LCH Planning and Development
Consultants Limited

Section 12A Application for Proposed Rezoning from "Commercial", "Open Space" and area shown as 'Road' to "Residential (Group A)13" and Amend the Notes of the Zone Applicable to the Site for Proposed Flat, Shop and Services, Eating Place and Social Welfare Facility (Child Care Centre) Uses at 16 Po Tai Street, Ma On Shan

Planning Assessment Report

Prepared by

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Executive Summary

(*in case of discrepancy between English and Chinese versions, English version shall prevail*)

This Application is submitted to seek the approval from the Town Planning Board ("**the Board**") under section 12A of the Town Planning Ordinance ("**the Ordinance**") for the rezoning of the Application Site from "Commercial" ("C"), "Open Space" ("O") and area shown as 'Road' to "Residential (Group A)13" ("R(A)13") zone on the Approved Ma On Shan Outline Zoning Plan No. S/MOS/28 ("**the Proposed Amendment**"), for the proposed flat, shop and services, eating place and social welfare facility (Child Care Centre) (CCC) Uses ("**the Proposed Development**") at Sha Tin Town Lot (STTL) 482 ("**the Application Site**", "**the Site**").

To capitalise on the current trend in the demand and supply retail facilities in Ma On Shan area, as well as the societal and residential needs, the Proposed Development intends to provide new private housing supply with support of commercial space cum a 100-place standalone child care centre (CCC) in Ma On Shan area. Considering that the Application Site is situated in a residential neighbourhood, the Proposed Development includes commercial and social welfare facility to serve the existing and the future local community.

The Proposed Amendment is fully justified on the following grounds: -

i. In response to the changing circumstances of the shopping mode in territorial level and district levels;
ii. Allow greater flexibility of land use in a strategic location by including residential use within the Site;
iii. Planning merits and various design features/concepts to increase housing supply and child care services to meet the societal need in Ma On Shan area;
iv. Not only not incompatible in terms of land use nature, development scale and intensity with the surrounding environment;
v. Minimize construction waste by retaining part of the existing basement floor into the future development; and
vi. Technical feasible with no adverse impact.

內容摘要

(*如內文與其英文版本有差異，則以英文版本為準*)

本規劃申請根據《城市規劃條例》第 12A 條，申請修訂《馬鞍山分區計劃大綱核准圖編號 S/MOS/28》(下稱「**擬議修訂**」)，將位於沙田市地段第 482 號 (下稱「**申請地點**」)，由「商業」、「休憩用地」地帶及顯示為「道路」的地方改劃為「住宅（甲類）13」地帶，以作擬議住宅、商店及服務行業、食肆及社會福利設施（幼兒中心）(下稱「**擬議發展**」)，向城市規劃委員會 (下稱「**城規會**」) 提出申請。

為應對現時馬鞍山地區的零售供求趨勢及社會和居住需求，擬議發展旨在於馬鞍山提供私人住宅供應，並設有商業配套及一所 100 服務名額服務名額的幼兒中心。鑑於申請地點位於住宅區，擬建發展包括商業及社會福利設施，以服務現有及未來馬鞍山地區的居民。

擬議修訂有以下充份理據獲得支持：-

i. 因應區域和地區層級之購物模式的變化而作出彈性調整；

ii. 在申請地點中內納入住宅用途，提升位於策略性位置之土地使用彈性；

iii. 提供規劃增益及各項設計特點／概念，提供住房供應及托幼服務，以滿足馬鞍山地區的社會需求；

iv. 在土地用途性質、發展規模和密度上沒有不相容；

v. 保留部分現有地庫停車場以減少建築廢物；及

vi. 技術上可行亦不會有不利影響。

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1 INTRODUCTION

1.1 The Application

1.1.1 There is an existing 5-storey neighbourhood shopping centre known as the *"We Go Mall"* on the Application Site. Upon review of the planning history and context, the existing usage and occupancy, the shortage of middle to long term housing supply and the change in the Hong Kong's retail landscape, the Applicant would like to unleash the development potential by redeveloping the Site into a residential development.

1.1.2 We are commissioned by the Applicant to prepare this planning assessment report on its behalf for proposing amendment (hereinafter referred to as the "**Proposed Amendment**") to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/28 ("**Approved Ma On Shan OZP**") under Section 12A of the Town Planning Ordinance ("**the Ordinance**") at 16 Po Tai Street, Ma On Shan (refers to **Figure 1**) (hereinafter referred to as the "**Application Site**" / "**the Site**") in order to implement the redevelopment project.

1.1.3 The Application Site falls within areas zoned as "Commercial" ("**C**"), "Open Space" ("**O**") and area shown as 'Road' on the Approved Ma On Shan OZP (refers to **Figure 3**). The Proposed Amendment involves rezoning the Application Site from "Commercial", "Open Space" and an area shown as 'Road' to "Residential (Group A)13" ("**R(A)13**") for Proposed Flat, Shop and Services, Eating Place and Social Welfare Facility (Child Care Centre) (CCC) Uses (hereinafter referred to as the "**Proposed Development**").

2 THE APPLICATION SITE AND SURROUNDINGS

2.1 Current Condition of the Site

2.1.1 The Application Site covers a total of about 5,090 square metres ("**sq.m.**"). It is currently a 5-storey shopping mall (including 1-storey of basement carpark), known as *We Go Mall* (**Diagram 1** below) with about 15,269.69 sq.m. for commercial use, equivalent to a plot ratio ("**PR**") of about 3.

2.1.2 The Application Site abuts Sai Sha Road and Po Tai Street. Current vehicular access to the Application Site is by Po Tai Street only (refers to **Figure 2**).

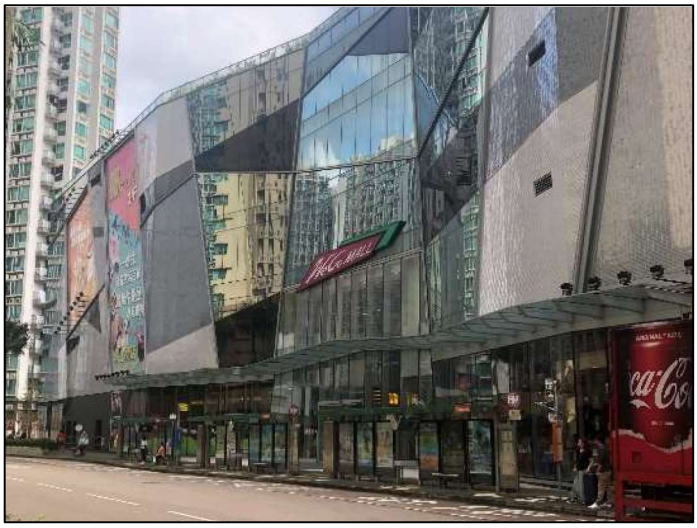


Diagram 1 Existing Condition of Application Site

2.1.3 **Figure 2** illustrates the location of the Application Site and its immediate vicinity.

2.2 Land Status

2.2.1 The Application Site falls within the boundary of Sha Tin Town Lot (STTL) 482 (refers to **Figure 4**). The development restrictions of the Lot is stipulated under the Government Lease is solely held by the Applicant (refers to **Table 1**)[1].

Lot	STTL 482
Site Area (about)	5,090 sq.m.

[1] The Application Site area follows entirely the lot boundary of STTL No. 482 which was tendered by Government in 2013. Minor portions of the Application Site fall onto "Open Space" ("O") zone (0.22% of total application site area) and area shown as 'Road' (1.42% of total application site area). The minor encroachment onto the "O" zone and area shown as 'Road' can be regarded as minor boundary adjustment as provided for in the covering Notes of the Approved Ma On Shan Outline Zoning Plan No. S/MOS/28. In this regard, it is considered that the Application Site falls within an area zoned "Commercial" zone only, and the minor encroachment are not included in this Planning Assessment Report.

Gross Floor Area (about)	(i) The total GFA of not be less than 9,162 sq.m./ and shall not exceed 15,270 sq.m.; and (ii) not be less than 8,000 meters of the total GFA of any building or buildings erected or to be erected on the lot shall be designed and constructed for shop, services, place of entertainment and eating place purposes.
Height	Not exceed a height of 30mPD
Building Separation	Any building or group of buildings erected or to be erected on the lot shall not have any projected façade length of 60 meters or more

Table 1 Major Development Condition of the Lease
(Sources: Lands Department, HKSAR Government)

2.2.2 To fulfil the requirements of the designated zoning schedule for the Application Site proposed and permitted by the Board, the Applicant will apply for lease modification after approval of the rezoning application. Details will be further elaborated in the later section.

2.3 Surrounding Context

2.3.1 At present, the surrounding area is predominately occupied by medium-to high-density residential neighbourhood (refers to **Figure 5**): -

- to the immediate southwest, west and north adjoining the Application Site are high rise private residential developments, namely La Costa, Ocean View and Oceanaire at "R(B)2" zone. To the further west, across Ning Tai Road is the Ma On Shan Promenade;
- to the east and southeast across Sai Sha Road and Hang Chi Street are a high-density public housing estate, known as Yan On Estate, and a shopping centre, known as Yan On Shopping Centre (Phase 2) under "R(A)8" zone;
- to the immediate south is a temporary car park under Planning Application No. A/MOS/129 in "Open Space" ("O") zone and the southeast across Sai Sha Road are car parks in the area shown as 'Road'; and
- to the further north east along Sai Sha Road is a large-scale residential and commercial development with government, institution and community ("GIC") facilities, known as Sierra Sea under "Comprehensive Development Area" ("CDA") zone.

2.4 Site Accessibility

2.4.1 The Application Site is accessible to Po Tai Street which further connects to Sai Sha Road via Ning Tai Road and Hang Fai Street to the other parts in Ma On Shan, Sai Kung and Sha Tin areas (refers to **Figure 2**).

2.4.2 The Application Site is served by public transportation, including

franchised buses, green minibuses (GMB) services and Mass Transit Railway (MTR). Bus stops are located immediately adjacent to the Site, and MTR Heng On Station is located within 450 metres ("**m**"), with about 8 minutes' walk from the Application Site (refers to **Diagram 2**).

2.4.3 Apart from surrounded by public transport services, the Application Site also possess great connection to the existing cycling network with cycling track runs along the Sai Sha Road and New Territories Cycle Track Network, a 60-km cycle track, that connects Tuen Mun to Ma On Shan runs along the Ma On Shan Promenade[2] (**Diagram 2**).

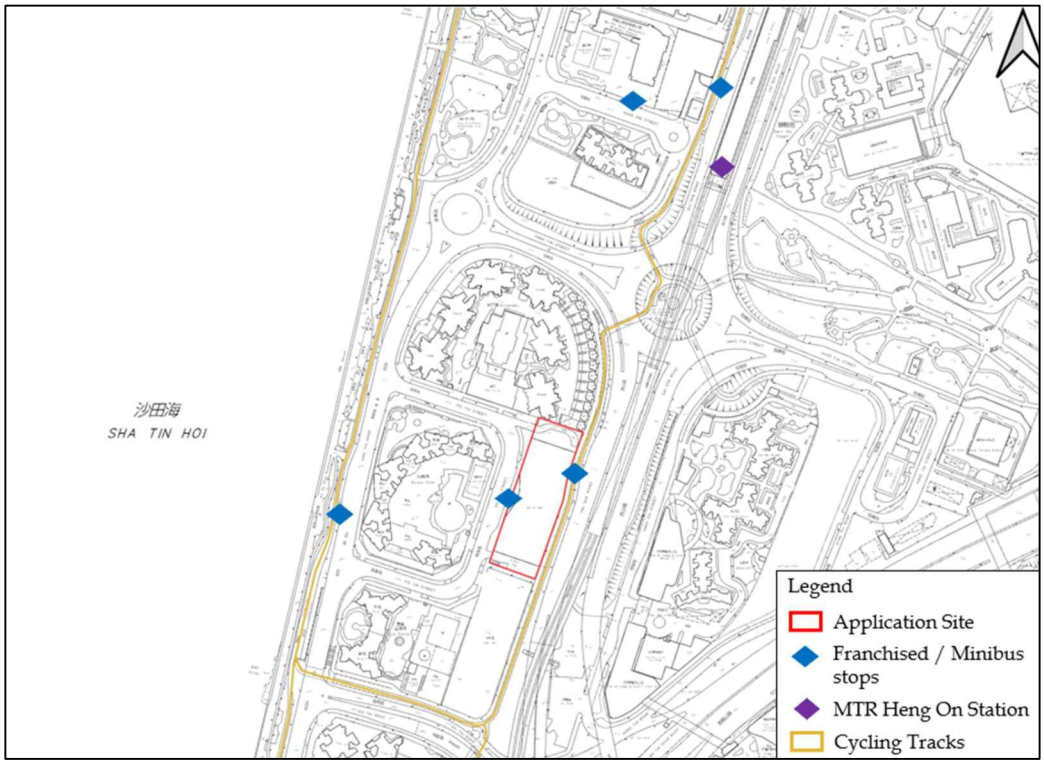


Diagram 2 Availability of Public Transport and Cycling Tracks in the Vicinity
(Source: Lands Department, HKSAR Government)

[2] Route Map of Tuen Mun to Ma On Shan 60km Cycle Track, New Territories Track Network, Civil Engineering and Development Department.

3 PLANNING CONTEXT

3.1 Statutory Planning Context

3.1.1 The Application Site falls within an area zoned as "C" on the Approved Ma On Shan Outline Zoning Plan No. S/MOS/28 (refers to **Figure 3**) (also known as the "**Approved Ma On Sha OZP**"). The planning intention of the "C" zone is "*primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood*".

3.1.2 The Note of the "C" zone of the Approved Ma On Shan OZP stated that no new development or redevelopment shall result in a total development and/or redevelopment in excess of a maximum PR of 3 and a maximum building height ("**BH**") of 30 metres above Principal Datum ("**mPD**") as stipulated, or the BH of the existing building, whichever is the greater.

3.1.3 While 'Shop and Services', 'Eating Place' and 'Social Welfare Facility' are Column 1 uses that are always permitted under "C" zone, the proposed 'Flat' is a Column 2 use that may be permitted with or without conditions on application to the Town Planning Board (the Board), and the proposed maximum BH of the Proposed Development (i.e. not exceeding 100mPD) will exceed the existing restriction as stipulated on the Plan (**Diagram 3** below). Thus, a s.12a rezoning application seeking the Board's agreement on the Proposed Amendment is therefore required to pursue this redevelopment.

3.1.4 The Explanatory Notes of the Approved Ma On Shan OZP also states that a 15m-wide strip of land along the northern boundary of the "C" zone is designated as non-building area (NBA) to improve the effectiveness of southeast and northwest airpaths in the area between Ocean View and Oceanaire, while the NBA requirement will not apply to underground development (refer to **Figures 3 and 4**).

3.1.5 Minor portions of the Application Site fall onto "Open Space" ("O") zone (0.22% of total site area) and area shown as 'Road' (1.42% of total site area). The minor encroachment onto the "O" zone and area shown as 'Road' can be regarded as minor boundary adjustment as provided for in the covering Notes of the Approved Ma On Shan OZP.

