面面積最高為 16,458 平方米，而用作安老院舍及/或殘疾人士院舍的非住宅樓面面積不得少於 7,200 平方米。最大建築高度仍維持目前大綱圖所規定的 130 米高度限制。

在考慮到政府政策意圖和社會需求的情況下，此次擬議的修訂旨在提供葵涌區更多的新私人住房供應，並為長者和殘疾人士提供優質的住宿照顧服務。將現有的百新大廈改建為商住結合及附帶社福設施，通過私人倡議支持政府政策，能有效利用有限的土地資源及無需經過政府收地所致冗長的過程。

該申請地點位於「其他指定用途，只適用於「商貿」」東部邊緣的黃金位置，與毗鄰住宅區一街之隔。鑑於私人住宅和住宿照顧服務需求的嚴重性，以及該「其他指定用途，只適用於「商貿」」區域由傳統工業區轉變為繁華商業熱點的有利條件，申請人有意通過商住結合的設施模式進一步帶動當地社區。

擬議發展項目符合現行政策目標、合乎土地用途相容性和技術考慮。預計擬議發展項目對周邊地區的景觀、視覺、交通、空氣質素、噪音、通風、排水和污水影響，不會造成不可克服的影響。申請人基於上述理由，懇請城規會批准其申請。

（聲明：此中文譯本僅供參考，如中文譯本和英文原文有差異時，應以英文原文為準。）

SECTION ONE | INTRODUCTION

1.1 Project Background

DeSPACE (International) Limited act on behalf of the Applicant, **LAI SUN TEXTILES COMPANY LIMITED**, to prepare and submit this Section 12A planning application for proposed rezoning from “Other Specified Uses” annotated “Business”(“OU(B)”) to “Residential (Group E) 2” (“R(E)2”) to facilitate the redevelopment of the existing 15-storey industrial building (IB), known as Park Sun Building, into a 28-storey Commercial-cum-Residential Development with Social Welfare Facilities (Residential Care Home for the Elderly and/or Residential Care Homes for Persons with Disabilities) (RCHes and/or RCHDs) atop 1 basement carpark floors at Lot 316 in D.D. 444 and Kwai Chung Town Lot (KCTL) 146, 97-107 Wo Yi Hop Road, New Territories (hereinafter referred to as “the Application Site”).

The Application Site is zoned as “OU(B)” under the Approved Kwai Chung Outline Zoning Plan No. S/KC/32 (the OZP). Please refer to **Figure 1** and **Figure 2** for the Location Plan and Lot Index Plan respectively. For redevelopment of an existing building, the “OU(B)” is subject to a maximum total plot ratio (PR) of 9.5 or the PR of the existing building at plot ratio of 10.59, whichever is the greater. In terms of building height, it is restricted for 130 metres above Principal Datum (mPD) as stipulated on the Plan of the OZP, or the height of the existing building, whichever is the greater. However, the “Flat” and Social Welfare Facility involving residential care are neither Column 1 or Column 2 uses.

In this regard, the Applicant proposes to amend the OZP to rezone the Application Site from “OU(B)” to “R(E)2” with a maximum gross floor area of 28,589m², of which a maximum domestic gross floor area of 16,458m² and a non-domestic gross floor area of not less than 7,200m² for Residential Care Home(s) for the Elderly and/or Residential Care Home(s) for Persons with Disabilities shall be provided. The maximum building height remains at 130 mPD as stipulated on the current Plan. Please refer to the **Appendix 1 – Proposed Amendment on the Notes**.

1.2 Planning Objectives

As highlighted in the successive Chief Executive Policy Address, the Government has emphasized the following policy agenda -

- (1) **Housing Supply** – As proposed in the 2023 Policy Address, the Government's top priority is to increase land supply in order to making Hong Kong a better place for living and working. A multi-pronged strategy has been implemented to expedite the provision of land for housing. Privately-owned land has been identified as a significant source of housing supply. According to the Long Term Housing Strategy Annual Progress Report 2023, the Government will continue to spare no efforts in creating sufficient land to meet the private housing supply target of 132 000 units for the 10-year period from 2024-25 to 2033-34.
- (2) **RCHE Supply** – In the face of an ageing population, the Government formulates cross-sectoral policies and initiatives to cater for the needs of the elderly. As proposed in the 2022 Policy Address, more incentives will be provided to developers for the construction

and operation of RCHes in private development projects. In June 2023, the Lands Department (LandsD) introduced the "Incentive Scheme to Encourage Provision of Residential Care Homes for the Elderly Premises in New Private Developments - Time-limited Enhancements" (LandsD's Practice Note Issue No. 5/2023) (hereinafter referred to as "the Incentive Scheme for RCHes") with the aim of incentivizing developers to construct and operate RCHes within private development projects (**Appendix 2 - The Incentive Scheme for RCHes**). Eligible RCHes will be exempted from premium payment, and be excluded from the calculation of the total permissible gross floor area of the development projects as stipulated in the land lease. Private Developers may apply for different concessions during the three-year pilot period from 20th June 2023 to 19th June 2026.

- (3) **RCHD Supply** – To address the needs of persons with disabilities (PWDs), the Government encourage the provision of RCHDs in new private developments and help improving the waitlisting situation of subsidised RCHD places in the long run. As proposed in 2023 Policy Address, the Government will launch the "Incentive Scheme to Encourage Provision of Residential Care Homes for Persons with Disabilities in New Private Developments" (hereinafter referred to as "the Incentive Scheme for RCHDs") by modelling on the prevailing the Incentive Scheme for RCHes (**Appendix 3 - The Incentive Scheme for RCHDs**). Eligible RCHDs will be exempted from premium payment, and be excluded from the calculation of the total permissible gross floor area of the development projects as stipulated in the land lease. Private Developers may apply for different concessions during the three-year pilot period from 20th December 2023 to 19th December 2026.

As such, the subject development proposal directly aligns with the policy initiative by integrating the different uses under one roof with due consideration to the compatibility with the surroundings and technical feasibility.

1.3 Development Proposal

The Application Site is currently occupied by an existing 15-storey industrial building 'Park Sun Building'. The indicative scheme has been formulated to demonstrate the feasibility of the proposed amendment and the proposed redevelopment. The implementation will contribute to the Government's effort in increasing housing supply and to improve quality living environment with RCHes and/or RCHDs serving the long term needs of Kwai Chung district as the population continues to rise in age.

After reviewing the latest Incentive Scheme for RCHes and RCHDs, the Applicant intends to ensure the optimized design with its licensing portion to a maximum gross floor area (GFA) of 12,000 sqm which could fully capitalize on the internal layout, ensure a high quality of the RCHes and/or RCHDs and sufficiently address the shortfall of the quality elderly home and PWDs bed spaces.

The Applicant in the meantime would explore opportunities to obtain policy support from the relevant bureau for the proposed RCHes and/or RCHDs.

SECTION TWO | SITE CONTEXT

2.1 Site Context and Surrounding Land Uses

The Application Site with a site area of about 29,760 sqft (or 2,764.8 sqm), is situated in the east periphery of the “OU(B)” area and next to the residential zone across the Wo Yi Hop Road (**Figure 2** refers).

The Existing Park Sun Building is bounded by other industrial buildings to its north, south and west. It is located in area zoned “OU(B)” between Ta Chuen Ping Street and Wo Yi Hop Road, which is predominantly surrounded by a mix of residential, industrial and Industrial-office developments in the area.

The surrounding areas have the following characteristics:

- a) the Application Site is located in the midst of the Castle Peak Road/Wo Yi Hop Road industrial/business area, which is characterised by a mix of residential, industrial and industrial-office developments, including newly developed iCITY Industrial Building, Silka Tsuen Wan Hotel Building and Hotel Ease Tsuen Wan;
- b) to the south across Ta Chuen Ping Street and further west are The Apex (i.e., one of the private residential developments of Kwai Chung) and mainly Industrial Buildings within the same industrial/business cluster, including numerous approved applications for proposed data centre, permitted industrial-office development and hotel related to the Policy; and
- c) to the further northeast, east and south across Wo Yi Hop Road are mainly clusters of residential buildings including Shek Lei Estate and Shek Yam Estate.

2.2 Land Status

The Application Site falls within:

Lot No. 316 in D.D. 444

Lot No. 316 in D.D. 444 is held under New Grant No. 4353 dated 2.11.1964 as varied or modified by a modification letter dated 10.4.1969 with a site area of 15,000 sqft. According to the lease, the lot shall be used for general industrial and/or godown purposes excluding offensive trades. Spaces shall be provided for parking, loading and unloading of motor vehicles at the rate of not less than 1 vehicle for each 10,000 sqft or part thereof of gross floor area but in any event not less than 1 vehicle for each 5,000 sqft or part thereof of the site area.

Kwai Chung Town Lot 146

KCTL 146 is held under New Grant No. 4719 dated 24.1.1970 with a site area of 14,760 sqft. According to the lease, the lot shall be used for general industrial / godown purposes excluding offensive trades. No building shall be erected on the lot except a factory and/or a warehouse, ancillary offices and quarters for persons essential to the safety and security of the building. Spaces shall be provided for parking, loading and unloading of motor vehicles at the rate of not less than 1 vehicle for each 10,000 sqft or part thereof of gross floor area but not less than 1 vehicle for each 5,000 sqft or part thereof of the site area.

2.3 Accessibility

The Application Site is located at about 1km to the northeast of MTR Kwai Hing station and about 1.5km to the east of MTR Tai Wo Hau Station. It is served by various modes of public transport including buses and public light buses on Wo Yi Hop Road. There is an existing bus stop outside the building along Wo Yi Hop Road.

SECTION THREE | TOWN PLANNING CONTEXT

3.1 Statutory Planning Context

3.1.1 Statutory Planning Context of the Application Site

The Application Site falls within an area zoned “OU(B)” on the Approved Kwai Chung Outline Zoning Plan No. S/KC/32 and is subject to BHR of 130 mPD (or the BH of the existing building, whichever is the greater) and PR of 9.5 (or the PR of the existing building, whichever is the greater) under the OZP. The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings. According to the Notes of the OZP, the proposed residential use and social welfare facility use are neither a Column 1 nor Column 2 use in the “OU(B)” zone.

Given that, it is required to rezone the Application Site to “R(E)2” zone in order to facilitate the proposed commercial-cum-residential development with social welfare facility (RCHes and/or RCHDs) development. The zone itself intends to phase out the existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem. **The tailor-made sub-area “R(E)2” is intended for a proposed commercial-cum-residential development with a maximum gross floor area of 28,589m², of which a maximum domestic gross floor area of 16,458m² and a non-domestic gross floor area of not less than 7,200m² for Residential Care Home(s) for the Elderly and/or Residential Care Home(s) for Persons with Disabilities shall be provided.** This zoning is to facilitate appropriate planning control in terms of the amended PR over the scale and design of development.

3.2 Non-Statutory Planning Context

3.2.1 Proposed Residential Development

Government’s Multi-Pronged Approach to Increase Housing Supply

In recent years, Hong Kong has faced a significant housing shortage. According to the Long-Term Housing Strategy Annual Progress Report 2023, in terms of private housing, the major strategic direction is to stabilize the residential property market through steady land supply and appropriate demand-side management measures. The Government will continue to spare no efforts in creating sufficient land to meet the private housing supply target of 132 000 units

for the 10-year period from 2024-25 to 2033-34. It is anticipated that the Government and our society have to respond promptly and plan forward to allocate more land resources to tackle the housing shortage.

In face of the housing crisis, the Government has adopted a multi-pronged approach to increase land and housing supply, such as introducing the new Light Public Housing (LPH) with about 30,000 units. It also targets to deliver sufficient land for private housing development to meet the projected demand. In order to further speed up the provision of housing units, the Government introduces numerous guidance to substantially compress the time required for land production such as the implementation of streamline statutory procedures and the extension of the arrangement of charging land premium at standard rates.

A Minimum Supply of Private Housing Development in Kwai Chung

As per the Monthly Digests published by the Building Department, there are only two new private residential developments, including [1] Kwai Chung Town Lot No. 515 at Lai Kong Street and [2] Edition 178, 178 Hing Fong Road in Kwai Chung since 2013. The two sites are located near the Lai King MTR Station and the Kwai Fong MTR station respectively. The supply of new private housing flat units in the district is relatively low to serve the potential residents and meet the market demand.

3.2.2 Proposed RCHE

The Surging Demand for RCHE in Hong Kong

Ageing population and the foreseeable threat of shortage of elderly facilities has been a focus of a wide range of policy initiatives and studies in Hong Kong, including the Chief Executive's Policy Addresses and the latest version of strategic plan of Hong Kong, "HK2030+: Towards a Planning Vision and Strategy Transcending 2030" (HK2030+). Hong Kong has the highest life expectancy in the world with 81.7 years old for men and 87.66 years old for women. Statistics from Census and Statistic Department has indicated that the proportion of population aged 65 or older will increase from 15.4 percent of the population to 36 percent in 2064. For the elderly dependency ratio, it was estimated that 1,000 individuals supported 180 nos. of elderly in 2011 while in 2041, 1,000 individuals will be supporting nearly every 500 elderly (2 adults to 1 elderly). In 2016, about 8% of the population aged 65 or above (i.e. 93,600 nos.) lived in RCHEs. To address the anticipated shortfall, the consecutively published Policy Addresses have emphasized on strengthening the existing provision of home care and community care with the support of residential care for the ageing population.

2022 Policy Address

According to the Policy Address released by the Chief Executive, the endeavour of the Government to lift the quality and quantity of RCHE is observed. It is targeted to provide an additional 6,200 subsidised service places by end-2027 (+20%) where 2,600 places of these will commence service next year. The Development Bureau (DEVB) and Labour and Welfare Bureau (LWB) have been asked to put forward proposals by early 2023 to provide more incentives, such as granting GFA concessions, to encourage developers to build elderly service facilities in their private development projects.

The 2023-24 Budget

Upon review, the Government has decided to, in addition to continue to exempt the gross floor area (GFA) of these private RCHEs from payment of premium, raise the GFA of RCHEs that can be exempted in each development project. Furthermore, they propose **to exempt such GFA from the calculation of the maximum GFA of the relevant projects**. It is hoped that these enhanced measures will increase the supply of quality private RCHEs. They will launch the enhanced measures in the second quarter of 2023 and will conduct a review after a three-year trial period.

Time-Limited Enhancements to the 2003 Incentive Scheme (Appendix 2 - The Incentive Scheme for RCHEs)

As aforementioned, Lands Department launched time-limited enhancements to the 2003 Incentive Scheme. During the three-year pilot period from 20th June 2023 to 19th June 2026, private developers may apply for the following concessions: -

- (i) exempt one or more eligible RCHE premises from payment of land premium in land transactions of lease modification, land exchange and private treaty grant for new private developments (excluding industrial developments);
- (ii) exempt eligible RCHE premises from the calculation of total permissible gross floor area under lease.

To be eligible for the Concessions, provision of RCHE premises in a Proposed Development **must have the support of the Social Welfare Department ("SWD")**. The key conditions in relations to the town planning controls are summarized as follows: -

- (i) The Concessions will be subject to a cap of no more than 12,000m² in total GFA or 10% of the total permissible GFA under lease, whichever is the greater. More than one eligible RCHE premises per development site may be eligible for the Concessions;
- (ii) The size and location of each RCHE premises will have to be approved by SWD;
- (iii) Provision of the RCHE premises must comply with all requirements as may be imposed by SWD and all applicable ordinances, by-laws or regulations that are in force from time to time;
- (iv) Throughout the term under lease, the RCHE premises shall be managed and operated as licensed RCHE(s) under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and its subsidiary legislation and to the satisfaction of SWD; and
- (v) The above requirements shall be stipulated as conditions under lease, as appropriate.

On June 2023, the Panel on Welfare Services of the Legislative Council held further discussions¹. The key points are highlighted below:

¹ Source: LC Paper No. CB(2)729/2023

- (i) The Development Bureau (“DEVB”) added that relevant Government departments, including the Buildings Department, the Lands Department (“LandsD”) and the Planning Department, would implement streamlined administrative procedures in tandem, wherever possible, to facilitate applications and expedite process.
- (ii) DEVB would also provide guidance to individual developers in their development projects if necessary.
- (iii) In response to Members’ suggestion of attracting more developers to participate in the Scheme by increasing the plot ratio for small private development projects, **DEVB explained that developers could apply to the Town Planning Board for a change of plot ratio for their development sites.**
- (iv) LWB advised that to place parts of the RCHE used for dormitory purpose 24 metres above the ground, the RCHEs should comply with additional management and building fire safety requirements.
- (v) LWB would impose additional requirements for private RCHEs participating in the Enhanced Bought Place Scheme (“EBPS”) on requirements such as staffing and equipment which would be reviewed from time to time. It would be a commercial decision for private RCHEs to incorporate gerontechnology products to meet their operational needs and to enhance their service quality.