COMMERCIAL

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Broadcasting, Television and/or Film Studio
Commercial Bathhouse/ Massage Establishment	Flat
Eating Place	Government Refuse Collection Point
Educational Institution	Hospital
Exhibition or Convention Hall	House
Government Use (not elsewhere specified)	Petrol Filling Station
Hotel	Residential Institution
Information Technology and Telecommunications Industries	
Institutional Use (not elsewhere specified)	
Library	
Off-course Betting Centre	
Office	
Place of Entertainment	
Place of Recreation, Sports or Culture	
Private Club	
Public Clinic	
Public Convenience	
Public Transport Terminus or Station	
Public Utility Installation	
Public Vehicle Park (excluding container vehicle)	
Recyclable Collection Centre	
Religious Institution	
School	
Shop and Services	
Social Welfare Facility	
Training Centre	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.

Remarks

(a) 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 the maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.

(b) 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 plot ratio of 3.0 or the plot ratio of the existing building, whichever is the greater.

(c) In determining the maximum plot ratio for the purposes of paragraph (b) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(d) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (b) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (b) above may thereby be exceeded.

(e) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and/or plot ratio restrictions stated in paragraphs (a) and (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(f) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

Diagram 3 Extract of Notes of the Approved Ma On Shan OZP
(Source: Town Planning Board, HKSAR Government)

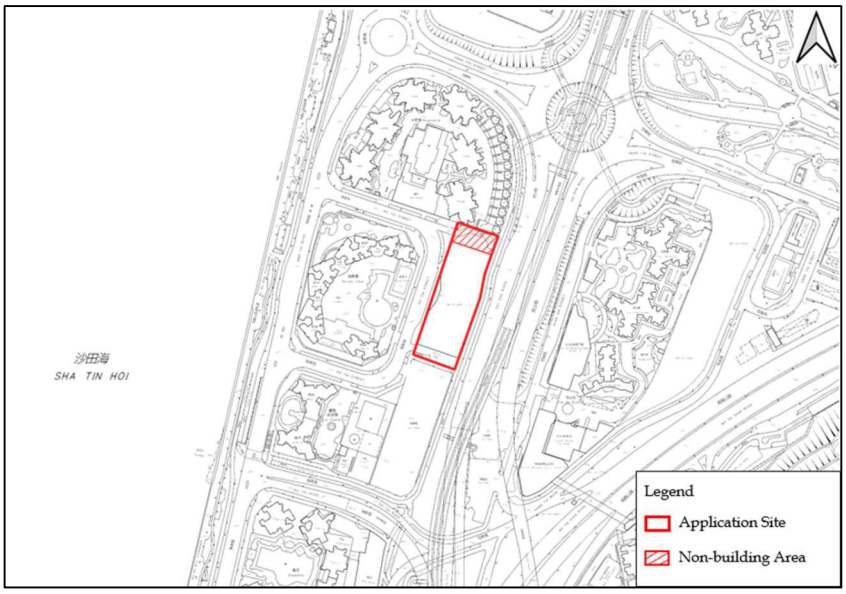


Diagram 4 Non-building Area at the Application Site
(Source: Town Planning Board, HKSAR Government)



Diagram 5 Existing Condition of the Non-building Area

Building Height and Plot Ratio Restrictions

3.1.6 The Application Site is located at the south-western part of the Ma On Shan (MOS) area, it is surrounded by existing private residential developments (with the building height restriction (BHR) of about 100mPD) to its immediate southwest, west and north. Across the road

and railway to the east, there is an existing public housing development with the BHR of 140mPD in the inland. As suggested in the Town Planning Board paper, the BHR of not exceeding 100mPD for the Proposed Development follows the BH profile of stepping down the foothills areas towards the waterfront[3].

3.1.7 The Application Site is located within an area comprising medium- to high-density private and public residential developments, with most of the developments with a PR of 5 or higher.

3.1.8 Overview of the BH and PR restriction of MOS area are summarized in **Figures 6** and **7** respectively.

3.2 Planning History of the Application Site

Designation of "Commercial" use under Land Use Proposals in 1990s

3.2.1 The Application Site, situated in Planning Area 77, was originally designated as "Undetermined" ("U") on the draft Ma On Shan OZP No. S/MOS/1 which was exhibited in March 1991 (refers to **Diagram 6**). Having regard the land use proposals for the MOS South area was finalized, the area was rezoned to "Commercial" ("C") on the Approved Ma On Shan OZP No. S/MOS/3 (refers to **Diagram 7**) to accord with the land use proposals in the Approved Layout Plan and the area was confirmed to be a Government sale site[8].

3.2.2 Sai Sha Road divides MOS into two parts, the outer part facing the waterfront, Sha Tin Hoi, while the inner part facing the hills. It is noteworthy that, in the early planning of MOS under the Approved Ma On Shan OZP No. S/MOS/3, Planning Area 77 was mainly reserved for residential developments and thus majority of the areas were designated as residential zoning. Being a sub-center of the MOS New Town, the Application Site and the adjoining government land zoned as "Open Space" ("O") were then considered as local activity node surrounded by residential developments.

[3] TPB Paper No. 8443
[8] RNTPC Paper No. 64/94

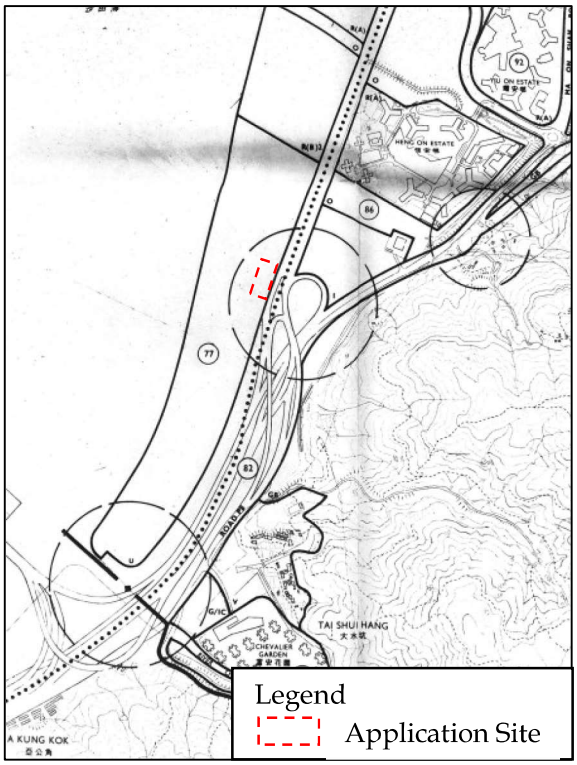


Diagram 6 Extract of Approved Ma On Shan OZP No. S/MOS/1
(Source: Town Planning Board, HKSAR Government)

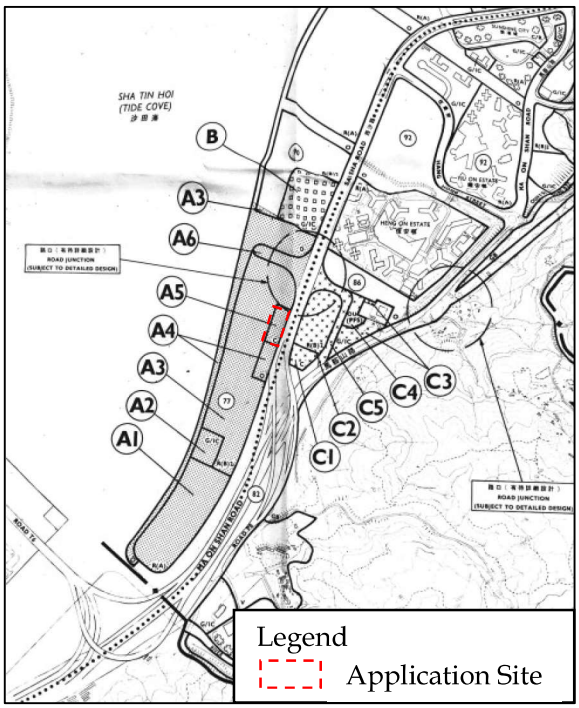


Diagram 7 Extract of Approved Ma On Shan OZP No. S/MOS/3
(Source: Town Planning Board, HKSAR Government)

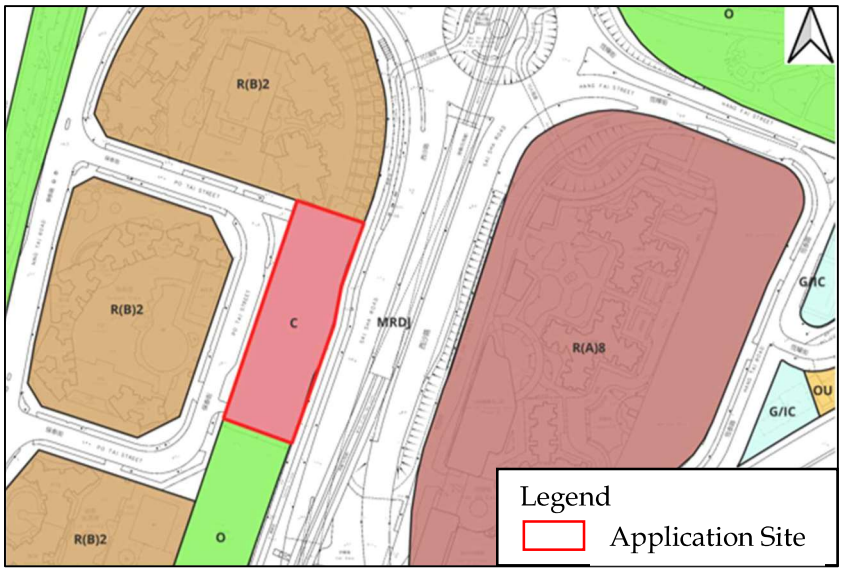


Diagram 8 Extract of Approved Ma On Shan OZP No. S/MOS/28
(Source: Town Planning Board, HKSAR Government)

Imposition of Development Control in 2000s

3.2.3 In order to provide better planning control on the BH and PR/gross floor area (GFA) upon development/redevelopment, an expert evaluation on air ventilation assessment (AVA Study) for MOS area completed in February 2009 to assess the proposed BHR[9]. Based on findings of the aforementioned AVA Study, the Planning Department (PlanD) proposed the Application Site, planned for a commercial/office development, subject to an administrative PR control of 3, a maximum BH of 100mPD, and a 15m wide strip of land along the northern boundary as an NBA[10].

3.2.4 During the Board meeting for the Draft Ma On Shan OZP No. S/MOS/15, PlanD stated that the stipulation of 100mPD for the "C" site in Area 77 was based on the stepped height BH concept. Both the AVA study and the PlanD's assessment concluded that the height restriction of 100mPD would not create visual and air ventilation impacts[11]. Nevertheless, members of the Board generally agreed that the commercial use was only intended to be a local shopping center to support the vicinity, which might not be a high-rise development and that the BH for the "C" zone could be reduced to 30mPD. The maximum BH of the concerned "C" zone was agreed to be 30mPD and remains valid until today.

Implementation of Neighbourhood Shopping Planning Concept

3.2.5 The Application Site was part of the Sites for Sale under the 2010-2011

[9] Cat. A1 – Term Consultancy for Expert Evaluation and Advisory Services on Air Ventilation Assessment (PLNQ 37/2007) – Final report – Ma On Shan Area (February 2009)
https://www.pland.gov.hk/file/resources/ava_register/government/pdf/AVRG37_AVA_FinalReport.pdf
[10] RNTPC Paper No. 7/09
[11] Minutes of 947th Meeting of the Town Planning Board held on 13.11.2009

Land Sale Programme. The tender was awarded in June 2013[12]. Subsequently, *We Go Mall* was opened in May 2018 and the operation is continued until today.

3.2.6 Shop categories of *We Go Mall* include entertainment and lifestyle, beauty and personal care, kids and education, food and beverage (F&B), supermarket and convenience store, other supporting services, etc..[13] As agreed by the members during the Board meeting for the Draft Ma On Shan OZP No. S/MOS/15, the commercial use at the Site was only intended to be a local shopping center to support the vicinity only.

3.2.7 The structural shift of shopping habits has substantially impacted the operation of the *We Go Mall*. The occupancy rate of retail floorspace in the *We Go Mall* has dropped from around 81% to 75% between 2023 and 2026, whilst unexpected drop for occupancy rate of F&B floorspace of about 28% in 2026. In particular, the total retail area of being operated by third-party has decreased about 13% (i.e. from about 69% in 2023 to about 56% in July 2026). A range of activities and/or promotions had been adopted in the We Go Mall, including upgrading to pet-friendly model, provision of premier indoor pickleball club together with gear rental, provision of Beyblade X-related facilities, etc.. However, the occupancy rate for the existing We Go Mall is dropping steadily over the years. Upon reviewing the vacancy rate and the development potential of the Application Site, it is noted that there is unused development potential for future redevelopment.

3.3 Rezoning History of "R(A)" Zone in Ma On Shan OZP

3.3.1 It is noted an open space site of about 0.59 hectare (ha) at Hang Kin Street, in proximity to the waterfront of MOS, was rezoned from "O" zone and a minor portion of area shown as 'Road' to "R(A)" zone for a public housing development, now known as Kam Fai Court (**Diagram 9**).

3.3.2 Having regard to the BH profile in the vicinity with BHs ranging from 80mPD to 140mPD, the medium-to-high density residential character of the neighbourhood and the policy initiative of increasing development density as appropriate, a maximum PR of 6 and a maximum BH of 120mPD were proposed and later reflected in the Approved Ma On Shan OZP No. S/MOS/21[14].

3.3.3 Context of the aforementioned open space site is similar to the Application Site in terms of the location and site area. Although the concerned site is now zoned as "R(A)", it is worth noting that the maximum PR of 6 is reflected on the domestic PR and no commercial portion is planned at the development.