3.2.3 Proposed RCHD

The Surging Demand for RCHD in Hong Kong

The Government offers a comprehensive range of rehabilitation services aimed at supporting persons with disabilities (PWDs) in developing their physical, mental and social capabilities. These services are designed to meet their diverse needs and encompass various provisions such as pre-school services, day rehabilitation services, residential care services and community support services.

Residential care services are provided for PWDs who cannot live independently and those who cannot be adequately cared for by their families, with a view to improving their quality of life and helping them develop independent living skills. The RCHD caters to individuals aged 6 and above who require residential accommodation and care, as outlined in the Residential Care Homes (Persons with Disabilities) Ordinance (Cap.613).

As at March 2025, the total number of cases on the waiting list for **subvented** RCHDs is 10,232². There were only 22 private RCHDs participating in the Bought Place Scheme for Private RCHD providing a total of 1,379 services places as at June 2023³. The waiting list has been remained at a high position for the last five years without a substantial decrease. There are new cases received by the needy every year via the central referral system, while the new supply of RCHD bedspaces (including those moving out/natural wastage) fails to catch up with the demand on the waiting list.

² Source: [https://www.swd.gov.hk/storage/asset/section/341/en/Annex%20II%20\(EN\)%202025331.pdf](https://www.swd.gov.hk/storage/asset/section/341/en/Annex%20II%20(EN)%202025331.pdf)

³ Source: <https://www.legco.gov.hk/yr2023/english/panels/ws/papers/ws20230905cb2-815-1-e.pdf>

2023 Policy Address

According to the Policy Address released by the Chief Executive, the Government is promoting the construction and operation of RCHDs in private development projects. Taking inspiration from the existing arrangements for Incentive Scheme for RCHEs, the government will introduce the "Incentive Scheme to Encourage Provision of Residential Care Homes for Persons with Disabilities in New Private Developments" (Incentive Scheme for RCHD) this year. Under this scheme, eligible RCHDs will be exempted from premium payment for lease modifications, land exchange or private treaty grants, and **the relevant GFA of the RCHD will not be counted in the calculation of total permissible GFA for the entire project.**

The 2023-24 Budget

It has been emphasized that, in addition to the Incentive Scheme for RCHE, the DEVB and the LWB will formulate a similar scheme for RCHDs so as to encourage the market to provide more quality private RCHDs.

Incentive Scheme to Encourage Provision of Residential Care Homes for Persons with Disabilities in New Private Developments (Appendix 3 - The Incentive Scheme for RCHDs)

In pursuance of a policy initiative in the 2023-24 Budget and the 2023 Policy Address, an incentive scheme will be introduced to encourage the RCHD in new private developments

- (i) exempt one or more eligible RCHD premises with a size not exceeding a maximum total gross floor area of 12,000m² or 10% of the total permissible GFA under lease, whichever is the greater, per development project from payment of land premium in respect of lease modifications, land exchanges and private treaty grants for new private developments ("the Land Transactions"); and
- (ii) exempt eligible RCHD premises from the calculation of total permissible GFA under lease.

To be eligible for the Concessions, the provision of RCHD premises in a Proposed Development **must have the support of the Social Welfare Department ("SWD")**. The key conditions in relations to the town planning controls are summarized as follows: -

- (i) The size and location of the RCHD premises will have to be approved by SWD. No sub-division of the RCHD premises will be allowed and assignment, mortgage, underletting, or other. disposal of the RCHD premises will be prohibited except as a whole unit;
- (ii) Provision of the RCHD premises must comply with all requirements as may be imposed by SWD and all applicable ordinances, by-laws or regulations that are in force from time to time;
- (iii) Throughout the term under lease, the RCHD premises shall be managed and operated as licensed RCHD(s) under the Residential Care Homes (Persons. with Disabilities) Ordinance (Cap. 613) and its subsidiary legislation and to the satisfaction of SWD; and

- (iv) The above requirements shall be stipulated as conditions under lease, as appropriate.

3.2.4 Policy Initiative to Revitalise Industrial Buildings

A bulk of industrial premises in Hong Kong have been rendered surplus and vacant as a result of economic restructuring to a service-oriented economy. To optimize utilization of the existing industrial stock and make better use of valuable land resources, the Government has launched a policy of “Revitalization of Industrial Buildings” which was first announced in 2010-2016 (Revitalisation Scheme 1.0) and reactivated in 2018 till present (Revitalisation Scheme 2.0). The Development Bureau (DEVB) announced a series of revitalization policy measures to facilitate the redevelopment and wholesale conversion of old underutilized industrial buildings.

The Application Site is located within Site B11 along Wo Yi Hop Road, as identified in the "2020 Area Assessments of Industrial Land in the Territory". This area comprises 66 industrial buildings, predominantly used for non-polluting activities, with warehouse/storage accounting for 57.4%. Manufacturing/workshop use constitutes only 9.3%. The vacancy rate of this area (9.1%) significantly exceeds both the Kwai Tsing district average (5.9%) and the territory-wide rate (6.4%), according to the Hong Kong Property Review 2021 by the Rating and Valuation Department. It revealed the need to explore alternative land uses for better utilization of the area.

3.3 Planning History

In October 2000, the Application Site was located within an area zoned as “Industrial” (“I”) under the Draft Kwai Chung Outline Zoning Plan No. S/KC/15. The majority of land in “I” zone within the Metro areas was recommended for rezoning to “OU(B)” as per the Report on Area Assessments of Industrial Land in the Territory. The Application Site was consequently rezoned to “OU(B)” under the Draft Kwai Chung Outline Zoning Plan No. S/KC/16 in February 2001. It was subject to a maximum plot ratio of 9.5 or the plot ratio of the existing building, with a maximum building height of 130mPD.

3.4. Previous Planning Application(s)

Part of the Application Site is involved in three previous applications (No. A/KC/153 for commercial/office building and minor relaxation of plot ratio; No. A/KC/227 and No. A/KC/254 for temporary fee-paying carpark for 3 Years). All were approved by the Committee in March 1994, January 1998 and December 2000 respectively.

The subject building, Park Sun building, is subject to a special waiver executed for whole conversion. The Applicant had an intention to convert in a wholesale manner into office and/or other commercial uses and signed a waiver letter for wholesale conversion with the Lands Department in 2018. However, the proposed conversion model is no longer in line with market expectations, is operationally infeasible and has therefore been postponed and terminated.

3.5 Similar Planning Application(s)

There has been one approved similar application (No. Y/YL/16) to rezone the Application Site to “R(E)” to facilitate the redevelopment of the existing industrial building, known as Lai Sun Yuen Long Centre, into a 24-storey commercial-cum-residential development with social welfare facilities atop one basement carpark floor. The board paper and TPB meeting minutes of the application are reviewed. The key considerations are outlined as follows.

Table 1 Planning Considerations from Relevant Approved Application		
Y/YL/16 (Approved on 27/8/2021)	Planning Considerations	Meeting Minutes
	<p>- Furthermore, any floor space dedicated for GIC facilities, as required by the Government, may be disregarded. Planning permission from the Board would be required to effectuate the proposal with ‘Flat’ being a Column 2 use under the relevant provisions of the “R(E)” zone. Except for the addition of non-domestic PR restriction and the floor space exemption clause on GIC facilities, the Notes for the “R(E)2” zone are identical to that of the extant “R(E)1” zone.</p> <p>- The Site is the subject of a valid planning permission (No. A/YL/259) for proposed minor relaxation of PR restriction for permitted office, shop and services and eating place uses to facilitate redevelopment of the subject building into a 15-storey (excluding one basement carpark floor) commercial building with additional PR of 20% under the IB Revitalisation Scheme 2.0. Notwithstanding the current rezoning application, the industrial uses/floor spaces within the current IB will be forgone upon impending redevelopment. Given this background, the application can be considered on its individual merits and circumstances. In this connection, DG of TI has no comment on the proposed rezoning.</p> <p>- Given its fringe location within the TTIA and with various open spaces and residential uses nearby, the proposed rezoning for residential development with commercial and GIC uses on the lower floors is generally considered not</p>	<p>Members noted that should the current rezoning application be approved, subsequent s.16 application for the proposed residential development would be required under the proposed “R(E)2” zone so as to address the potential industrial/residential interface issue.</p> <p>While agreeing with the applicant’s observation that the transformation of TTIA into general business uses had not been realised in the past 20 years and the land could be used for residential development to meet the imminent housing need, a Member was concerned whether approval of the current application would set a precedent for similar applications within TTIA and the cumulative loss of industrial floor space might affect the local employment in Yuen Long. The Chairman remarked that each application would be considered on its own individual merits, and the applicant should demonstrate that the proposed development was compatible with the surrounding developments, technically</p>

	<p>incompatible with the surrounding land uses.</p> <p>- Proposed domestic PR of 5 and non-domestic PR of 0.22 are generally in line with the prevailing PR restriction of 5 for the “OU(B)” and “R(E)1” zones within TTIA, as well as that for the “R(E)” and “R(A)” zones to the south of the Site. The proposed BHR of 85mPD is the same as the prevailing BHR for the “R(E)1” zones at the northern/western portion of TTIA, and not dissimilar to the prevailing BHR of 15 storeys (excluding basement(s)) for the “OU(B)” zones within the centre and eastern portions of TTIA given the generally higher floor-to-floor heights of commercial developments.</p> <p>- Although the proposed scheme is indicative in nature and may be subject to change at the s.16 planning application stage, the applicant has undertaken that social welfare facilities (i.e. sub-base/premises for STFAST, one team for HCS for Frail Elderly Persons (2-team size non-kitchen based) and 120-place DCC for the Elderly (kitchen-based)) will be provided in the proposed residential development as per the request of DSW.</p> <p>In addition to the above, the applicant pledges to provide a voluntary 1.5m-wide fullheight setback along Wang Yip Street East to facilitate widening of footpath from 3.25m to 4.75m, which could enhance the walking environment of the area.</p> <p>The applicant has submitted technical assessments to demonstrate that the proposed rezoning is acceptable from traffic, sewerage and environmental perspectives. Relevant concerned departments, including C for T, CHE/NTW, HyD, CE/RD 2-2, HyD, CE/MN, DSD and DEP have no in-principle objection to/no adverse comments on the application.</p>	<p>feasible and would not cause insurmountable adverse impact on the surroundings.</p>
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The subject application is similar to the approved Y/YL/16, including but not limited to:

- ✓ The industrial uses/floor spaces within the existing IB will be forgone upon redevelopment as per the signed waiver letter for wholesale conversation in 2018;
- ✓ To provide new housing supply and meet the imminent housing need in Kwai Chung district;
- ✓ Located in fringe location of the subject "OU(B)" area with residential uses nearby;
- ✓ The proposed maximum domestic PR of 5.95 and non-domestic PR of 0.05 are lower than the existing permitted PR of 10.59 and they are generally in line with the prevailing PR restrict for nearby residential zone;
- ✓ RCHEs and/or RCHDs will be provided to serve the community;
- ✓ 2.3m-wide full height setback from the southern site boundary is provided to connect Wo Yi Hop Road with the service lane, thereby providing greater connectivity between Wo Yi Hop Road, Ta Chuen Ping Street and Lam Tin Street; and
- ✓ Technical assessments have been conducted to demonstrate that the proposed rezoning is acceptable from **landscape, traffic, air quality, noise and sewerage perspectives.**

In addition, a similar application (Y/YL/21) was approved on 14 March 2025, which facilitated the provision of social welfare facilities by relaxing the PR restriction from 5.94 (OZP compliance) to 11.97 (rezoning application) in accordance with the Incentive Scheme for RCHE policy (PN 5/2023). The inclusion of the RCHE would not jeopardize the original permissible GFA for domestic and non-domestic uses.

Similarly, the current development scheme seeks additional GFA of not more than 12,000m² for social welfare facilities (RCHEs and/or RCHDs) at the Site. The proposed GFA will not be interchangeable with other non-domestic uses.

Reference is also made to the Legislative Council Panel on Welfare Services paper on 12 June 2023 titled "Encourage Developers to Provide Residential Care Homes for the Elderly and Residential Care Homes for Persons with Disabilities in Private Development Projects", which outlines enhanced measures to encourage RCHE and RCHD provision in private developments. Paragraph 4(b) states:

"(b)When calculating the total GFA of the entire project, the total GFA of the eligible RCHE premises in the private development project will be exempted and will not be counted in the original total permissible GFA of the entire project, allowing the developers to use the original permissible GFA for other purposes."

SECTION FOUR | THE PROPOSED COMMERCIAL-CUM-RESIDENTIAL DEVELOPMENT WITH RCHES AND/OR RCHDs

4.1 Development Rationale

Thanks to the gathering momentum of industrial revitalization in Hong Kong and the key inspirations of increasing housing supply and improving quality living environment as stated in the Policy Address, the Applicant has been actively engaged in discussion on the potential redevelopment models. While Kwai Chung has undergone significant transformation from a traditional industrial district into a vibrant commercial hotspot, the Applicant has a great intention to further re-energize the local community through provision of new residential units. In fact, there is a minimum number of or a few private housing developments in Kwai Chung Sub-Area the last 20 years. The proposed residential development would target young families seeking quality and modern housing in the district, senior residents who wish to continue living in their familiar community and working professionals drawn to the area's improving amenities.

In addition, after careful consideration, the Applicant has come to the view that it is necessary to take good care of the elderly and the disabled in the local community, as the existing RCHes and RCHDs are operated in the lower floors of the residential buildings where the building conditions might not be able to fully satisfy the operational needs. As such, a tailored made and purpose built RCHes and/or RCHDs is proposed to address the present and future shortfall for elderly facilities and care services for PWDs, and bring improvement to the RCHE and RCHD service quality in the community.

4.2 Development Proposal

The proposed development comprises of 1 no. of building block providing the commercial, residential and RCHes and/or RCHDs use under one roof, with building height of 28 storeys (or not exceeding 130 mPD) atop 1 basement floors. It could provide a total of 253 private residential units, with a range of 26 to 75 sqm flat size. The development shall comply with SBDG requirements as promulgated in the PNAP APP-152 as well as all satisfy all acceptance criteria and conditions stated in PNAP APP-151 if GFA exemption/concession is applied for.

The proposed RCHes and/or RCHDs is proposed below the aforementioned residential portion to provide 298 beds (or a range of 280 -380) in total. Please refers to **Appendix 12** for the RCHE and RCHD Schedule of Accommodation. The proposed RCHDs will be operated as a Medium to High Care Level Home, providing care services for those with moderate to severe grade disabilities. In order to meet the operational needs of the RCHes and/or RCHDs, the floor-to-floor height is 3.6m to accommodate the provision of E&M services and achieve good ventilation and controlling the spread of communicable diseases such as COVID-19. The key development parameters of the proposed redevelopment are summarized below. Please read **Tables 2** in conjunction with the Schematic Design as shown in **Appendix 4**.

TABLE 2 – Major Development Parameters						
[1]Site Area (about)	29,760 ft ² (or 2764.8 m ²)					
Proposed Rezoning	From “OU(B)’ to “R(E)2”					
[4]Total GFA	28,589 m ²					
[2,3]Domestic	Maximum 16,458 m ²					
[5]Non-domestic	Maximum 12,131 m ²					
SC (about)	70% (non-domestic) 35% (domestic)					
No of Building Block	1					
No. of Storey	28 (excluding the basement floors)					
Building Height (BH)	Not more than 130 mPD (87.6 m) (NB: the mean street level is 42.4mPD)					
No. of Units	253					
No. of beds of RCHEs and/or RCHDs	280-380 (NB: RCHE of 180-260 and for RCHD of 100-120)					
No. of Car Parking Spaces	Private Car	Motor-cycle	HGV L/UL	LGV L/UL	Light Bus ^[7]	
Flat	49 (including 1 Disabled)	3	1	-	-	
Shop and Services	1	1	1	-	-	
[6]RCHEs and/or RCHDs	24 (including 2 Disabled)	-	-	2	2	
Total	74 (including 3 Disabled)	4	2	2	2	
Greenery Area	Not less than 20%					

Remark:

[1] Subject to New Grant 4353 and New Grant 4719

[2] The floor area of the proposed clubhouse shall be exempted from GFA calculation, subject to the decisions by the Building Authority (BA) at building plan submission stage.