[12] https://hk.news.yahoo.com/百利保等 6-6 億-投得馬鞍山商地-220455734.html
[13] https://www.wegomall.hk/aboutus
[14] RNTPC paper No. 3/15

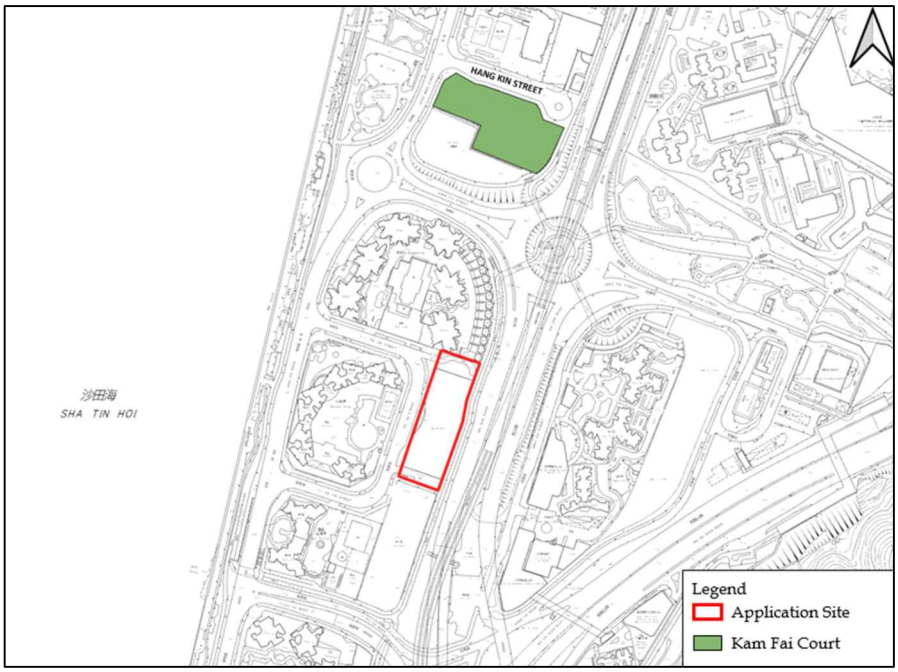


Diagram 9 Rezoning History of the "R(A)" in Ma On Shan Area
(Sources: Town Planning Board and Lands Department, HKSAR Government)

3.4 Precedent Rezoning Application for Commercial-related Zoning to Residential Zoning

3.4.1 Apart from rezoning the open space site to "R(A)" zone, there is a precedent application (Application No. Y/MOS/6) for rezoning from "Other Specified Use" annotated "Hotel" to "R(A)12" in the OZP, which was approved by the Board on 26 February 2021 (refers to **Diagram 10**). The application was approved and later reflected in the Approved Ma On Shan OZP No. S/MOS/22 with a maximum PR of 7.

3.4.2 Although the planning context of the captioned application (Application No. Y/MOS/6) is different from the Proposed Amendment, both cases share similar characteristics including rezone from commercial-related zoning to residential zoning, and adopt a PR of about 6.301 (including domestic PR of about 5.068 and non-domestic PR of about 0.693) for the full residential scheme, which could serve as a reference case for consideration of this s.12a application. The aforesaid site is currently zoned as "R(A)12" on the Approved Ma On Shan OZP. Meanwhile, the Note of the "R(A)12" zone and the Explanatory Notes of the Approved Ma On Shan OZP stated the "R(A)12" is subject to a maximum PR of 7.0 or the PR of the existing building, whichever is the greater.

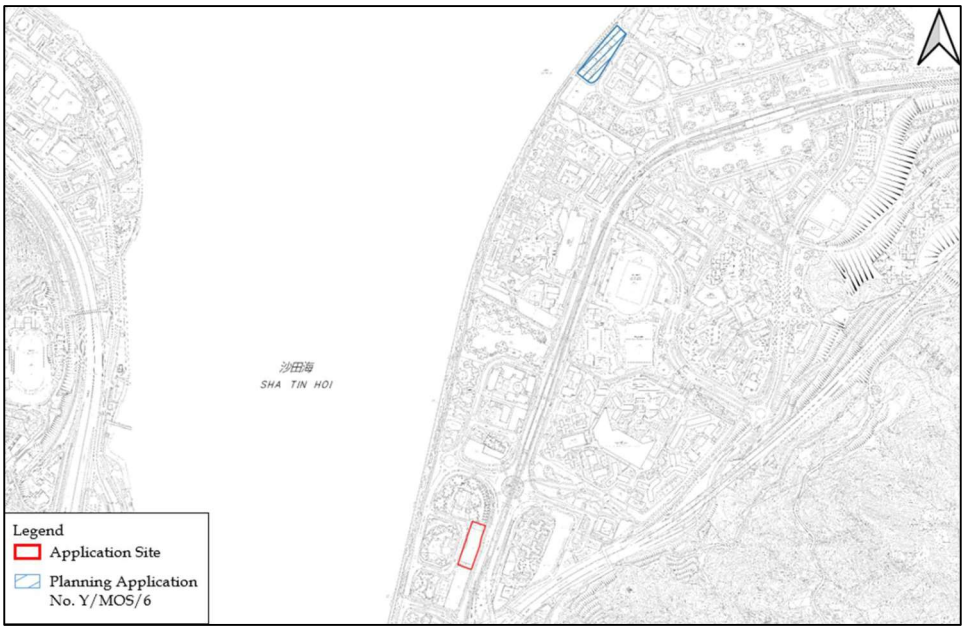


Diagram 10 Similar Application under Ma On Shan OZP
(Sources: Town Planning Board and Lands Department, HKSAR Government)

3.5 Future Rezoning of Commercial Sites to Residential Use for Land Sale

3.5.1 Several commercial sites in Shek Mun have been recently decided to rezone for alternative uses. According to the 2026/27 Land Sale Programme, two sites on On Sum Street originally planned as "C(1)" with site areas of approximately 4,100 sq.m. and 7,900 sq.m. respectively were included and rezoned as proposed flat with permitted shop and services, eating place, social welfare facility and public vehicle park (excluding container vehicle) (under Application No. A/ST/1053). An anticipated yield of approximately 1,456 residential units will be delivered.

3.5.2 A further example is one commercial site at the junction of Siu Lek Yuen Road and Yuen Shun Circuit. Originally intended for a small office building yielding about 107,000 sq.ft. of floor area (equivalent to about 9,940 sq.m.) at a PR of 9.5, the site has instead been redesignated for private student hostel use.

3.6 Non-Statutory Planning Context

Retail Supply Perspective

"Review on Shopping Habits" (2005) and the Hong Kong Planning Standards and Guidelines

3.6.1 *"Review on Shopping Habits"* was completed by the PlanD in 2005 with a view to understand the shopping preference of Hong Kong people and the perceived retail hierarchy as well as assess the impact of cross-boundary shopping activities and new shopping modes, such as e-shopping, on the provision of retail facilities.

3.6.2 Findings of the Study were reflected in Chapter 6 of the Hong Kong Planning Standards and Guidelines (HKPSG) to provide a broad approach for estimating the demand for retail facilities and the main considerations of retailers and developers in the development of retail facilities. Relevant sections of the HKPSG related to the Proposed Development are as follows: -

- As stated in the section of the retail hierarchy, it suggests that "*Neighbourhood shopping centres are usually located within walking distance from residential neighbourhoods such as public and private housing estates and predominantly residential areas. They mainly provide convenience goods, household retail services, personal retail services and dining services to the local population*".

- Regarding the government's role in retail planning, the HKPSG states that: -

  - "*It must however be stressed that retail development is primarily market-driven and that planning intervention from the Government should be kept to the minimum. Flexibility should be exercised in the application of the broad approach to enable retail provision to adapt to possible changes in demographic characteristics, people's aspirations, incomes and lifestyles and also to respond to changes in the geographical distribution of population and economic activities.*"

  - "*It has always been clear to the Government that retail development should be market-led and that intervention from the Government should be kept to the minimum, so as to allow the private sector to respond to the market efficiently.*

  - *The Study ('Review on Shopping Habits') also tried to ascertain people's aspirations on the future retail provision as well as to assess the impact of the cross-boundary shopping activities and new shopping modes, such as e-shopping, on the provision of retail facilities. The main findings of the Study, which provide useful reference for retail planning, are set out in this section.*"

3.6.3 The current use of the Application Site, *We Go Mall*, is surrounded by residential neighbourhood and its tenant mix composes of mainly eating places, education centres, real estate agencies, and household and personal retail services. Based on the definition specified in the HKPSG as well as the location of Application Site, *We Go Mall* is classified as a neighbourhood shopping centre.

3.6.4 The Proposed Development situates in MOS area, which is part of the extension of Sha Tin New Town, also applicable to the Residential Density Zones in New Town. According to the HKPSG, New Towns are divided into three Residential Density Zones: Residential Zone 1 (R1), Residential Zone 2 (R2), Residential Zone 3 (R3) and Residential Zone 4 (R4).

- *"R1 covers the highest density of residential development and applies to districts well served by high capacity public transport systems such as rail station or other major transport interchange hub. The buildings often incorporate a significant component of commercial floorspace.*
- *R2 covers development at a medium density and applies in locations less well served by high capacity public transport systems. There is usually no commercial floorspace component.*
- *R3 covers the lowest density of residential development and applies to districts with very limited public transport capacity, subject to special constraints for urban design, traffic or environmental reasons and/ or with special local character.*
- *R4 may be designated where justified by severe geotechnical/ infrastructure constraints or compatibility with the adjacent rural low density developments."*

3.6.5 In view of the Proposed Development is in close proximity to the high-capacity transport system (i.e. 450m from MTR Heng On Station) and the lowest two-storey (excluding the basement carparks) of the residential tower will be reserved for commercial use, it is considered the development density of R1 zone is applicable to the Site.

Commercial Land Supply under the 2026-27 Budget[15]

3.6.6 Due to high vacancy rate of offices and commercial uses in the recent years, the Government has announced to not roll out any commercial sites for sale in the latest 2026-27 Budget.

3.6.7 Relevant section related to the Proposed Development is as follows: -

- *"Due to a buoyant equity market and an accelerated economic growth, the revenue estimate from stamp duties is revised to $99.5 billion, an increase of about $31.9 billion from the original estimate. Revenue from profits tax has increased by about $16.8 billion while that from salaries tax remains stable, with the revised estimates at $209 billion and $97 billion respectively, demonstrating the strong resilience of Hong Kong's economy. However, as the residential property market has just stabilised while the commercial property market remains relatively sluggish, government revenue from land premium stays low with the revised estimate at $17.5 billion, lower than the original estimate by $3.5 billion."*

Housing Supply Perspective

Long Term Housing Strategy

3.6.8 The Long Term Housing Strategy (LTHS) was introduced in December 2014 to set out strategic directions to gradually avert the supply-demand imbalance of housing. The Government updates the long-term housing demand projection annually and presents a rolling 10-year housing

[15] The 2025-26 Budget.

supply target to capture social, economic and market changes over time, and makes timely adjustments where necessary. According to the 2023, 2024, 2025 and 2026 Annual Progress Report, the latest private housing supply target for the next 10-year period will be 7,800 units, in which the primary sources will be from land sale and railway property development, private-led projects and projects undertaken by the Urban Renewal Authority (URA) [16]. Till 2029-2030, the Government aims to provide about 80,000 private housing units[18].

3.6.9 The Proposed Amendment with a locationally advantageous resource will provide over 540 units to contribute to the housing supply and offer wider housing choices for different groups.

Policy Address

3.6.10 The Policy Address (PA) addresses the concern on housing supply which includes stabilizing supply for private housing. Relevant sections related to the Proposed Development are as follows: -

- PA 2022 – "*deliver sufficient land for private housing development in the next five years to meet the projected demand in the LTHS and stabilise supply for private housing*";
- PA 2023 - "*Make land available for the production of around 80,000 private housing units for disposal in the market through land sale or railway property developments in the next five years (2024-25 to 2028-29)*";
- PA 2024 - "*According to the LTHS, the supply target for private housing in the coming decade is projected to be 132,000 units. The Government will make available land over the next five years to provide about 80,000 private housing units*"
- PA 2025 – "*According to the LTHS, the supply target for private housing in the coming decade is projected to be 126,000 units. Besides Government land sale, other sources of private housing land supply include railway property development and URA projects, as well as private development projects.*"; and
- PA 2026 – "*The Government will take account the overall situation to determine the pace of land disposal and co-ordinate other land supply sources to meet housing demand in the next 10 years according to the LTHS and other land requirements.*".

[16] Long Term Housing Strategy Annual Progress Report 2025 (for the 10-year period from 2026-27 to 2035-36), Housing Bureau.

[18] Long Term Housing Strategy Annual Progress Report 2024 (for the 10-year period from 2025-26 to 2034-35), Housing Bureau.

Provision of Child-related Welfare Facilities Perspective

"Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" ("Hong Kong 2030+")

3.6.11 The *"Hong Kong 2030+"* sets out the territorial spatial development strategy that provides a strategic spatial planning framework for the future planning, land and infrastructure development as well as shaping of the built and natural environment of Hong Kong beyond 2030. Relevant section related to the Proposed Development is as follows: -

- Under the 'Aspiring and Supportive City' strategic direction, it aims to "*promote a family friendly environment that is conducive to child-raising*".

"First Five-Year Plan for Economic and Social Development of the Hong Kong Special Administrative Region (Hong Kong's Five-Year Plan)"

3.6.12 The *"Hong Kong's Five-Year Plan"* which launched for public consultation in June 2026, highlighted the development visions and strategic directions for the coming five years from 2026 to 2030. Of which, 'people's livelihood and social development' is one of the key visions to enhance social welfare by expanding community childcare and after-school care services.

3.6.13 The Policy Address also outlines the assistance for working families in childbearing: -

- 2023 PA – Under the section of 'increase child care centre places and allowances, "*Over the next three years starting from 2024, 10 more aided standalone child care centres (CCCs) will be set up in phases, providing about 900 additional places for day child care services […] The Social Welfare Department (SWD) will also provide information and assistance to private organisations applying for registration to operate CCCs*";

- 2024 PA – Under the section of 'support working parents', "*To support working parents, [the Government] announced the setting up of 10 aided, standalone, child care centres last year. The Government will set up one more child care centre providing 100 additional places for day child care services. Service places under the Neighbourhood Support Child Care Project will be increased by 25%, to 2,500, with the estimated number of beneficiaries increasing to 25,000*";

- 2025 PA – Under the section of 'promote fertility', "*Fifteen new aided child care centres (CCCs) will be set up over the next three years to provide about 1,500 day care service places for children between birth and three years old, almost doubling the existing supply. The SWD will also allocate more care-service places for infants and toddlers from birth to two years, as appropriate*"; and

- 2026 PA - Under the section of 'promote fertility', "*Further increase the number of Aided Standalone Child Care Centre service places for*

parents who cannot take care of their young children temporarily to about 2 000 by end-2027, an increase of 94% over 2022-23".

Requirement for Child Care Centre under HKPSG

3.6.14 According to the Chapter 3 of the HKPSG, a CCC aims to provide day care for children under 3 years old in a safe and stimulating learning environment. Balanced and flexibly designed programmes and activities are organised in CCCs for children with the aim to fostering their physical, intellectual, language, social and emotional development.

3.6.15 With the completion of the *"Consultancy Study on the Long-term Development of Child Care Services"* in 2018, the Government subsequently adopted a population-based planning standard for an aided CCC of 100 places per 25,000 persons. In general, for an aided CCC with 100 places, the net operational floor area should be 530 sq.m., excluding toilets, partitions, baby care room and circulation area.

3.6.16 Accessibility to the target population would be the most important consideration for the CCC. Besides, the CCC should be away from uses which would create excessive noise, fumes and smells, and preferably to be in close proximity to open space or playground.

Existing Provision of Child Care Centre in Ma On Shan area

3.6.17 Currently, provision of CCC in MOS area is concentrated near the central and northern part of Ma On Shan, with a total of 12 nos. of CCC (including 5 nos. of non-profit-making kindergarten-cum CCC and 7 nos. private kindergarten cum CCC) (refers to **Figure 8**). Nevertheless, it is noted that no provision of CCC is serving the southern part of the MOS and the nearest CCC to the Application Site (i.e. Box Hill (HK) International Pre-school) is over 600m walking distance.

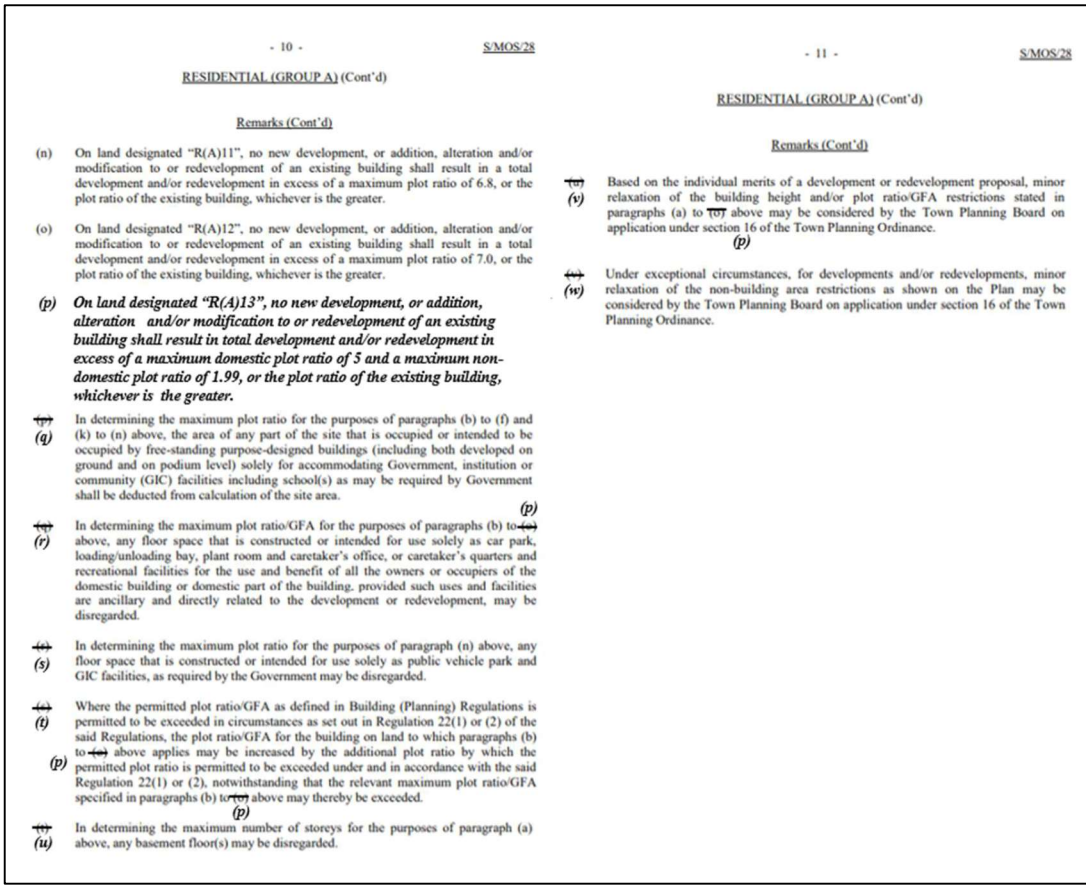
4 PROPOSED AMENDMENTS TO THE OUTLINE ZONING PLAN

4.1 The Proposed Amendments

4.1.1 Commercial uses are always permitted in the lowest three floors of buildings under "R(A)" zone, while commercial uses in "R(B)" zone requires planning permission from the Board. In order to strengthen the positioning of a local shopping area at the Application Site, it is proposed to rezone the Site to "R(A)" zone.

4.1.2 To provide a tailor-made development restrictions to the Application Site, a new sub-zone of "R(A)13" is thus proposed. The development restriction of maximum BH would be not exceeding 100mPD to in line with the surrounding private residential developments with the maximum BH of 100mPD. As the Application Site is the only land parcel zoned as "C" on Approved Ma On Shan OZP, it is thus proposed to delete the "C" zone on the Notes of the OZP and the relevant paragraphs in the Explanatory Statement (ES). Relevant amendments on the MOS OZP are shown in **Diagrams 11** and **12**.

4.1.3 Since this proposal involves rezoning "C" zone to a residential zoning, an increase in the planned population of the MOS is expected. Hence, amendment of the planned population on the ES is proposed to reflect the additional population from the Proposed Development.



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RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

(n) On land designated "R(A)11", 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 plot ratio of 6.8, or the plot ratio of the existing building, whichever is the greater.

(o) On land designated "R(A)12", 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 plot ratio of 7.0, or the plot ratio of the existing building, whichever is the greater.

(p) ***On land designated "R(A)13", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in total development and/or redevelopment in excess of a maximum domestic plot ratio of 5 and a maximum non-domestic plot ratio of 1.99, or the plot ratio of the existing building, whichever is the greater.***

~~(p)~~ (q) In determining the maximum plot ratio for the purposes of paragraphs (b) to (f) and (k) to (n) above, the area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating Government, institution or community (GIC) facilities including school(s) as may be required by Government shall be deducted from calculation of the site area.

(p)

~~(q)~~ (r) In determining the maximum plot ratio/GFA for the purposes of paragraphs (b) to ~~(n)~~ above, 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.

~~(r)~~ (s) In determining the maximum plot ratio for the purposes of paragraph (n) above, any floor space that is constructed or intended for use solely as public vehicle park and GIC facilities, as required by the Government may be disregarded.

~~(s)~~ (t) Where the permitted plot ratio/GFA as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/GFA for the building on land to which paragraphs (b) to ~~(n)~~ above applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/GFA specified in paragraphs (b) to ~~(r)~~ above may thereby be exceeded.

(p)

~~(t)~~ (u) In determining the maximum number of storeys for the purposes of paragraph (a) above, any basement floor(s) may be disregarded.

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RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

~~(u)~~ (v) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and/or plot ratio/GFA restrictions stated in paragraphs (a) to ~~(t)~~ above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(p)

~~(v)~~ (w) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

Diagram 11 Proposed Revision for the Notes of Ma On Shan OZP

4.1.4 The following paragraphs are proposed to be included in the 'Remarks' of the Statutory Notes of the "R(A)" zone: -

- *"(p) On land designated "R(A)13", 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 domestic plot ratio of 5 and a maximum non-domestic plot ratio of 1.99, or the plot ratio of the existing building, whichever is the greater.*

- *(r) In determining the maximum plot ratio/GFA for the purposes of paragraphs (b) to (p) above, 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.*

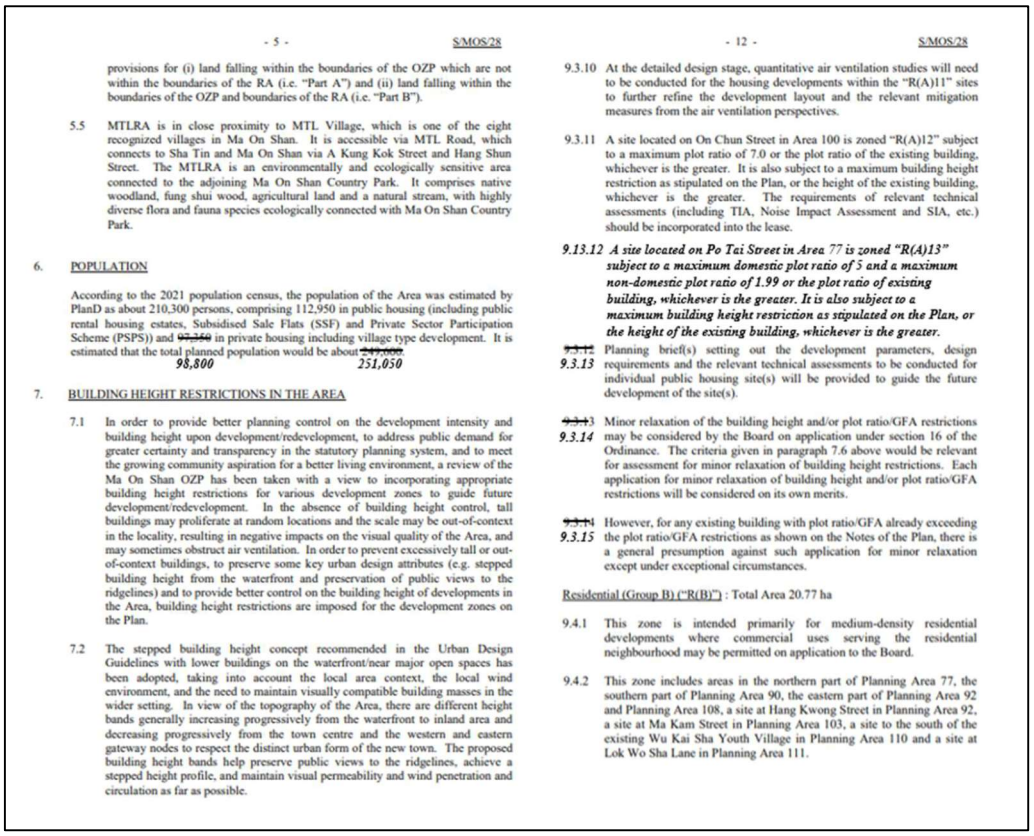
- *(t) Where the permitted plot ratio/GFA as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/GFA for the building on land to which paragraphs (b) to (p) above applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/GFA specified in paragraphs (b) to (p) above may thereby be exceeded.*

- *(v) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and/or plot ratio/GFA restrictions stated in paragraphs (a) to (p) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance."*

4.1.5 The following paragraphs are proposed to be amended and/or included in the 'Explanatory Statement' of the Ma On Shan OZP: -

- *"6 […] It is estimated that the population of private housing would be about 98,800. […] It is estimated that the total population would be about 251,050."; and*

- *"9.3.12 A site located on Po Tai Street in Area 77 is zoned "R(A)13" subject to a maximum domestic plot ratio of 5 and a maximum non-domestic plot ratio of 1.99 or the plot ratio of existing building, whichever is the greater. It is also subject to a maximum building height restriction as stipulated on the Plan, or the height of the existing building, whichever is the greater."*



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provisions for (i) land falling within the boundaries of the OZP which are not within the boundaries of the RA (i.e. "Part A") and (ii) land falling within the boundaries of the OZP and boundaries of the RA (i.e. "Part B").

5.5 MTLRA is in close proximity to MTL Village, which is one of the eight recognized villages in Ma On Shan. It is accessible via MTL Road, which connects to Sha Tin and Ma On Shan via A Kung Kok Street and Hang Shun Street. The MTLRA is an environmentally and ecologically sensitive area connected to the adjoining Ma On Shan Country Park. It comprises native woodland, fung shui wood, agricultural land and a natural stream, with highly diverse flora and fauna species ecologically connected with Ma On Shan Country Park.

6. POPULATION

According to the 2021 population census, the population of the Area was estimated by PlanD as about 210,300 persons, comprising 112,950 in public housing (including public rental housing estates, Subsidised Sale Flats (SSF) and Private Sector Participation Scheme (PSPS)) and ~~97,350~~ *98,800* in private housing including village type development. It is estimated that the total planned population would be about ~~247,000~~ *251,050*.

7. BUILDING HEIGHT RESTRICTIONS IN THE AREA

7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment, to address public demand for greater certainty and transparency in the statutory planning system, and to meet the growing community aspiration for a better living environment, a review of the Ma On Shan OZP has been taken with a view to incorporating appropriate building height restrictions for various development zones to guide future development/redevelopment. In the absence of building height control, tall buildings may proliferate at random locations and the scale may be out-of-context in the locality, resulting in negative impacts on the visual quality of the Area, and may sometimes obstruct air ventilation. In order to prevent excessively tall or out-of-context buildings, to preserve some key urban design attributes (e.g. stepped building height from the waterfront and preservation of public views to the ridgelines) and to provide better control on the building height of developments in the Area, building height restrictions are imposed for the development zones on the Plan.

7.2 The stepped building height concept recommended in the Urban Design Guidelines with lower buildings on the waterfront/near major open spaces has been adopted, taking into account the local area context, the local wind environment, and the need to maintain visually compatible building masses in the wider setting. In view of the topography of the Area, there are different height bands generally increasing progressively from the waterfront to inland area and decreasing progressively from the town centre and the western and eastern gateway nodes to respect the distinct urban form of the new town. The proposed building height bands help preserve public views to the ridgelines, achieve a stepped height profile, and maintain visual permeability and wind penetration and circulation as far as possible.

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9.3.10 At the detailed design stage, quantitative air ventilation studies will need to be conducted for the housing developments within the "R(A)11" sites to further refine the development layout and the relevant mitigation measures from the air ventilation perspectives.

9.3.11 A site located on On Chun Street in Area 100 is zoned "R(A)12" subject to a maximum plot ratio of 7.0 or the plot ratio of the existing building, whichever is the greater. It is also subject to a maximum building height restriction as stipulated on the Plan, or the height of the existing building, whichever is the greater. The requirements of relevant technical assessments (including TIA, Noise Impact Assessment and SIA, etc.) should be incorporated into the lease.

9.3.12 A site located on Po Tai Street in Area 77 is zoned "R(A)13" subject to a maximum domestic plot ratio of 5 and a maximum non-domestic plot ratio of 1.99 or the plot ratio of existing building, whichever is the greater. It is also subject to a maximum building height restriction as stipulated on the Plan, or the height of the existing building, whichever is the greater.

~~9.3.12~~ *9.3.13* Planning brief(s) setting out the development parameters, design requirements and the relevant technical assessments to be conducted for individual public housing site(s) will be provided to guide the future development of the site(s).

~~9.3.13~~ *9.3.14* Minor relaxation of the building height and/or plot ratio/GFA restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.6 above would be relevant for assessment for minor relaxation of building height restrictions. Each application for minor relaxation of building height and/or plot ratio/GFA restrictions will be considered on its own merits.

~~9.3.14~~ *9.3.15* However, for any existing building with plot ratio/GFA already exceeding the plot ratio/GFA restrictions as shown on the Notes of the Plan, there is a general presumption against such application for minor relaxation except under exceptional circumstances.

Residential (Group B) ("R(B)") : Total Area 20.77 ha

9.4.1 This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9.4.2 This zone includes areas in the northern part of Planning Area 77, the southern part of Planning Area 90, the eastern part of Planning Area 92 and Planning Area 108, a site at Hang Kwong Street in Planning Area 92, a site at Ma Kam Street in Planning Area 103, a site to the south of the existing Wu Kai Sha Youth Village in Planning Area 110 and a site at Lok Wo Sha Lane in Planning Area 111.

Diagram 12 Proposed Revision for the Explanatory Statement of Ma On Shan OZP

5 DEVELOPMENT PROPOSAL

5.1 Indicative Development Scheme

5.1.1 The Application Site covers an area of about 5,090 sq.m. and involves two 21-storey residential blocks on top of a 5-storey commercial podium, including a 1-storey of basement carpark.