[3] According to the Remarks under the Notes of the OZP, in determining the maximum plot ratio or **gross floor area**, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

[4] The proposed development scheme is indicative only and subject to detailed design. The proposal includes a maximum gross floor area of 28,589m², of which a maximum domestic gross floor area of 16,458m² and a non-domestic gross floor area of not less than 7,200m² for Residential Care Home(s) for the Elderly and/or Residential Care Home(s) for Persons with Disabilities shall be provided. A minimum GFA of 7,200m² for RCHEs and/or RCHDs is proposed, allowing flexibility in floor area arrangement to comply with ever-changing codes of practice/guidelines and facilitate detailed design at a later stage.

[5] Under the indicative scheme, a total of 131m² of non-domestic GFA is proposed for shops and services, while 12,000m² of non-domestic GFA is proposed for RCHEs and/or RCHDs according to the Incentive Schemes.

[6] As long as the premises is to be used as licensed RCHE(s) and/or RCHD(s), the Applicant may lease or sell the premises as one whole unit, or operate the RCHE(s) and/or RCHD(s) in the premises by themselves or by entrusting an organization, whereby the service fees will be set by the developer or operator(s). (Pursuant to the Incentive Scheme for RCHE and RCHD).

[7] Share use with ambulance

4.3 Vehicular and Circulation Arrangement

The application boundary aligns with the lease plan under the New Grant 4353 and New Grant 4719 of the concerned two private lots. One run-in/out is provided at Wo Yi Hop Road. To prevent any potential interfacing issues, separate entrances and lift lobbies have been designated for commercial use, residential use, and RCHes and/or RCHDs use.

4.4 Design Merits

The Applicant has a good intention in incorporating the following design merits (**Appendix 5 – Planning and Design Merits refers**): -

1. Cross Ventilation

To mitigate the undesirable wall effect of long buildings along Wo Yi Hop Road, various voids are carved into the T-shaped residential block to create permeability and facilitate air flow. Natural ventilation is allowed to penetrate through the common areas of the residential floors to provide cross-ventilation of wind, thereby also improving the quality of the common spaces of the residential floors.

2. Green Ring

The green ring forms a leisure walkway connecting with the interior spaces to the 4/F sky garden. The space facilitates a healthy lifestyle for residents, to get outside for exercise, sunlight and fresh air instead of staying at their rooms all day. The soft and hard landscape design provides varying widths of seating space and leisure pockets for the enjoyment of the elderly and their bona-fide guests.

3. Porosity

To avoid creating the undesirable wall effect of long buildings along Wo Yi Hop Road, the proposed development is composed of 2 rotated “L shapes” instead of an extruded mass. The interlocked void space creates a permeability and allows cross-ventilation of wind and air. The porosity generated is also intended to allow more light to reach the lower levels of the site and the open spaces at ground level.

In view of the urban density in the vicinity of the proposed development, the building form provides a visual permeability and spatial relief for the surrounding areas along Wo Yi Hop Road. Not only will the porosity of the building benefit the vicinity of the site, but the permeability of light and air will also enhance and promote the health and well-being of the elderly.

4. Operational Synergy

The operation of an RCHE above an RCHD shall provide a mutually beneficial relationship for residents of both programmes. As residents of an RCHE rarely leaves the building, elderly residents can interact with persons with disabilities to improve their social life at the communal space on G/F and 4/F - namely the shared courtyard and green ring respectively. At the same time, the residents of RCHD may be able to visit the RCHE and provide various services and engage in activities to improve their quality of life and provide healthy daily routines and purposes.

5. Public Access

With the intention of enhancing the connectivity as well as improving the street scape environment at pedestrian level, the entirety of the building is set-back from the southern site boundary. A 2.3m-wide pedestrian footpath, which is not designated for 24-hour public access, is provided to connect Wo Yi Hop Road with the service lane, thereby providing greater connectivity between Wo Yi Hop Road, Ta Chuen Ping Street and Lam Tin Street.

A 5m setback from the lot boundary abutting Wo Yi Hop Street is proposed to serve as a buffer zone to the nearby road. It also provides an opportunity to enhance the area with landscaping at the pedestrian level.

The Applicant may apply to the Buildings Department during the General Building Plan submission stage for a bonus PR for the dedication of land (i.e., the 2.3m setback and 5m setback) for public passage under Regulation 22(2) of B(P)R. In total, approximately 356.69m² will be dedicated for use as public passage/road widening (equivalent to a bonus PR of 0.645). Please note that this bonus GFA to be claimed has not been included in the proposed development scheme.

4.5 Adherence to the Requirements set in the Code of Practice for Residential Care Homes

It is noted that all the facilities accessible for residents will be situated at a height of not more than 24m above the ground floor, measuring vertically from the ground of the building to the floor of the premises in which the RCHE/D is to be situated, as pursuant to the requirements as set out in para 5.2.3 of Code of Practice for Residential Care Homes (Elderly Persons) (updated June 2024) and 5.3 of Code of Practice for Residential Care Homes (Persons with Disabilities) (updated in June 2024) ("CoPs"). 6-7/F of the proposed development - to be situated at a height of more than 24m above the ground will include ancillary facilities including staff resting room, office, laundry room and kitchen. Access to the mentioned ancillary facilities will be limited to staff only and will not be accessible to the residents.

SECTION FIVE | PROPOSED LAND USE ZONING

5.1 Proposed Amendments to Matters shown on the OZP

The subject site currently falls within area zoned “OU (Business)” on the OZP. To facilitate the proposed commercial-cum-residential development with RCHes and/or RCHDs, an amendment to the current zoning is required. As per the OZP, the Residential (Group E) could be an ideal zoning for the proposed development. The R(E) zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. It is also noted that the development controls in term of the maximum total plot ratio restriction of 5.0 is insufficient to accommodate the proposed development.

As such, it is proposed to rezone the application site from “OU(B)” to “R(E)” under a recommended new sub-zone of “R(E)2”. The Column 1 and Column 2 of the current “R(E)” remains applicable to the proposed sub-zone. **The Note is proposed to be amended as follows (Appendix 1 – Proposed Amendments on the Notes refers):**

“On land designated “R(E)2” , no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 28,589m², of which a maximum gross floor area of 28,589m², of which a maximum domestic gross floor area of 16,458m² and a non-domestic gross floor area of not less than 7,200m² for Residential Care Home(s) for the Elderly and/or Residential Care Home(s) for Persons with Disabilities shall be provided.”

The proposed development scheme is indicative and subject to detailed design. A maximum domestic GFA and a minimum non-domestic GFA are reserved to enable flexibility in floor area arrangement, allowing compliance with ever-changing codes of practice/guidelines and making it more responsive to changing market conditions and demands. This provision would not frustrate the planning intention of the proposed zoning while streamlining development control procedures and minimizing future amendments to non-domestic GFA control, provided that the total gross floor area remains unchanged.

SECTION SIX | PLANNING AND TECHNICAL JUSTIFICATIONS

6.1 In Line with Prevailing Policy on Enhancing Housing and Land Supply through Optimization of Land Resources

Solving the housing problem tops the agenda of the HKSAR Government. To deal with the problem of inadequate accommodation, the Government targets to bring solutions to address the long-term problem of housing shortage with the objective to let people see the hope of getting on the housing ladder earlier and having more decent housing.

In the subsequent years, the Government has committed various initiatives and means to continuously increase land supply. As stated in the 2022 Policy Address, the Government would introduce the new Light Public Housing, increase the overall public housing production, set a minimum size for newly-built flats, deliver sufficient land for private housing development and so on.

With due consideration of the Policy Address and the social needs, the proposed amendment is aimed at providing more housing supply in Kwai Chung Sub-Area. Converting the existing Park Sun Building as an industrial building for residential purpose would make optimal use of scarce land resources to support the Government's housing policy through private initiative without the need of going through the lengthy land resumption process implemented by the Government.

In order to further speed up the provision of housing units, the Government introduces numerous guidance to substantially compress the time required for land production such as the implementation of streamline statutory procedures and the extension of the arrangement of charging land premium at standard rates. The Government also streamline and simplify complex processes in the planning and development regimes such as the public comment on the rezoning application.