5.1.2 Details of the development proposal are provided in **Table 2** and indicative architectural drawings of the Proposed Development are shown in **Appendix 1.**

Site Area (about)	5,090 sq.m.
Plot Ratio (about) - Domestic - Non-domestic	6.99 - 5 - 1.99
Gross Floor Area (about) - Domestic - Non-domestic	35,579.1 sq.m. - 25,450 sq.m. - 10,129.1 sq.m. (including 1,007.82 sq.m. for 100-place Child Care Centre (CCC))
Site Coverage (about) - Domestic - Non-domestic	 - 33.3% (above 15m) - 60% (above 15m)
Maximum Building Height (BH) (about)	Not exceeding 100mPD
No. of Blocks	2
No. of Storeys	26, including 1-level of basement
No. of Units*	About 540
Estimated Population	About 1,458
No. of Parking Spaces - Private car - Motorcycle - Bicycle	206 - 156 (95 for residential; 61 for retails) - 14 (7 for residential; 7 for retails) - 36 (for residential)
No. of Loading/Unloading Bay	14 (7 HGVs and 7 LGVs#)
No. of Lay-by - Private Car - Taxi or Private Car - Coach	7 - 4 (for CCC) - 1 (for CCC) - 2 (for CCC)
Private Open Space Provision	Not less than 1,458 sq.m.
Expected Completion Year	2035

Remarks:
* Assume 2.7 person per flat.
# HGV refers to Heavy Goods Vehicle; and LGV refers to Light Goods Vehicle.

Table 2 Development Parameters of the Indicative Scheme

5.1.3 The development proposal involves 540 nos. of residential flats with support of commercial space cum a 100-place standalone child care centre (CCC) in the 2nd floor (podium). Physical segregation for the flats, commercial, CCC uses will be provided through separate entrances, lift

lobbies and staircases (refers to **Appendix 1**).

5.1.4 The proposed maximum BH would not exceed the 100mPD and the proposed site coverage shall comply with the Buildings Ordinance (BO) (Cap. 123).

5.1.5 The Proposed Development is expected to accommodate about 1,458 residents (under 2.7 person per household), thus not less than 1,458 sq.m. of private open space will be provided in the Proposed Development. Communal Sky Garden with landscape design and recreation facilities at 5/F will be exclusively for enjoyment of the future residents.

Retention of Existing Basement Carpark

5.1.6 To maximum the use of the existing structure and to minimise construction waste, the indicative scheme intends to preserve part of the existing basement carpark so as to minimize the possible structural alternation. Keeping the two various existing run-in/out, while the existing carparking area can be largely reserved for future commercial car parking area, the existing underground ramp has to be modified for future circulation.

5.1.7 By retaining the existing basement floor, it would be technically difficult to construct further basement floors for carparking purpose. Thus, aboveground carparking floor will be required.

Aboveground Car Park

5.1.8 The Proposed Development will provide car parking facilities comprising a basement-level car park and one aboveground car park floor on the 3/F. The lower ground floors are reserved for non-domestic use, and hence, the aboveground car park floor is designed on the 3/F.

5.1.9 In accordance with Regulation 23(3)(a) of the Building (Planning) Regulations (B(P)R) and Practice Note Issue No. 9/2025 Gross Floor Area Exemption Arrangement for Aboveground Parking Spaces in Private Development (LAO PN No. 9/2025), provision of aboveground parking spaces in any floors other than the two floors (together with ancillary areas such as reasonable driveways, ramps, lift shafts, lobbies and staircases serving them) shall be 100% disregarded from GFA calculation. Thus, the proposed aboveground carpark can be fully excluded from GFA computation under both the BO and the applicable lease conditions.

5.1.10 To avoid any interface problem between residential and non-residential uses, building designs include the provision of separate car parking facilities is adopted, in which the basement-level car park is intended for non-domestic portion (including CCC) and one aboveground car park floor on the 3/F is mainly intended for the future residents. Other building designs for physical segregation including the provision of separate access/entrance/lift lobbies/staircases are also proposed.

5.1.11 To ensure the Proposed Development is visually compatible to the

surrounding environment, design of ramp has been incorporated with the green space on 2/F and 3/F so as to provide sufficient landscape treatment along the boundary and to minimize the potential visual impact of the built form.

Provision of Sufficient Retail Space and Social Welfare Facility

5.1.12 Considering that the Application Site is situated in a residential neighbourhood, commercial and social welfare facility will be provided in the Indicative Development Scheme. It will provide a total of non-domestic GFA of about 10,129.1 sq.m., in which GFA of about 9,121.28 sq.m. is designed for retail floor spaces and about 1,007.82 sq.m. is designed for social welfare facility (Child Care Centre) (CCC). These retail and social welfare facilities will serve the existing and the future local community.

5.1.13 In view that there is no CCC in the close vicinity, the Indicative Scheme is proposed to provide a CCC as the social welfare facility (refers to the indicative architectural drawings of the Proposed Development shown in **Appendix 1**). The proposed CCC will be operated in daytime only and the service hour will be subjected to the decision of future operator. The CCC is particularly proposed with thoughtful consideration of the anticipated demand for serving the existing families and new families moving into the MOS area.

Provision of Communal Sky Garden

5.1.14 Incorporating with green and amenity features, a covered communal sky garden is proposed on the 5/F, while an open landscape area is provided on the 6/F to accommodate a structural transfer plate supporting the residential units above. These facilities will be exclusive to the residents only.

5.1.15 The proposed sky garden will be used for active and semi-active recreational activities. With the implementation of reasonable management measures and the selection of appropriate activity types, noise generated from the 6/F will not result in any adverse impact on the residential units located on the upper floors. This layered arrangement ensures functional separation between communal amenity areas and residential accommodation.

5.1.16 Details of the schedule of use by floors is provided in **Table 3**.

Proposed Development	
R/F	E&M
6 - 28/F*	Residential use
Transfer Plate	Open Landscaped Garden
5 /F	Recreational Facilities and Podium Landscaped Garden
3/F	Carpark and E&M
2/F	Shops, Child Care Centre and E&M
1/F	F&B
G/F	Shopping Arcade and Landscape Area

B1/F	Carpark, Loading and Unloading (U&UL) Area and Electrical and Mechanical (E&M)

*Remarks:
4th, 13th, 14th and 24th Floor are not adopted in the Proposed Development.

Table 3 Schedule of Use by Floors

5.2 Proposed Design Merits

Building Setback to Enhance Air Permeability and for Better Living Condition

5.2.1 Existing NBA is expected to enhance the south-east and north-west air paths of the area, so as to improve air penetration and visual permeability of the area.

5.2.2 The commercial portion of the Proposed Development will also have a voluntary setback of 22m from Sai Sha Road to separate the distance between air sensitive uses and nearby major road and to provide more natural light and ventilation to the surrounding buildings (i.e. Oceanaire), as well to minimize air and traffic noise impacts from the surroundings. Design of building setback shall be considered to comply with the requirements under the B(P)R (Cap. 123F) and the Sustainable Building Design Guidelines (SBD Guidelines) (PNAP APP-152) to ensure the adequate air and visual permeability.

In Line With the Stepped Building Height Profile Concept in Ma On Shan District

5.2.3 The Proposed Development with a maximum of 100mPD will maintain the stepped BH profile in MOS where the BHs of developments are descending progressively towards the waterfront (i.e. about 90mPD) to inland area (i.e. about 140mPD) in MOS area, in order to promote a skyline with visual interest and enhance the dynamic image of the harbour.

Creation of Buffer to Adjacent Developments

5.2.4 The proposed building block will be positioned toward the existing residential development, which will create buffer to the temporary car park building (Application No. A/MOS/129) in the short run and in the long run, when the "O" zone is realized, the proposed design will avoid creating a bulky building mass. Adequate buffer between the Proposed Development and adjacent developments will be provided as physical and visual separations to soften the visual appeal and ensure compatible with the surrounding area.

Active Frontages along Buildings to Promote Public Realms and Improve Pedestrian Environment

5.2.5 According to the Indicative Scheme, the Proposed Development will not encroach to existing Sai Sha Road to the east and Po Tai Street to the west. Provision of active frontage and retail space fronting the streets shall be

included, with various street activities such as shop frontages and F&B at street level, to improve the streetscape and vibrancy at street level, as well as to enhance of vitality of MOS area.

5.2.6 To improve the existing connectivity of the public transport provision, an additionally setback adjacent to the existing bus / GMB lay-by at Po Tai Street will be provided to offer a widened footpath with clear width of 3m. As discussed in the **Traffic Impact Assessment (Appendix 3)**, the walkability and pedestrian connectivity between Sai Sha Road, Po Tai Street and the Proposed Development is improved.

5.2.7 The further setback from NBA, connecting Sai Sha Road to the Ma On Shan Promenade via Po Tai Road and Ning Tai Road, will be designed as a 3m-width footpath for public access bringing people to the waterfront promenade along the Ma On Shan Promenade, as well as an outdoor space where embraces social interaction within the community. This 3m-width footpath shall be owned by the owners of non-domestic portion who shall bear the management and maintenance responsibility.

5.2.8 As suggested in the '*Study on Active Design for Healthier Lifestyle – Feasibility Study*' and the '*Study on Reimagining Public Spaces in Hong Kong – Feasibility Study*' commissioned by the PlanD that was completed in 2023, by providing access to exercise opportunities at convenient locations with quality open space, it will attract people to walk, stay and enjoy under a more active lifestyle and could help address sedentary behaviour, improve productivity and help management on stress and anxiety.

5.2.9 In addition, the proposed ornamental tree and shrub plantings at G/F along the passageway will provide ornamental effects and additional shade to reduce urban heat that will improve pedestrian experience, as well as to soften the built form. Incorporating with the landscape design and features, the Proposed Development could help enhance the connectivity and walkability for the community.

<u>Echo with the Existing Cycle Track Networks to Enhance Comprehensive Cycling Experience</u>

5.2.10 Activity nodes of the MOS area are connected with extensive pedestrian and cycle track networks as a major urban design concept. The Proposed Development will echo with the existing New Territories cycle track network of MOS section to foster a bicycle-friendly environment for public enjoyment. To in line with this design concept, 36 nos. of bicycle parking spaces are provided to encourage sustainable and healthy living.

<u>Provision of All-weather proof Connection</u>

5.2.11 To further enhance vibrancy, accessibility and connectivity to the Proposed Development, provision of all-weather proof connection between the proposed G/F shopping arcade on the northern side of the Site directly connecting Sai Sha Road to Po Tai Street. Such connection will further support a more active street-level environment to seamlessly

integrate with the proposed G/F shopping arcade, that allows shoppers, residents and visitors to move freely to the adjacent neighbourhoods.

Maximize Provision of Open Space With Family-Friendly Facilities

5.2.12 The Proposed Development prioritizes the maximization of private open space provision by strategically incorporating a Sky Garden on the 5/F, with additional open space on the 6/F is designated as multi-functional areas for future residents. By utilizing the architectural transition between the retail podium and residential tower, the design effectively provides a vertical hierarchy of private open space.

5.2.13 Besides, children play and multi-functional areas are also proposed on 5/F of the Proposed Development, which will allow for sufficient activities areas the use of children. Such provision echoes with the "*Hong Kong 2030+*" and the latest policy on promoting a family friendly environment for childbearing. The proposed playground will meet the international recognized standards to ensure the playground safety with proper design, surfacing, maintenance, and supervision.

5.2.14 Referring to the Landscape Master Plan presented in **Appendix 2**, the communal area at 6/F is optimized to incorporate shaded canopy retreat spaces and a community farming zone to promote sustainability. A centrally located feature pavilion is provided as a focal point for residents' gathering and community interaction.

Maximize Greenery Provision

5.2.15 In addition to the two existing trees at the Site, 67 nos. of new trees are proposed throughout the Application Site to enhance the local biodiversity of existing environment. Landscaped areas are reserved on G/F, 2/F, 3/F to 6/F to provide additional greenery coverage. Compared to the existing condition, new ornamental tree and shrub plantings are also proposed along the Application Site to soften the built form and maximize the greenery.

5.2.16 A green area with feature tree planting is proposed at 2/F and 3/F to create a welcoming environment for the proposed car park entrance while maximizing on-site greenery.

Sensible Design and Disposition with Site Constraints

5.2.17 About 15m building separation between two residential blocks is proposed to reduce the building bulkiness of its podium for a better natural ventilation and visual permeability of the Proposed Development. The provision of building separation not only can effectively improve visual openness of podium, but also to create visual corridor in east-west direction to create a more subtle transition between the existing environment and the Proposed Development.

5.2.18 Sensible design such as separation between the residential portion and the road is proposed, i.e. two residential blocks with about 15m building

separation are situated on top of a podium, and building orientation for residential block with opened windows facing to the north, east and west, to achieve larger noise reduction, in particular, for units on lower floors.

5.2.19 Other building design consideration, including the adoption of fixed glazing at side window, acoustic window design (baffle type) and enhanced acoustic balcony design (baffle type), shall also be included as suggested in the attached Environmental Assessment Study Report in **Appendix 4**.

5.2.20 To enhance the air permeability, a void space at 5/F is proposed designating as the podium landscape garden, to allow thermal comfort and energy efficiency through natural lighting and air circulation into the core of Proposed Development. Design consideration of the void area will comply with the requirements under the *"Calculation of Gross Floor Area and Non-accountable Gross Floor Area Building (Planning) Regulation 23(3)(a) and (b)"* (PNAP APP-2).

Minimize Construction Waste by Retaining Existing Basement Floor

5.2.21 Based on the preliminary design, by retaining about 3,800 sq.m. of the existing We Go Mall basement floor, the Construction and Demolition (C&D) material shall be greatly reduced from 63,000 m^3 to 43,500 m^3, indicating a reduction of about -30% in C&D waste, which is mainly achieved by reducing the C&D waste from basement excavation works.

5.2.22 The feasibility of retaining the existing We Go Mall structure was studied. However, due to technical difficulties, it may not be feasible to retain the other floors.

5.3 Development Timeline

5.3.1 Upon agreement of this planning application, the Applicant will apply for lease modification to modify the Government Lease for subsequent redevelopment.

5.3.2 It is expected the planning process (including rezoning application and amendment of the Ma On Shan OZP) will be completed in 2026/2027 and the lease modification to be completed in 2029. Due to complexity of the construction work, it is estimated to take about 6 years to construct the Proposed Development upon completion of the statutory process in 2029. Thus, the Proposed Development is expected to be completed in 2035.

6 TECHNICAL FEASIBILITY

6.1 Traffic Considerations

6.1.1 A Traffic Impact Assessment (TIA) (**Appendix 3**) has been carried out to review and appraise any possible traffic impact induced by the Proposed Development on the adjacent road network.

Traffic Arrangement

6.1.2 The current vehicular assess to the Application Site is located at Po Tai Street with the run-in at north-west, near Oceanaire, and the run-out at south-west, adjacent to the proposed fee-paying public car park under the Approved Application No. A/MOS/129. The existing vehicular assess will be maintained in the Proposed Development.

6.1.3 It is proposed to have 156 nos. of parking spaces for private cars; 14 nos. of motorcycle parking spaces; 14 nos. of loading and unloading bays (i.e., 7 nos. for HGVs and 7 nos. for LGVs); and 4 nos. of lay-bys for private cars, 2 nos. of lay-bys for coach and 1 no. of lay-by for taxi/ private cars for CCC. The internal transport facilities will be provided at B1/F and 3/F of the Proposed Development.

6.1.4 In view of the Application Site is adjacent to a cycling track that has direct connection to MTR Heng On Station, 36 nos. bicycle parking spaces are proposed at G/F for resident's use to support a healthy lifestyle for cycling activities. The bicycle parking spaces are proposed in accordance with the requirements under HKPSG and Transport Planning and Design Manual (TPDM). The cycling access to the Site will be available from southeast (i.e. at Sai Sha Road) and northeast (i.e. at Po Tai Street).

6.1.5 In addition to the vehicular and cycling access, future residents and visitors may also take advantage of the availability of public transport system namely franchised bus, GMB services and MTR Heng On Station, which are in close proximity to the Application Site, to/from the Proposed Development and to travel across the territory.

6.1.6 Swept path analysis has been conducted and indicates no unsatisfactory result.

Vehicular Traffic Generation

6.1.7 Junction and link capacity assessments have been conducted to take into account of the traffic impacts 3 years after completion of the Proposed Development (i.e. 2038). All concerned road links and junctions will have sufficient capacity to accommodate the expected traffic growth and additional traffic generated by the Proposed Development. Due to the adequate junction and link capacity, no adverse traffic impact on the existing road network is anticipated.

Pedestrian Flow Generation

6.1.8 Level of Service Assessment of the existing footpaths connecting the Application Site has been conducted[21]. The results show that the existing footpaths have sufficient capacity to accommodate the expected pedestrian growth and additional pedestrians generated by the Proposed Development.

Impact to Public Transport Services

6.1.9 The existing franchised bus and GMB services have surplus capacity of over 2,000 and 1,600 passengers during the AM and PM peak hours[22] respectively. Based on findings of the TIA (**Appendix 3**), the maximum nos. of pedestrians generated by the Proposed Development is found to be 752 pedestrian/hour (ped/hr) (two-way pedestrian trips) during the AM peak hour and the maximum road-based passenger demand for public transport service is 316 ped/hr. Hence, the surplus capacity of the existing franchised bus and GMB services would be capable to absorb the additional road-based demand associated to the Proposed Development. In terms of existing railway services, the maximum rail-based passenger demand is 323 ped/hr, which equivalent to an insignificant amount of 0.46% of the maximum carry capacity of MTR Tuen Ma Line.

6.1.10 The TIA concluded that the Proposed Development will result in no adverse traffic and pedestrian impact to the surrounding road network. From traffic engineering grounds, the Proposed Development is acceptable.

6.2 Environmental Considerations

6.2.1 An Environmental Assessment Study Report (EA) (**Appendix 4**) has been conducted. Upon review, it is anticipated no adverse noise impact, air quality impact, water quality impact, waste management impact and land contamination will be caused by the Proposed Development.

Noise Impact Consideration

6.2.2 With reference to EPD's recommended pollution control clauses for construction contracts and the implementation of mitigation measures and good site practices as suggested in *"Minimizing Noise from Construction Activities"* (ProPECC PN 1/24), the construction noise impact of the Proposed Development is anticipated to be minimized.

6.2.3 As the Application Site is very narrow and has limited space available for building setback to reduce noise effectively. Nevertheless, the building block has been deposited with optimised setback distance from Sai Sha Road as far as practicable to minimize the traffic noise impact.

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[21] F1: Western footpath of Sai Sha Road (north of Hang Fai Street); F2: Western footpath of Sai Sha Road (south of Hang Fai Street); F3a: Eastern footpath of Po Tai Street (outside Oceanaire); F3b: Eastern footpath of Po Tai Street (outside We Go Mall); F3c: Eastern footpath of Po Tai Street (outside La Costa); and F4: Western footpath of Ning Tai Road.

[22] As suggested in the TIA, AM and PM peak hours of traffic flows were found to occur at 0800 – 0900 and 1800 – 1900 hours respectively.

6.2.4 Two residential blocks are situated on top of a podium, which can increase the separation between the residential units and the nearby roads to achieve larger noise reduction, in particular, for units on lower floors.

6.2.5 Railway noise due to Tuen Ma Line on the Proposed Development has been assessed. The result shows that the predicted rail noise levels at the representative noise sensitive receivers (NSRs) for the Proposed Development would comply with the relevant rail noise criteria and hence no mitigation measure is required. Therefore, it is anticipated that the Proposed Development will not be subjected to adverse railway noise impact.

6.2.6 With the implementation of mitigation measures including fixed glazing at side window, acoustic window design (baffle type) and enhanced acoustic balcony design (baffle type), full compliance of the HKPSG recommended criterion of 70db(A) for L10 (1-hour) would be achieved at all NSRs. Therefore, the Proposed Development will not be subjected to adverse traffic noise impact.

Air Quality Consideration

6.2.7 With the implementation of the good practice and measures as suggested in the EA, adverse construction dust impacts on the air sensitive receivers (ASRs) are not anticipated. Construction dust impacts are therefore not insurmountable.

6.2.8 No existing chimneys were found within 500m of the subject site. Besides, there will be no chimneys for the Proposed Development. Air quality impacts from chimney emissions are therefore not anticipated.

6.2.9 No major marine emission sources are identified during the site survey, adverse impact from marine emissions are not anticipated.

6.2.10 Noting that the Application Site is bounded by Sai Sha Road to its east and Po Tai Street to its west, the Indicative Scheme adopted a sensible layout design by voluntarily setback of about 5m and about 10m from the two roads respectively such that the existing developments as well as the future residents at the Application Site will not be susceptible to adverse vehicular emission impact. For sensitive uses of the non-domestic facilities (i.e., shops at G/F to 2/F and CCC at 2/F), fixed glazing at side window and/or mechanical ventilation will be provided and the fresh air intake will be located away from the buffer zone.

Land Contamination Consideration

6.2.11 A preliminary land contamination site appraisal through desktop research and site survey has been conducted. Based on the findings from the site appraisal, no potentially contaminated area within the Assessment Area is identified. Chemicals/Dangerous Goods (DGs) were found within the Application Site but they are properly stored with containment or with no direct contact with the floors. As no potential

land contamination impact has been identified, no specific mitigation measure is recommended. No further site investigation works, or Environmental Monitoring and Audit (EM&A) requirements are considered necessary for the Project.

Waste Management Consideration

6.2.12 The waste management implications associated with the construction and operational phases of the Proposed Development has been assessed.

6.2.13 Based on the preliminary design, about 3,800 sq.m. of the existing We Go Mall basement floor will be retained and reused for the Proposed Development, reducing construction waste from basement excavation works. All construction and demolition (C&D) materials arising from the construction will be sorted on-site to recover the inert C&D materials as well as the reusable and recyclable materials.

6.2.14 Waste reduction is best achieved at the site planning and design phase. The use of non-timber formwork and temporary works and on-site sorting of the C&D material for reuse and recycling would be implemented as far as practicable. For those inert C&D materials, it would be reused on-site as far as possible or else it would be delivered to public fill reception facilities which would be designated by the Public Fill Committee for beneficial reuse in other projects. The non-inert C&D materials would be recycled whenever possible.

6.2.15 During construction phase, good site practice to avoid or reduce potential adverse environmental impacts associated with handling, collection and disposal of waste are proposed based on waste management hierarchy principles, including avoidance and minimization, separation of waste, reuse of materials, recovery and recycling, and treatment and disposal. A Waste Management Plan will further offer an overall framework for waste management and reduction.

6.2.16 During operation phase of the Proposed Development, a refuse collection room would be installed at the ground floor for localized refuse collection and the waste would be transported to a refuse transfer station (RFS). To avoid potential odour nuisance during transport of waste, enclosed waste collection trucks should be used and the collection route and time should be properly planned. At least daily collection should be arranged by the waste collector. Food waste recycling bins should be set up at a designated location to collect food waste.

6.2.17 With the implementation of waste handling system and recycling during operational phases as suggested in the EA, waste management implications are not anticipated.

Water Quality Consideration

6.2.18 The Proposed Development is located to the closest marine water quality monitoring station at Tolo Harbour & Channel Water Control Zone (WCZ), in which a set of statutory Water Quality Objectives (WQOs) shall

be followed to protect the inland and/ or marine environment and its users.

6.2.19 Chemicals used during construction, such as fuel, oil, solvents, and lubricants from the maintenance of construction machinery and equipment, may cause pollution and trigger physicochemical effects in the nearby waterbodies if accidental spillage occurs. With the proper implementation of mitigation measures with best management practices, it is anticipated that the impacts of construction site runoff from the construction site will be reduced to satisfactory levels before discharges, no adverse water quality impacts are anticipated.

6.2.20 With the implementation of good site practices and mitigation measures, no adverse water quality impacts are anticipated. Operational impacts associated with runoff and sewage from the development would be insignificant with proper management practices in place.

6.3 Sewerage Considerations

6.3.1 A Sewerage Impact Assessment (SIA) (**Appendix 5**) has been carried out. With the mitigation measures including implementation of a new terminal foul manhole, a new sewerage discharge and a proposed DN 315, that discharge into the existing sewerage network, no adverse sewerage impact is anticipated from the Application Site.

6.4 Drainage Considerations

6.4.1 A Drainage Impact Assessment (DIA) (**Appendix 6**) has been conducted and the results revealed that the existing and proposed flow remain identical due to similar site conditions before and after the Proposed Development and there is no change to the peak flow from the Application Site for a 1 in 50 years storm event for urban drainage branch system. Hence, no adverse drainage impact arising from the Proposed Development is anticipated.

6.5 Landscape Design Considerations

Landscape Proposal and Tree Preservation Proposal (**Appendix 2**)

6.5.1 The Landscape Master Plan indicates that all available areas within the Site have been utilized for greenery and open space, with the remaining areas being occupied by the access road, footpath, cycling track and the retail and residential portions of the Proposed Development.

6.5.2 It is proposed to have a total of 67 nos. of new light standard to standard trees, 3 native species and 6 exotic species, to be planted within the Application Site as amenity tree planting and the remaining are planted along the Site boundary at G/F, open landscaped area at 2/F and 3/F, communal areas and landscape garden at 5/F and 6/F respectively for enjoyment of the future residents exclusively.

6.5.3 The Proposed Development will also provide not less than 1,458 sq.m. greenery area in accordance with the requirement of SBD Guidelines

(PNAP APP-152) for provision of a minimum 20% greenery area.

6.5.4 The following designs are proposed to minimize the potential visual impact of the Proposed Development and to enhance the landscape design for the enjoyment of residents and the public: -

- ornamental tree and shrub plantings along the Application Site to soften the built form and maximize the greenery;
- a podium landscape garden in the outdoor seating area on 5/F and 6/F for passive recreational activities, for the enjoyment of future residents; and
- activity spaces including recreational facilities and a communal garden, and ample passive space such as pocket seating-out areas for other leisure activities in the external areas of the clubhouse on the 5/F.

6.6 Visual Consideration

6.6.1 A Visual Impact Assessment (VIA) (**Appendix 7**) has been conducted. The overall visual impact of the Proposed Development would be negligible to moderate in terms of visual impact. Design features including the carefully designed building disposition to maximise the visual permeability and integrated landscape design to enhance the visual amenity of the area will be incorporated into the Indicative Development Scheme to enhance the visual quality of the area. Hence, the Proposed Amendment demonstrated in the Indicative Development Scheme will create slight negligible to moderate impacts to the surroundings but still considered compatible with the surrounding residential neighbourhood.

7 RETAIL FLOORSPACE ASSESSMENT

7.1.1 A retail floorspace assessment report (**Appendix 8**) has been prepared in with reference to the HKPSG. Based on the demand and supply assessment conducted, the prevailing evidence indicates a fundamental shift in the retail landscape of both MOS area and overall local Hong Kong market. This has clear implications for the future planning and provision of retail floorspace in MOS area, and in particular, for the Application Site.

7.1.2 Demographic analysis reveals a gradually declining population within the MOS area, notwithstanding, the addition of several planned residential developments. Both population and employment projections for MOS area and the broader Sha Tin District point to only marginal changes over the next decade, in which are expected to sustain a predominantly residential character.

7.1.3 According to *'Hong Kong Property Review 2026'* published by the Rating and Valuation Department (RVD), the vacancy rate of commercial premises for shop and services has recorded about 62% of the total vacancy in 2025, while the vacancy rate of private commercial premises in 2025 was about 12.5%, equivalent to the commercial floorspace of about 1,490,700 sq.m.. Meanwhile, commercial premises for shop and services has recorded about 62% of the total vacancy in 2025. The report further indicates that area of vacant commercial premises has been increasing since 2012 and the vacancy rate raise from about 7% in 2012 to 12.5% in 2025. These figures highlight a softening demand and an increasing supply of commercial floorspace in the territory.

7.1.4 Market data highlights significant headwinds facing the retail sector, with elevated vacancy rates across existing retail assets, with the occupancy rate at the Application Site (*We Go Mall*) declining from about 81% to 75% between 2023 and 2026. Comparing to other types of neighbourhood shopping centres managed by the Hong Kong Housing Authority (HKHA) and Link REIT, a high occupancy rate of retail premises of about 97% was recorded in years 2023 and 2026.

7.1.5 Uncertain spending trend in overall retail sales and restaurant receipts were observed with the latest statistics released by the Census and Statistics Department (C&SD). Additionally, changes on shopping preferences and habits towards online shopping and cross-border consumption are observed. Findings in the assessment reflects a sustained mismatch between supply and demand.

7.1.6 Apart from the increasing trend of online shopping, it is observed that there is an emerging trend for wellness industry. Previously, chained fitness centers with large floor spaces were operated in core urban area occupying prime locations. However, several large-scale chained fitness operators moved out from the Hong Kong market in 2024 due to the pandemic outbreak. Indeed, some relatively small-scale fitness centers emerged and decentralised in sub-core zones. Thus, a number of fitness

centers are currently opening up in on-streets shops with smaller floor spaces, or reducing their scale to be located into local shopping malls.

7.1.7 Spatial analysis of retail, dining and entertainment (RDE) provision in MOS area is also included in the assessment. Noting that the Application Site (also known as existing "We Go Mall") is one of the existing RDE services in Ma On Shan with top six commercial GFA (**Diagram 13** refers)[23]. The remaining five (i.e. MOSTown, Ma On Shan Plaza, Heng On Commercial Centre, Chung On Shopping Centre and Ma On Shan Centre Shopping Arcade) are situated within the 400m walking distances to MTR stations, in which are closer to the existing transport nodes with pedestrian access, and may consider as district shopping centres in accordance with the Chapter 6 of the HKPSG.