6.2 Land Use Compatibility

The **proposed GFA for flats and shops and services (equivalent to PR of 6)** is considered compatible with the surrounding area, considering that the Residential (Group A)³ located to the east of the Application Site has a maximum plot ratio of 6.62. Moreover, the Application Site is located within Site B11⁴ along Wo Yi Hop Road, as identified in the "2020 Area Assessments of Industrial Land in the Territory". Notwithstanding the vibrant industrial operations with warehouse/storage as a predominant use in the occupied IBs, Site B11 has seen active transformation to commercial uses. In addition, new residential developments are emerging in the surrounding area. The approved planning applications or planned development and executed special waivers are summarized in **Table 3** and **Table 4** respectively:

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⁴ Source: https://www.pland.gov.hk/file/planning_studies/comp_s/2020AA/Appendices.pdf

Table 3 : Approved Planning Applications or Planned Development

	Address	Applied Use/ Development	Application No. (Date of Approval)	Implemented? (as per BD's records)
1	Nos. 15-19 Chun Pin Street	for Hotel	A/KC/374-1 (26.6.15)	Yes
			A/KC/459 (12.4.19) [lapsed]	No
2	Nos. 57-61 Ta Chuen Ping Street	for Minor Relaxation of PR Restriction for Permitted Industrial-Office Redevelopment	A/KC/460 (5.7.19) [lapsed]	No
		for Minor Relaxation of PR Restriction for Hotel	A/KC/469 (6.11.20) [lapsed]	No
		for Minor Relaxation of PR Restrictions for Proposed Data Centre Development	A/KC/484 (24.6.22)	No record yet
3	Nos. 4-30 Lei Muk Road	for Hotel	A/KC/428-1 (31.1.19) [lapsed]	No
4	94-100 Ta Chuen Ping Street	for Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use	A/KC/476 (28.1.22)	No record yet
5	Nos. 2-16 Lam Tin Street	for Minor Relaxation of PR Restrictions for Proposed Data Centre Development	A/KC/466 (29.5.20)	Completed NT7/2023/OP
6	7-13 Lam Tin Street	Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use	A/KC/478 (20.5.22)	No
7	Nos. 66-72 Lei Muk Road	for Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use	A/KC/486 (18.3.22)	No
8	Nos. 2-10 Tai Yuen Street	for Minor Relaxation of PR Restrictions for Proposed Data Centre Development	A/KC/473 (11.6.21)	Work in progress
9	Nos. 45-51 Kwok Shui Road	for Hotel	A/KC/430 (9.10.15) [lapsed]	No
		for Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use	A/KC/463 (17.3.20) [lapsed]	No
10	Nos. 57-59 Kwok Shui Road	for Hotel	A/KC/424 (12.12.14)	No
11	Nos. 543-549 Castle Peak Road	for Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use	A/KC/487 (22.4.22)	Work in progress
12	Nos. 1-7 Cheung Wing Road, Kwai Chung	Comprehensive Development for 'Flat', 'Eating Place', 'Shop and Services' and 'Office' uses; and Minor	A/KC/444-1 (17.3.23)	No record yet

		Relaxation of Building Height Restriction from 120mPD to 145mPD		
13	Shek Pai Street	For Public Housing	TPB Paper No. 10909	Work in progress

Table 4 : Executed Special Waivers

	Address	Implemented?
1	Nos. 97-107 Wo Yi Hop Road (i.e., Park Sun Building)	No
2	No. 119 Wo Yi Hop Road (for hotel)	Yes
3	Nos. 15-19 Chun Pin Street (for hotel)	Yes
4	Nos. 31-35 Lam Tin Street	Yes
5	No. 29 Lam Tin Street	No
6	Nos. 26-38 Ta Chuen Ping Street	Yes
7	Nos. 57-59 Kwok Shui Road (for office)	Yes

There are up to 11 nos. of IBs subject to at least one planning permission and 7 nos. of IBs with special waiver executed for wholesale conversion. Additionally, one private and one public development, similar to this composite development proposal, are being promoted. Considering the possible changes on the local character in the near future and the residential neighbourhood that surrounds B11 and along Wo Yi Hop Road, opportunities could be given to rezone the subject Application Site to “R(E)2” to encourage and facilitate redevelopment to phasing out the IBs and address industrial, residential and commercial interface in the process. It is understood that not all industrial sites are suitable for conversion to residential use mainly due to the industrial/residential interface problems as well as the mismatch in infrastructure and community facilities. In fact, the subject application site sits at the fringe of the existing “OU(B)” (i.e., next to residential zonings) and industrial areas with numerous non-polluting sensitive uses (e.g. commercial/office). The implementation of the redevelopment could act as a buffer between the remaining industrial uses and neighbouring residential developments on one hand, and boost the housing supply in Kwai Chung on the other. Please also note that the proposed residential development with commercial and GIC uses on the lower floors is common in the local community and generally considered not incompatible with the surrounding land uses.

6.3 The Executed Special Wavier

With reference to the **Table 4**, the subject building, Park Sun building, is one of the 7 nos. of IBs subject to a special wavier executed for whole conversion. The Applicant had an intention to convert in a wholesale manner into office and/or other commercial uses and signed a waiver letter for wholesale conversation with the Lands Department in 2018. As per the Waiver Letter dated 20 June 2018, the Government has approved and granted a temporary waiver of the restrictions in relation to use for the permitted purposes, provision of parking, loading and unloading, provision of fire service installation or equipment and so on.

Prior the implementation of the conversion, the Applicant carried out market research together with a financial feasibility study based on the aforementioned list of permitted purposes. However, the proposed conversion model is no longer in line with market expectations, is operationally infeasible and has therefore been postponed and terminated. Having said that, the feasibility of this proposed commercial-cum-residential development with RCHEs and/or RCHDs in this new application had been carefully considered to avoid further delay to the redevelopment. The proposal is a major opportunity for the applicant to implement redevelopment to meet the social and local needs of housing units and RCHEs and/or RCHDs beds.

6.4 The Application Site Immediately Available to Meet the Housing Demand

The Park Sun Building has been erected at the Application Site since 1974. While two thirds were under multiple ownership, the Applicant as the sole owner had an intention to redevelop the Application Site for a long time. While the conversion proved to be unfeasible under the market constraints, the Applicant has immediately explored other redevelopment options, including the current application. It is found that there is a minimum number of or a few private housing developments in Kwai Chung Sub-Area the last 20 years. This redevelopment proposal is considered necessary for providing other options of housing to the local community.

Thanks to the gathering momentum of industrial revitalization in Hong Kong and a recent development of a 24-hour digital industrial project, iCITY, initiated by Soundwill Holdings Limited, the landowner of the neighbouring lot (e.g, Lot 313 S.A in D.D. 444), our intended development with numerous design merits could further re-energize the local community and become a source of attraction for numerous younger families and working professionals moving into the area. Construction works for the proposed commercial-cum-residential development with RCHE could immediately commence upon approval of this application and the subsequent land administrative application.

6.5 Limited Supply but Long Pressing Demand for RCHEs and/or RCHDs Places in the Private Sector

Unlike other welfare services that are predominantly provided by the public sector (i.e. SWD and NGOs), the bulk of RCHE places are in the private sector. As at 31 December 2023, the total provision of RCHEs by private sectors and NGOs in Hong Kong were 55,208 places (70%) and 23,806 places (30%) respectively⁵. As such, private sector plays an important role in the supply of RCHE places.

The demand and supply for RCHDs is much more complicated. The average waiting time for various residential rehabilitation services for PWDs varies significantly, ranging from 4.2 months to 150.8 months⁶. The underlying reason for this prolonged waiting time can be attributed to the comparatively slower turnover rate of residents in RCHDs as compared to the turnover rate in RCHEs catering to the elderly population. There are new cases are added to the waiting list through the central referral system every year, while the supply of available

⁵ Source: https://www.swd.gov.hk/en/pubsvc/elderly/elderly_info/elderly_ah_sps/elderlysp/rcse/

⁶ Source: <https://www.legco.gov.hk/yr2023/english/panels/ws/papers/ws20230612cb2-535-5-e.pdf>

RCHD bedspaces struggles to meet the demand. Unlike RCHE where private sectors provide the majority, the provision of RCHD is predominantly from the Government (about 82% in a total number of 340 RCHD). As shown in **Table 5**, there are only 62 private RCHDs (about 18%) in Hong Kong.

Table 5: Provision of RCHDs		
Provision of RCHDs	No. of RCHDs	Possession
Subvented RCHDs	261/340	76.8%
Self-financing	17/340	5%
Private RCHDs under Bought Place Scheme	21/340	6.2%
Private RCHDs (Non- Bought Place Scheme)	41/340	12%

In view of the pressing demand for residential care services for the elderly and PWDs over the territory, the subject proposal supports the policy direction to explore the possibility of reserving land or premises in new development projects or redevelopment projects, where appropriate, for welfare facilities. It addresses the immediate and future shortfall for elderly facilities and residential rehabilitation services for PWDs, relieve heavy demand of ageing population in the community over the long run and relieve stress of the providers in both public and private sectors.