7.1.8 Comparing to the both base case and design scenarios, either without or with this Proposed Development in the expected completion year of 2035, the provision retail floorspace per person in terms of population and employment are similar. Under the design scenario the retail floor space per person will be higher than the base case scenario, with slight improvement from 0.90 sq.m. to 0.93 sq.m. and 2.73 sq.m. to 2.81 sq.m. in terms of population and employment respectively. Meanwhile, under the both base case and design scenarios, the Application Site (also known as existing "*We Go Mall*") and Proposed Development are still considered as the RDE services in Ma On Shan with top six commercial GFA. Hence, the assessment does not identify any material shortfall in retail provision in the future.

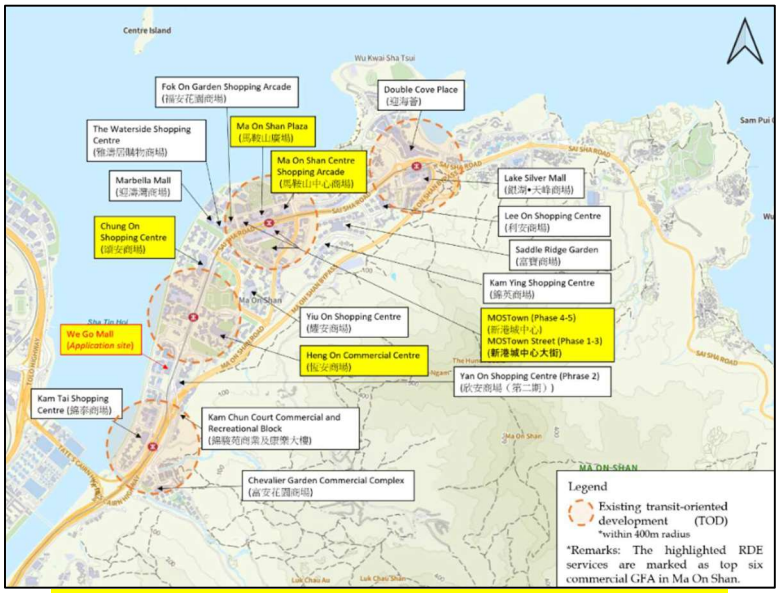


Diagram 13 Existing RDE Services in Ma On Shan Area

(Source: Desktop Research and GeoInfo Map, HKSAR Government)

[23] Existing RDE services in Ma On Shan with top six commercial GFA include MOSTown (about 81,160 sq.m.), Ma On Shan Plaza (about 40,212 sq.m.), Heng On Commercial Centre (about 13,923 sq.m.), Chung On Shopping Centre (about 13,609 sq.m.), Ma On Shan Centre Shopping Arcade (about 9,732 sq.m.), as well as the Application Site (also known as "*We Go Mall*") (about 15,270 sq.m.).

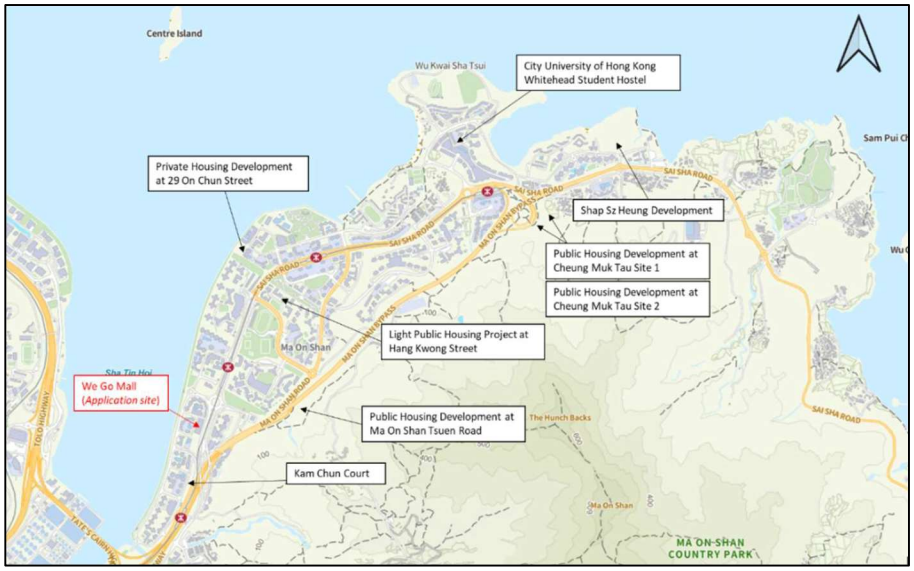


Diagram 14 Planned and/or Proposed RDE Services in Ma On Shan Area
(Source: Town Planning Board, HKSAR Government; and Public Housing Production Forecast, Housing Bureau; LC Paper No. CB(1)442/2025(04))

7.1.9 The retail floorspace per person in MOS area remains relatively consistent under existing condition. Indeed, under the design scenario the retail floor space per person will be higher than the base case scenario, with slight improvement from 0.90 sq.m. to 0.93 sq.m. and 2.73 sq.m. to 2.81 sq.m. in terms of population and employment respectively, indicating no significant changes in the supply of retail services.

Ma On Shan area	**Existing Condition[1] *(2026)***	**Base Case Scenario[2,3] *(Without this Proposed Development in 2035)***	**Design Scenario[3,4] *(With this Proposed Development in 2035)***
Estimated Population Projection (about)	209,300	267,151[5]	268,609[6]
Estimated Employment Projection (about)	67,980[7]	88,160[7]	88,641[8]
Total GFA of Planned and/or Proposed RDE Provision in MOS area (about)	220,307 sq.m.	241,177 sq.m.	248,778.28 sq.m.
Retail Floorspace per person in term of population *(about)*	***1.05 sq.m.***	***0.90 sq.m.***	***0.93 sq.m.***
Retail Floorspace per person in term of employment *(about)*	***3.24 sq.m.***	***2.73 sq.m.***	***2.81 sq.m.***

[1] Refers to the existing condition in year 2026.
[2] Base Scenario refer to the projection in year 2035 without this Proposed Development.
[3] Both base case and design scenarios are assumed for the estimated completion year of the Proposed Development in 2035. Calculation is based on a pro rata basis, using the employment projection for Sha Tin District shown in **Table 4 of Appendix 8**, along with the percentages of working population in TPU 757 (as known as 'Ma On Shan area') and Sha Tin District.
[4] Design Scenario includes all planned and/or proposed Development in Ma On Shan district presented in **Tables 3** and **10 of Appendix 8**, as well as this Proposed Development.
[5] Estimation is based on the population projection of TPU 575 in year 2027 under the *'Table 15 Projected Population by Tertiary Planning Unit, 2023-2027'* published by the C&SD, as well as all planned developments as listed in **Table 1 of Appendix 8**, and the percentage of drop per annum (i.e. Estimated Population under Base Case Scenario: Year 2035 Population Projection 203,975 (Population projection for TPU 757 in 2027 207,600 X -0.22% per annum) + Planned Population 23,398 X Person Per Flat 2.7 = 63,176 = 267,151)
[6] Includes the proposed population of about 1,458 persons for the Proposed Development under this planning application. (i.e. Estimated Population under Design Scenario: Year 2035 Population Projection **203,975** (Population projection for TPU 757 in 2027 207,600 X -0.22% per annum) (Year 2035 Population Projection – Population Projection in TPU 575 in 2021 210,400) / 210,400 X 100% = % Drop -1.3% = 207,665) + Planned Population 23,398 X Person Per Flat 2.7 = **63,176** + Estimated Population in this Proposed Development **1,458** = 268,609)
[7] Calculation is based on a pro rata basis, using the employment projection for Sha Tin District shown in **Table 4 of Appendix 8**, along with the percentages of working population in TPU 757 (as known as 'Ma On Shan area') and Sha Tin District (i.e. Estimated Employment Projection under Existing Condition = Estimated Population Projection in 2025 209,300 X % of Working Population in TPU 757 61.0% = 127,673; Estimated Employment Projection under Base Case Scenario 267,151 X % of employment participation 33% = 88,160)
[8] Includes the proposed job opportunities of about 420 for the Proposed Development under this planning application, in line with the figures adopted in the technical assessments. (i.e. Estimated Employment Projection under Design Scenario = Estimated Employment Projection under Base Case Scenario 268,609 X % of employment participation 33% = 88,641)

Table 4 Summary of Retail Floorspace Assessment

7.1.10 In light of the above, it is considered appropriate and justified to rationalize the quantum of retail floorspace at the Application Site.

8 PLANNING ASSESSMENTS

8.1 Changing Circumstances of the Shopping Mode

8.1.1 Regarding consumer's behaviour and preference, '*Review on Shopping Habits*' (2005) suggested that online shopping is not prevalent and in terms of cross-boundary shopping habits, majority of Hong Kong people still prefer to shop in Hong Kong. The outbreak of pandemic has accelerated the global digital transformation which has changed how people live and business work, for instance online shopping has boomed during the lockdown of pandemic and remained as the major retail trend[24], and cross border shopping habits have been reversed since the covid-related travel restrictions were lifted as Hong Kong has experienced a substantial outflow of young and middle-class talent (with over 200,000 individuals who aged 20 – 39) leaving the city permanently in the last four years and for those middle-class Hongkongers who have remained, rising mortgage payments due to sharp interest rate hikes have eroded their disposable incomes.

8.1.2 In this environment, the new shopping malls in Shenzhen, offering more affordable retail, dining and entertainment options, have become increasingly appealing to the local middle class seeking to maintain their standard of living[25]. The shifting of cross border shopping is observable from the numbers. The number of Hong Kong residents departing from the Hong Kong Boundary, either in short or long trips, increased in comparing 2018 to 2025; whilst the visitor arrival has increased during the same period. Due to these changing circumstances and evolving needs of the general public, the aforementioned findings of the Shopping Habits Study are no longer relevant to the current context of Hong Kong.

Year	Departure of Hong Kong Resident[26] [27] ('000)	Arrival of Visitors from Mainland and other locations ('000)
2018	92,214	65,148
2021	900	72
2022	2,177	605
2023	72,207	34,000
2024	107,708	44,506
2025	122,718	53,066

Table 5 Departure of Hong Kong Residents and Arrival of Visitors from 2018 to 2025
(Source: Immigration Department, HKSAR Government)

8.1.3 Apart from the findings on shopping preference of Hong Kong people,

[24] Digital transformation for a post-COVID world, ISE33/20-21, Legislative Council.
[25] https://www.savills.com.hk/insight-and-opinion/savills-news/217815-0/hong-kong-retail-market-faces-structural-shifts-beyond-the-surge-in-northbound-travel
[26] Hong Kong in Figures, 2024 Edition, Census and Statistics Department.
[27] Statistics on Daily Passenger Traffic, Immigration Department.

the '*Review on Shopping Habits*' also acknowledged that there is a community consensus that retail development should be market-led and adequate flexibility shall be provided in the planning application system to allow for change in uses to meet the changing needs of the market, which is reflected in the HKPSG. In this regard, the Proposed Development will reprovision of the retail use space at the lowest three-storey of the Application Site and incorporate with a needed CCC serving the needs of existing and future population, which would strengthen the services provided to the immediate neighbourhood.

8.2 Change in the Demand and Supply of Retail Facilities in Ma On Shan area

8.2.1 Currently, there is no strong demand for retail space in the vicinity. Major housing estates in the MOS area are now equipped with shopping arcades (e.g. Yan On Shopping Centre, Heng On Commercial Centre, Kam Tai Shopping Centre, etc.) to support the local shopping needs of the residents.

8.2.2 In the initial design of MOS New Town, local shopping centres were planned in an area surrounded by residential developments as a local town centre. This was the same case in our Application Site together with the adjoining "O" zone that are surrounded by various residential developments. However, this initial local town centre planning concept is no longer compatible with the latest design intention of new development area where mixed use development is encouraged. Changes, including shopping habits and preferences from brick-and-mortar to online and cross-border shopping, are identified in the Retail Floorspace Assessment Report (**Appendix 8**).

8.2.3 Both retail floorspace and retail turnover are reduced, which indicated the declining demand of retail provision in Hong Kong in a wider context. Besides, an on-site site survey was conducted in 2026 to examine the vacancy rate of retail spaces in MOS area, in which a lower occupancy rate of retail facilities was observed in vicinity.

8.2.4 Additionally, the retail floorspace per person in MOS area remains similar under existing condition, as well as both base case (i.e. without this Proposed Development in 2035) and design scenarios (i.e. with this Proposed Development in 2035) in terms of population and employment, indicating no significant changes in the supply of retail services.

8.2.5 These structural changes in the planning context and demand in retail facilities in MOS justify the need for adding residential elements at the Site, and at the same time providing sufficient retail spaces to maintain a local shopping centre serving the immediate neighbourhood.

8.2.6 In the meanwhile, the proposed non-domestic GFA of about 10,129.1 sq.m., in which GFA of about 9,121.28 sq.m. is designed for retail floor spaces, is above the minimum non-domestic GFA required under the

lease condition of the Lot[28] as stated in **Table 1**. Thus, in general, the Proposed Development do not impact the supply of retail facilities in the MOS area.

8.2.7 Under both base case and design scenarios, the Application Site (also known as existing "*We Go Mall*") and Proposed Development are still considered as the RDE services in Ma On Shan with top six commercial GFA.

8.3 Echo with the Government Policy on Commercial Site

8.3.1 As announced in the 2026-27 Budget, no general commercial sites for sale will be rolled out in the 2026-27 Budget. It is also stated that due to high vacancy rate of offices in the recent years and that some of the commercial sites will be considered to rezone into residential use to allow greater flexibility of land use. 3 post-secondary student hostel sites will be made available for land sale, subject to market response.

8.3.2 The situation is reflected in the latest 2026-2027 land sale programme, in which two of the commercial sites (i.e. in Shek Mun) is under review for rezoning into residential use; or maintain the commercial component but increase the residential portion for mixed use development to provide flexibility to the market.

8.3.3 This policy is applicable to the Application Site, a commercial site that is currently zoned as "C". In consideration of the changing circumstances of the shopping mode and planning context for commercial sites in MOS area, it is considered appropriate to be include residential use in the Site to allow greater flexibility of the land use.

8.4 Echo with the Policy Address for Stabilising the Supply for Private Housing

8.4.1 The Government has adopted multi-pronged approach to increase housing supply, which include stabilising the supply for private housing. As stated in the 2023, 2024, 2025 and 2026 Annual Progress Report of the LTHS, it is expected the latest private housing supply target will be contributed from land sale and railway property development projects (with the total of about 80,000 units) and private-led projects and projects undertaken by the URA (with the total of about 53,500 units). The private housing supply target from 2024-25 to 2033-34 is 132,000 units which slightly adjusted to 7,800 units in the 2026 Annual Progress Report for the coming 10-year period (i.e. from 2027-28 and 2036-37).

8.4.2 The Proposed Development, which could provide about **540 units** in the near future, responds to the Policy Address as an initiative from a private developer to stabilize the supply for private housing.

[28] According to the current lease of STTL 482, the Lot is subject to provision of non-domestic GFA of not be less than 9,162 sq.m./ and shall not exceed 15,270 sq.m.; and not be less than 8,000 sq.m. of the total GFA of any building or buildings erected or to be erected on the lot shall be designed and constructed for shop, services, place of entertainment and eating place purposes.

8.5 Optimise the Use of Existing Land Parcel to Unleash Development Potential

8.5.1 As stated in the 2023 Policy Address, optimising the use of existing land is encouraged. The Proposed Scheme provides retail floor space, social welfare facility and additional private housing options for the MOS community is an exemplar of mixed development that in line with the "single site, multiple use" model proposed in the PA.

8.5.2 Besides, as promoted under the *"Hong Kong 2030+"*, Hong Kong should encourage a compact high-density environment. The existing "C" zone and the current development restriction do not justify a high-density environment as compared to the vicinity. According to the Chapter 2 of the HKPSG, domestic PR of 8 is permissible in R1 residential density zone where there are no infrastructure constrains, for instance, close to high capacity transport system. The Application within 8 minutes walking distance to the MTR Heng On Station is well justified for a high-density development.

8.5.3 As suggested in the HKPSG, "*R1 zone covers the highest density of residential development and applies to districts well served by high capacity public transport system such as rail station or other major transport interchange. The buildings are often incorporate a significant component of commercial floor space on the lower one to three floors*" and the maximum domestic PR of New Towns in R1 zone is 8[30]. It is relevant to the Proposed Amendment, which is close to the high capacity transport system and with the lowest three-storey (excluding the basement carparks) for commercial use. As such, it justifies a maximum domestic PR of 5 and a maximum non-domestic PR of 1.99 at the Application Site.

8.5.4 The nearby residential developments in "R(A)" zone such as Yan On Estate and Kam Fai Court with a PR equal to or higher than 6 justify a higher density development in MOS area. In particular, Kam Fai Court, adjacent to residential development in the adjoining "R(B)" zone, in a similar context to the Application Site is also a high-density development. The precedent rezoning application (Approved Application No. Y/MOS/6) from a commercial-related zone to "R(A)" zone is also an example for higher density residential development in MOS area to about a total PR of 7.0.

8.5.5 Besides, the recent land sale sites for residential use in Sha Tin District suggests a PR of 5 and/or above is considered acceptable in the Sha Tin District[31] (**Table 6** and **Diagram 15**). Considering that the Application Development is currently positioned as a neighbourhood shopping centre under the definition specified in the HKPSG and its location, the Proposed Development is expected to re-provide a certain level of commercial space to serve the neighbourhood. Referring to **Section 3.1**,

[30] Although a maximum permitted PR for R1 in most New Towns is 6, it is noted that the Application Site is close to the high capacity transport system (i.e. within 450m to the MTR station), it is considered PR of 6 is not applicable to the Application Site.

[31] https://www.landsd.gov.hk/doc/en/landsale/records/2024-2025.pdf

it was noted that the Application Site is located within an area comprising medium- to high-density private and public residential developments, with most of the developments with a PR of 5 or higher.

8.5.6 Referring to the Note of the "R(A)" zone of the Approved Ma On Shan OZP, it stated that in general no new development of or redevelopment to a domestic or non-domestic building shall result in a total development and/or redevelopment in excess of a maximum domestic PR of 5, or a maximum non-domestic PR of 9.5, as the case may be. For new development of or redevelopment to a building that is partly domestic and partly non-domestic, the PR for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic PR of 9.5 and the actual non-domestic PR proposed for the building and the maximum domestic PR of 5 divided by the maximum non-domestic PR of 9.5.

8.5.7 Hence, the proposed total maximum PR of about 6.99 (including a maximum domestic PR of about 5 and a maximum non-domestic PR of about 1.99) is considered appropriate and in line with the "R(A)" zone of the subject Approved Ma On Shan OZP and other private residential development in the Sha Tin District.

Tender Award Date	Location	Site Area (about) (in sq.m.)	Uses	Maximum GFA (about) (in sq.m.)	Maximum PR
17/7/2024	STTL 623	2,425	Residential	14,550*	6
29/10/2024	STTL 625	5,625	Residential	28,260	5
27/1/2025	STTL 651	36,000	Residential	18,000	5
2026-2027 at the earliest	STTL 626	7,900	Residential	To be confirmed by the Government	N/A
2026-2027 at the earliest	STTL 627	4,100	Residential	To be confirmed by the Government	N/A

* Remarks: Excluding the floor area for a 60-place day care centre for the elderly, a centre for home care services for frail elderly persons and a lay-by.

Table 6 Recent Land Sale Sites related to Residential Use in Sha Tin District
(*Source: Lands Department, HKSAR Government*)

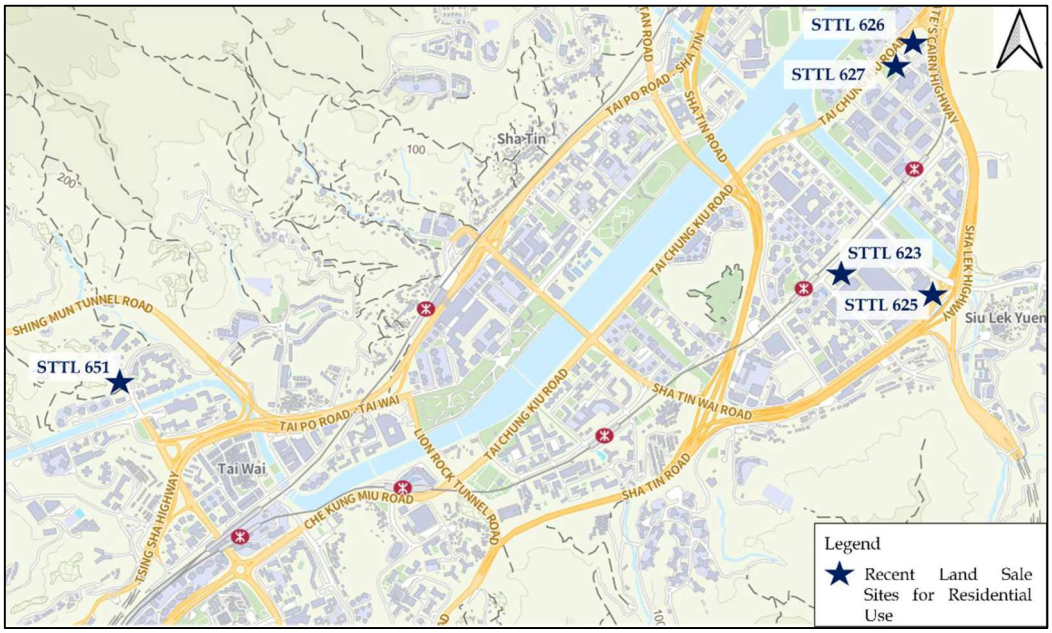


Diagram 15 Recent Land Sale Sites related to Residential Use in Sha Tin District
(*Source: Lands Department, HKSAR Government*)

8.6 Make Effective Use of Land that is Well Served by Public Transport Services

8.6.1 As discussed in the previous section, the Proposed Development is conveniently located in an area that is well served by public transportation with bus stops locate immediately adjacent to the Application Site and MTR Heng On Station nearby (about 450m/ 8-minute walk), connecting the Site to different parts of the territory.

8.6.2 With the proximity to the existing public transportation network, the Proposed Development could make effective use of the prime land resource to provide additional housing options to support the need of aspiring homeowners. Meanwhile, the proposed retail portion and CCC will also provide daily services serving the existing and future population in the immediate neighbourhood.

8.6.3 As suggested in TIA (**Appendix 3**), the surplus capacity of the existing franchised bus and green minibus services would be able to absorb the additional road-based passenger demand associated to the Proposed Development, while the maximum rail-based passenger demand is equivalent to only 0.46% of the maximum carrying capacity of the MTR Tuen Ma Line. Hence the impact to public transport services is insignificant.

8.7 Fulfil Service Gap and the Short Supply of CCC

8.7.1 Since 2019-20, the Government has introduced a series of measures to enhance child care services, including increase the number of aided CCC

places and increase the number of subsidies granted to aided CCC. To assist working families in childbearing, the current term of Chief Executive of Hong Kong[32] has set up additional 100-place standalone CCC for providing additional places for day care to child to meet the keen demand for child care services.

8.7.2 It is noteworthy that the proposed CCC would be self-financed and self-funded by the Applicant from construction to operation. The Applicant shall bear the construction and operation cost of the Proposed Development, such that there shall be no financial implications, both capital and recurrent, to the government.

8.7.3 According to the Provision of Major Community Facilities and Open Space in Ma On Shan OZP prepared by the PlanD in February 2024[33], there is a shortfall of 641 aided places of CCC in the MOS area. With the implementation of the Proposed Amendment, the planned resident population will increase from about 249,600 to about 251,050. There will still be surplus on district open space and local open space in the MOS area. With the 100-place standalone CCC proposed at the Application Site to provide additional day care services serving the working parents living in the surrounding neighbourhoods, the shortfall of CCC will be decreased to places. Social Welfare Department (SWD) has been consulted and expressed no objection to a self-funded CCC in the Proposed Development.

8.8 Development Not Incompatible with Surrounding Environment

8.8.1 The Proposed Development is located in an area surrounded by medium-to high-density residential neighbourhood, ranging from about 90mPD to 140mPD as stipulated on the Approved Ma On Shan OZP. Although the Proposed Development will result in substantial increase in BH to not more than 100mPD, the surrounding developments are ranging from about 90mPD to 140mPD, it is considered the Proposed Development is not incompatible with the building profile of the surrounding environment. Additionally, as demonstrated in the AVA Study completed in 2009, the BH of 100mPD on the "C" site would not create visual and air ventilation impacts to the surroundings[34].

8.8.2 Therefore, the proposed massing does not constitute significant visual impact to the area with the maximum BH of not exceeding 100mPD.

8.8.3 The Proposed Amendment will fully comply with the NBA requirement setting back from the adjoining Oceanaire.

8.8.4 While the planning intention of the "C" zone is primarily for commercial developments functioning mainly as local shopping centre serving the immediate neighbourhood, the Proposed Development will be provided retail commercial space on the lowest three-storey serving the local

[32] PA 2022 – 2024
[33] Appendix VII of TPB Paper No. 10953
[34] Minutes of 947th Meeting of the Town Planning Board held on 13.11.2009.

neighbourhood which is considered to in line with the planning intention of the Application Site.

8.8.5 To ensure the Proposed Development is visually compatible to the surrounding environment, design of ramp has been incorporated with the green space on 2/F and 3/F so as to provide sufficient landscape treatment along the boundary and to minimize the potential visual impact of the built form.

8.9 Minimize Construction Waste by Retaining Existing Basement Floor

8.9.1 To maximum the use of the existing structure and to minimise construction waste, the indicative scheme intends to preserve part of the existing basement carpark so as to minimize possible structural alternation. Keeping the two various existing run-in/out, while the existing carparking area can be largely reserved for future commercial car parking area, the existing underground ramp has to be modified for future circulation.

8.9.2 Based on the preliminary design, by retaining about 3,800 sq.m. of the existing We Go Mall basement floor, the total C&D material shall be greatly reduced from 63,000 m^3 to 43,500 m^3, indicating a reduction of about -30% in C&D waste, which is mainly achieved by reducing the C&D waste from basement excavation works. The feasibility of retaining the existing We Go Mall structure was studied. However, due to technical difficulties, it may not be feasible to retain the other floors.

8.9.3 Further on that, all C&D materials arising from the construction will be sorted on-site to recover the inert C&D materials as well as the reusable and recyclable materials. Waste reduction is best achieved at the site planning and design phase. The use of non-timber formwork and temporary works and on-site sorting of the C&D material for reuse and recycling would be implemented as far as practicable. For those inert C&D materials, it would be reused on-site as far as possible or else it would be delivered to public fill reception facilities which would be designated by the Public Fill Committee for beneficial reuse in other projects. The non-inert C&D materials would be recycled whenever possible.

8.10 Technical Sustainability Demonstrated and No Insurmountable Impacts are Anticipated

8.10.1 Technical assessments on traffic, drainage, sewerage, environment and landscape, visual aspects are completed to demonstrate the Proposed Development is technically sustainable. As the site conditions before and after the Proposed Development shall be similar, no change to the peak drainage flow from the Application Site is identified. With implementation measures such as fixed glazing at side window, acoustic window design (baffle type) and enhanced acoustic balcony design (baffle type), sensible design consideration, as well as upgrade on the sewerage pipes, the preliminary results show that the Proposed Development is technically sustainable and no insurmountable impacts

are expected.

8.10.2 Apart from that, the Proposed Development also included the following merits from design perspective which intends to enhance the facilities and living environment of the area: -

- Further setback at G/F from the NBA and the commercial portion are proposed to enhance air permeability and for better living condition, as well as to minimize air and traffic noise impacts;
- Greenery provision has been maximized to provide an additional of 67 nos. of trees throughout the Site and new ornamental tree and shrub plantings are proposed along the Site to enhance the local biodiversity of existing environment and to soften the built form;
- Maximize provision of private open space to provide passive open space, and clubhouse and children play and multi-functional areas for the enjoyment of the future residents;
- 36 nos. of bicycle parking spaces are provided to encourage sustainable and healthy living;
- With the additional trees and shrub planting at G/F, it will provide ornamental effects and additional shade to reduce urban heat that will improve pedestrian experience;
- Provision of all-weather proof connection between the proposed G/F shopping arcade on the northern side of the Site directly connecting Sai Sha Road to Po Tai Street to allow shoppers, residents and visitors to move freely to the adjacent neighbourhoods;
- Building separation between the residential units and the nearby roads to achieve larger noise reduction, in particular, for units on lower floors;
- About 15m building separation between two residential blocks is proposed to reduce the building bulkiness of its podium for a better natural ventilation and visual permeability of the Proposed Development; and
- The further setback from NBA will be designed as a footpath allowing public to more conveniently to access to the waterfront promenade, an outdoor exercise space.

8.10.3 In term of visual impact, the overall impact of the Proposed Development at the Site would be negligible to moderate. Design features will be incorporated into the Indicative Scheme to enhance the visual quality of the area. Hence, the Proposed Amendment demonstrated in the Indicative Development Scheme will create slight visual impacts to the surroundings but still considered compatible with the surrounding residential neighbourhood.

9 CONCLUSION

9.1.1 Chapter 6 of the Hong Kong Planning Standards and Guidelines (HKPSG) has rightly pointed out the difficulty in the forward planning of retail floor space, that "*it must however be stressed that retail development is primarily market-driven and that planning intervention from the Government should be kept to the minimum. Flexibility should be exercised in the application of the broad approach to enable retail provision to adapt to possible changes in demographic characteristics, people's aspirations, incomes and lifestyles and also to respond to changes in the geographical distribution of population and economic activities.*"

9.1.2 In view of the planning assessments and the planning merits that would bring forth, we respectfully request the Board Members to give favourable consideration on this planning application.