6.6 In Line with the Prevailing Policy of Residential Care Services for the Elderly and PWDs

Proposed RCHE

Taking into consideration the need to continuously allocate resources to strengthen and enhance elderly services, the Government has been continuously providing supportive measures for elderly services under a multi-pronged approach, with the underlying principle of the elderly care policy on 'ageing in place as the core, institutional care as back-up'. In addition, as stated in the Policy Address 2018, it is acknowledged that the population-based planning ratios as stated in the HKPSG in respect of subsidised residential care services and community care services, district elderly community centres and neighbourhood elderly centres will be reinstated. In this connection, the proposed quality purpose-built RCHE premises is considered in line with the prevailing policy context.

The proposed RCHE is in line with the policy background and objectives of the Scheme to Encourage Provision of RCHE Premises in New Private Developments dated July 2003 and also the latest Time-Limited Enhancements to the 2003 Incentive Scheme. SWD is invited to note that the Applicant understands all the conditions for obtaining the concession from LandsD and therefore wishes to obtain the support of the SWD.

With reference to the LC paper of Subcommittee on Increasing the Provision of Residential Care Places for the Elderly on 19 December 2022, since the introduction of the scheme, LandsD has received 6 land exchange applications, and out of them 4 obtained SWD's support and the other 2 are still being processed. Among the applications obtained SWD's support, 2 of them have executed the land lease and were exempted from premium payment. The first project completed under the above scheme is located in Tuen Mun, of which the concerned

RCHE has commenced operation since June 2021, providing about 200 non-subsidised residential care places for the elderly.

Proposed RCHD

The Government is dedicated to providing comprehensive support for PWDs by offering residential care services, community care services, and rehabilitation services. These initiatives aim to assist PWDs in maximizing their physical, mental, and social capabilities, promoting their integration into the community. To cater to the needs of PWDs who cannot live independently or receive adequate care from their families, various subsidized Residential Care Services are available.

In 2010, the SWD introduced the Pilot Bought Place Scheme (BPS) for Private RCHDs. This scheme aimed to incentivize operators to enhance their service standards, increase the supply of subsidized residential care places, and foster the development of a more diverse range of service options for PWDs. Since October 2014, the BPS has become a regular service. Starting from the 2019-2020 period, the government has procured an additional 700 or more places through the BPS, further expanding the availability of subsidized residential care for PWDs. The Applicant recognizes the urgent needs of the PWDs and aims to address those needs by offering a purpose-built RCHD that will accommodate other compatible uses within the building. The proposed purpose-built RCHD will be eligible to apply for the BPS to provide services through private force.

The Government has recently formulated an Incentive Scheme for RCHDs so as to encourage the market to provide more quality private RCHDs. The proposed purpose-built RCHD is in line with the policy background and objectives of the Incentive Scheme for RCHDs. SWD is invited to note that the Applicant understands all the conditions for obtaining the concession from LandsD and therefore wishes to obtain the support of the SWD.



6.7 To Improve the Living Standards by Providing Higher Quality and Purpose Built RCHEs and/or RCHDs in Kwai Tsing

In Kwai Tsing District, there are 56 private RCHEs⁷. Many of them are operated on the lower floors of the existing residential buildings. The conditions of which might not be able to fully satisfy the latest operational needs or cannot meet the legitimate and changing expectations of most Hong Kong people. The **Table 6** provides an overview of the conditions observed in some of the nearby existing private RCHEs.


Table 6: Conditions of Nearby Existing Private RCHEs



⁷ Source: <https://www.elderlyinfo.swd.gov.hk/en/search-result?dt%5B0%5D=5&n%5B0%5D=25&n%5B1%5D=26>

<p><i>On Fuk Home For Elder (Private RCHE joining EBPS)</i></p>  <p><i>Sun Man Fook Aged Home (Private RCHE joining EBPS)</i></p>	<p><i>See Yan Home For Aged (Private RCHE joining EBPS)</i></p>  <p><i>Shek Lei Kind Heart Elderly Care Home (Private RCHE not joining EBPS)</i></p>
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In addition to the RCHE, there are 27 RCHDs in the area⁸. Out of these 27 RCHDs, five of them are private RCHDs. Similar to the RCHEs, these private RCHDs are also located on the lower floors of existing residential buildings. No much space is provided to meet the recreational and outdoor needs of the residents. The **Table 7** provides an overview of the conditions observed in some of the nearby existing private RCHDs.

Table 7: Conditions of Nearby Existing Private RCHDs	
 <p><i>Green Garden Rehabilitation Centre (Private RCHD not joining BPS)</i></p>	 <p><i>Imperial Gardens (Private RCHD joining BPS)</i></p>
 <p><i>Kai Shing Physically Handicapped Care Home (Private RCHD not joining BPS)</i></p>	 <p><i>Parklane Rehabilitation Home (Private RCHD joining BPS)</i></p>

With reference to the Provision of Major Community Facilities in Kwai Chung Planning Area under TPB Paper No. 10909, while there appears to be a surplus in RCHE and RCHD provisions, many existing facilities were not purpose-built and lack adequate functional areas to meet the market need. The existing RCHEs and RCHDs are unlikely to offer some relevant leisure and recreational facilities such as outdoor daily workouts to the residents due to the site

⁸ Source: <https://www.rchdinfo.swd.gov.hk/en/content/home-treasure-co-limited>

constraints. The proposed composite development also offers a unique solution to intergenerational living, potentially benefiting both the elderly or disabled and their families. By providing dedicated residential care homes alongside family residences within the same development, it fosters close proximity, facilitating regular visits, immediate assistance in emergencies, and mutual support between generations. In this regard, the proposal with a purpose-built RCHEs and/or RCHDs can provide an alternative choice, capable of helping to address the present and future expectations for residential care facilities, provide upscale services, and bring improvement to the RCHE and RCHD service quality in the community.

6.8 To Improve the Living Standards of RCHE and RCHD by Increasing the Area of Floor Space per Resident

The RCHEs and RCHDs in Hong Kong has long been seen as not keeping up with the international standards, especially with regards to living space per person. This issue has been reviewed by and debated in the “Working Group on the Review of Ordinances and Codes of Practice for Residential Care Homes” about for increasing the minimum area per resident for RCHE and RCHD from 6.5m² to 9.5m². The proposed rezoning for the proposed commercial-cum-residential development with RCHEs and/or RCHDs development can design to allow a higher area of floor space per resident (i.e., above 9.5 m²) thus to offer a living environment that is comparable with the international standards for the future residents.

6.9 Compatible Building Height

A brief study on the building height profile of the existing development nearby has been undertaken. It is observed that the subject Central Kwai Chung IB cluster (“OU(B)”) and the residential buildings along Wo Yi Hop Road (“R(A)”) is restricted for not exceeding 130 mPD. To respect the height profile of the existing development and potential redevelopments as stated in para. 6.2, it is proposed to impose a building height restriction of 130 mPD at the Application Site which is the same as the permitted building height of the application site which is currently zoned “OU(B)”.

The proposed building height is mainly attributable to the operational needs of the RCHEs and/or RCHDs. The floor-to-floor height of the RCHE is 3.6m due to the need to accommodate the provision of E&M services such as air duct, sprinkler, and lighting. In achieving good ventilation and controlling the spread of communicable diseases such as COVID-19, residential care home shall adopt mechanical ventilation, rate of fresh air replacement to attain a minimum of 10L/s/person as advised by the Department of Health. As such, with the structural beams height to be 500mm, the air duct for fresh air supplies is assumed to be 350mm height and total 450mm for installation, other space is reserved for sprinkler / lighting fixtures / other facilities installation, and floor finishing. As per Residential Care Homes (Elderly Persons) Regulation (Cap. 459, section 23), the ceiling of every room shall be situated at a height not less than 2500mm measuring vertically from the floor or not less than 2300mm measuring vertically from the floor to the underside of any beam.

In achieving a significant improvement in the living condition of the RCHEs and/or RCHDs, the proposed redevelopment pays careful attention to the visual context of the wider neighbourhood including the existing developments and potential redevelopments. The proposed building height restriction at 130 mPD could accommodate the aforementioned

design merits such as the Cross Ventilation, Green-Ring and Porosity. It is ensured that the proposed BH is generally considered not incompatible with the existing and planned developments in the area.

6.10 No Adverse Landscape Impact

Potential impacts on landscape and trees are not anticipated as the application site is currently occupied as the Park Sun Building. The Building has been erected at the Application Site since 1974 and no redevelopment is observed with reference to the Occupation Permit. No tree is identified within the Application Site, so the redevelopment of the Application Site will not cause any tree-cutting practice. The photo below illustrates the current condition, where no tree is observed.



In the proposed development, at-grade periphery planting and landscape treatments will be provided as far as possible to create visual amenity to the surrounding. A green ratio of not less than 20% is provided. Please refer to **Appendix 6– Landscape Master Plan**.

The current proposed scheme has incorporated sufficient greenings by providing landscape treatment at the G/F, Sky Gardens and Rooftop. It is believed that the proposed redevelopment would not cause insurmountable problems on landscape aspects.

6.11 No Adverse Visual Impact

The proposed development involves redevelopment of the existing 15-storey IB, into a 28-storey Commercial-cum-Residential Development with Social Welfare Facilities (RCHes and/or RCHDs). The Application Site is subject to BHR of 130 mPD (or the BH of the existing building, whichever is the greater) and PR of 9.5 (or the PR of the existing building, whichever is the greater) under the OZP.

It is important to note that the proposed development has a lower development intensity compared to the existing industrial building. The proposed PR of 10.34, including the disregarded GFA for RCHes and/or RCHDs, is lower than the existing building's PR of 10.59. In addition, the proposed building height adheres to the 130mPD restriction. In other words, the proposed development does not seek any relaxation of the PR, SC and BH requirements. **Therefore, it is considered that the proposed development, with no increment in the**

permitted PR and BH, will not result insignificant adverse visual impacts on the surrounding contexts.

6.12 No Adverse Traffic Impact

The residential and commercial portions of the proposed development would accommodate the high-end provision of parking space according to the Hong Kong Planning Standards and Guidelines (HKPSG). In addition, additional parking spaces and loading and unloading spaces will be provided to cater the parking demand of the RCHE and RCHD visitors and meet the operational needs.

A Traffic Impact Assessment (TIA) has been conducted to study the traffic impact of the Proposed Development on the surrounding road networks. Please refer to **Appendix 7 - Traffic Impact Assessment**. It concludes both trip generation and attraction from proposed development can be absorbed by the nearby road networks. Yet, no significant traffic impact will be induced.

6.13 No Adverse Air Quality Impact

During the construction phase, the Proposed Development will involve relatively small-scale demolition, site formation, foundation and superstructure works which are expected to generate insignificant air quality impact to the surrounding area and could be effectively minimised by implementation of general mitigation measures for construction sites. Hence, no adverse impact on air quality to the surrounding area is anticipated.

During the operation phase, the carpark will be designed and operated in accordance with ProPECC PN 2/96 Control of Air Pollution in Car Parks, while the best practical control measures recommended in EPD's Guideline "Control of Oily Fume and Cooking Odour from Restaurants and Food Business" will be adopted to minimize the gaseous and odour emissions from kitchen operations. Hence, the air quality impact arising from the operation of carpark and kitchen within the Proposed Development is not expected. Refuse collection points are located away from the Proposed Development and will be regularly cleaned and maintained by FEHD. As such, the Proposed Development will not be subject to odour impact from refuse collection points. On the other hand, the Proposed Development will be located away from nearby major roads and active industrial chimneys with sufficient buffer distance provided in accordance with the requirements stipulated in Chapter 9 of the HKPSG to ensure the users will not be subject to unsatisfactory air quality. **With reference to the findings of the Air Quality Impact Assessment, no adverse air quality impact is anticipated.** For details, please refer to **Appendix 8 – Air Quality Impact Assessment**.

6.14 No Adverse Noise Impact

Road traffic noise impact on the planned noise sensitive uses within the Proposed Development has been assessed. Mitigation measures in the form of fixed glazing (with mechanical ventilation) and acoustic window (baffle type) have been proposed to mitigate the road traffic noise impact to the Proposed Development. With the recommended noise mitigation measures put in place, no adverse road traffic noise impact on the Proposed Development is anticipated.

Fixed noise impact on the Proposed Development has also been assessed. No exceedance is predicted at all representative NSRs of the Proposed Development based on the current development layout. Hence, no insurmountable fixed noise impact on the Proposed Development is envisaged. Fixed noise sources within the Proposed Development shall be properly designed to meet the relevant noise criteria as stipulated in Chapter 9 of the HKPSG. Suitable at source noise control measures such as silencers and acoustic linings shall be provided when necessary. For details, please refer to **Appendix 9 – Noise Impact Assessment**.

6.15 No Adverse Land Contamination Impact

According to the findings of the Land Contamination Review, the Subject Site most likely shows no indication of land contamination. However, further site investigations will be conducted if deemed necessary. Should the site investigation reveal potential contamination, a detailed land contamination study, including a Contamination Assessment Plan (CAP), Environmental Site Investigation (SI) and Contamination Assessment Report (CAR), if necessary, will be prepared in the later stage to determine the presence and extent of contamination on the Subject Site. Any required land contamination assessment and/or remediation works will be completed prior to the commencement of construction, in accordance with relevant government guidelines. For details, please refer to **Appendix 10 – Land Contamination Review**.

6.16 No Adverse Air Ventilation Impact

The existing Park Sun Building is impermeable with large building bulk. The proposed development presents the following good design measures to facilitate air flow:

- A 5m building setback along the eastern boundary;
- A 2.3m building setback along the southern boundary;
- Voids at residential block and RCHE/RCHD block; and
- A 6.15m high sky garden at 7/F.

It is anticipated that the proposed development will not create adverse air ventilation impact to the surroundings.

6.17 No Adverse Sewerage Impact

A Sewerage Impact Assessment has been conducted to evaluate the sewerage generation from the proposed development. The assessment reviews existing sewerage conditions and analyzes potential impacts on the current sewerage network. Results indicate that cumulative peak discharge will remain within hydraulic capacity limits. All existing sewers have sufficient capacity and no upgrading is required to serve the proposed composite development. **With reference to the findings of the Sewerage Impact Assessment, no adverse sewerage impact is anticipated.** For details, please refer to the **Appendix 11 – Sewerage Impact Assessment**.

6.18 No Adverse Drainage Impact

Surface runoff is mainly from rainfall and it will be directed to existing public storm drains. Since the application site is currently hard-paved, the proposed development is not expected to alter drainage paths or runoff patterns.

As existing drains will be retained without modification, no additional stormwater discharge will be generated. Therefore, adverse impact on the existing drainage system is not anticipated and a detailed drainage impact assessment is unnecessary.

SECTION SEVEN | CONCLUSION

This Section 12A planning application for proposed rezoning from “Other Specified Uses” annotated “Business”(“OU(B)”) to “Residential (Group E) 2” (“R(E)2”) to facilitate the redevelopment of the existing 15-storey industrial building (IB), known as Park Sun Building, into a 28-storey Commercial-cum-Residential Development with Social Welfare Facilities (Residential Care Home for the Elderly and/or Residential Care Homes for Persons with Disabilities) (RCHEs and/or RCHDs) atop 2 basement carpark floors at Lot 316 in D.D. 444 and Kwai Chung Town Lot (KCTL) 146, 97-107 Wo Yi Hop Road, New Territories (hereinafter referred to as “the Application Site”).

This planning statement has demonstrated that the proposed development would facilitate redevelopment of IB to re-energize and support the local community through provisions of private housing units on upper floors and quality RCHEs and/or RCHDs bed spaces on lower floors and some retail spaces on ground floor. In short, the proposed rezoning is justified based on the following planning grounds:

- ✓ In line with Prevailing Policy on Enhancing Housing and Land Supply through Optimization of Land Resources;
- ✓ To be compatible with the existing and planned developments in a wider context;
- ✓ To phase out the IBs and address industrial, residential and commercial interface in the process;
- ✓ Addressing the operationally infeasible and undesirable wholesale conversion model;
- ✓ Addressing the demand of private housing units;
- ✓ Address the surging demand of RCHE and RCHD places in Hong Kong;
- ✓ To improve the RCHE and RCHD quality of the Kwai Tsing;
- ✓ A compatible building height; and
- ✓ No adverse landscape, visual, traffic, air quality, noise, air ventilation, drainage and sewerage impacts as a result of the development proposal.

The proposal is comprehensively justified in terms of planning and social welfare merits. It is anticipated that the proposed development would not result in insurmountable impacts to the surroundings. Given the aforementioned justifications, the Applicant respectfully requests the TPB to approve the subject application.