

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K10/275

- Applicant** : The Hong Kong Housing Authority (HKHA)
- Site** : Government Land at the junction of Sung Wong Toi Road and To Kwa Wan Road, To Kwa Wan, Kowloon
- Site Area** : About 4,100m²
- Land Status** : Government Land
- Plan** : Approved Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/30
- Zoning** : “Residential (Group A)” (“R(A)”)
- Subject to a maximum plot ratio (PR) of 7.5 for domestic building or 9.0 for a building that is partly domestic and partly non-domestic, or PR of the existing building, whichever is the greater; and
 - Subject to a maximum building height restriction (BHR) of 100 meters above Principal Datum (mPD) or the height of the existing building, whichever is the greater.
- Application** : Proposed Minor Relaxation of BHR for Permitted Public Housing Development

1 The Proposal

- 1.1 The applicant seeks planning permission for proposed minor relaxation of BHR from 100mPD to 130mPD (i.e. +30m or +30%) for permitted public housing development with ‘Social Welfare Facility’, ‘Government Use (not elsewhere specified)’ and ‘Shop and Services’ (on the lowest three floors of a building including basement, but excluding floors containing wholly or mainly car parking, loading/unloading bay and/or plant room) at the application site (the Site), which falls within an area zoned “R(A)” on the OZP (**Plan A-1**). According to the Notes of the OZP, minor relaxation of the BHR may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on the individual merits of a development proposal.
- 1.2 The proposed public housing development comprises one residential block of 37 storeys providing 756 flats, atop a 4-storey podium of shop and services, ancillary car parks, HKHA’s office, social welfare facilities (SWFs), podium garden, recreational facilities and plant rooms, with a total PR of 9 (domestic and non-domestic PRs of 7.5 and 1.5 respectively) and a proposed BH of 128.49mPD at main

roof level (not exceeding 130mPD) (the Proposed Scheme) (**Drawings A-2 to A-8**). According to the applicant, greenery and new trees are proposed at grade along To Kwa Wan Road and Sung Wong Toi Road, a communal garden is proposed on 2/F and a podium garden with communal play areas are proposed on 3/F; a vehicular access is proposed in the northwest of the Site at Sung Wong Toi Road and multiple pedestrian access points are proposed along the northern and eastern boundaries of the Site (**Drawing A-9**). Separate entrances and lift lobbies will be designated for the government, institution, or community (GIC) uses and the residential portion respectively (**Drawings A-2 to A-6**).

- 1.3 Since the Site is subject to severe traffic noise and vehicle emission, the residential block is proposed to be setback 10m from both To Kwa Wan Road and Sung Wong Toi Road. Besides, in accordance with the requirement¹ set out in the Hong Kong Planning Standards and Guidelines (HKPSG), the residential block is also proposed to be setback about 12m to meet the separation distance of at least 200m from the chimney of Ma Tau Kok Gas Works (MTKGW) located to the southwest of the Site (**Drawing A-1**).
- 1.4 The proposed master layout plan, floor plans, section plan, landscape plan and perspectives of the Proposed Scheme are submitted by the applicant at **Drawings A-2 to A-9 and A-18**. The key development parameters are summarised below:

| Development Parameters | Proposed Indicative Scheme ^[1] |
|-------------------------------|---|
| Site Area | About 4,100m ² |
| Total PR | Max. 9 |
| - <i>domestic</i> | <i>Max. 7.5</i> |
| - <i>non-domestic</i> | <i>Max. 1.5</i> |
| Total Gross Floor Area (GFA) | About 36,900m ² |
| - <i>domestic</i> | <i>About 30,750m²</i> |
| - <i>non-domestic</i> | <i>About 6,150m²</i> |
| Site Coverage (SC) | |
| - <i>domestic</i> | <i>About 23%</i> |
| - <i>non-domestic</i> | |
| - <i>Podium above 15m</i> | <i>About 57%</i> |
| - <i>Podium below 15m</i> | <i>About 81%</i> |
| Maximum BH at main roof level | Not exceeding +130mPD |
| Number of Storeys | |
| - Residential Block | 37 storeys |
| - Podium | 4 storeys |
| Number of Flats | 756 |
| Average Flat Size | About 40.7m ² |
| Design Population | About 1,876 |
| Greenery Coverage | At least 20% ^[2] |
| Local Open Space (LOS) | Not less than 1,876m ² |
| Children/Communal Play Area | Not less than 150.08m ² |
| SWFs (GFA) | About 2,114m ² ^[3] |

¹ According to the HKPSG, a separation distance of at least 200m is required between new high-rise buildings and comparatively low-rise chimneys nearby to avoid serious air pollution due to direct impingement by the chimney plume onto the taller buildings.

| Development Parameters | Proposed Indicative Scheme ^[1] |
|---|---|
| HKHA's Office | About 1,488m ² GFA |
| Retail Facilities | About 230m ² GFA |
| Parking Facilities | |
| - Private Car Parking | 76 |
| (i) Domestic | 64 ^[4] |
| (ii) Visitor | 5 |
| (iii) HKHA's office | 5 |
| (iv) Retail facilities | 2 |
| - Motorcycle Parking | 6 |
| - Light Goods Vehicles (LGV) Parking (domestic) | 3 |
| - Loading/Unloading (L/UL) Spaces (domestic) | 2 ^[5] |
| Target Completion Year | 2028/29 |

Note:

[1] The proposed indicative scheme is indicative in nature which is subject to detailed design

[2] Targeted to provide 30% as far as feasible

[3] About 5% of total domestic GFA subject to change as per Social Welfare Department (SWD)'s request at detailed design stage. According to SWD, Neighbourhood Elderly Centre, 100-place Child Care Centre and Integrated Family Service Centre proposed by SWD has been agreed by HKHA to be incorporated into the proposed development.

[4] Including 2 accessible parking spaces

[5] L/UL to be used by service vehicles and/or as overnight shared-use parking for Medium/Heavy Goods Vehicles

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

- (a) Application Form received on 22.5.2024 **(Appendix I)**
- (b) Supporting Planning Statement (SPS) received on 22.5.2024 **(Appendix Ia)**
- (c) Further information (FI) received on 5.7.2024* **(Appendix Ib)**

Remarks:

* accepted and exempted from publication and recounting requirements

2 **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the SPS and FI at **Appendices Ia and Ib**, which are summarised as follows:

Site Constraints and Optimizing Development Potential of the Site

- (a) The Site is subject to a number of site constraints and design requirements, including (i) the small size and congested context of the site; (ii) 10m setback from Sung Wong Toi Road and To Kwa Wan Road to address severe traffic noise and air quality issues due to vehicle emission; (iii) 200m setback from the chimneys of the MTKGW for meeting the air quality requirements under HKPSG; (iv) parking provisions at high-end requirements of the HKPSG for the proposed residential block to be accommodated; and (v) about 5% of attainable domestic GFA in public housing projects for the provision of SWFs to address the relevant shortfall as announced in the 2020 Policy Address (PA).
- (b) Taken into account the site constraints and design requirements stated above, the

scheme that complies with the current BHR of 100mPD on the OZP (i.e. the OZP compliant scheme) can only achieve a total/domestic PR of about 6.70/6.59, providing only 672 flats without any provision of SWFs. The Proposed Scheme with a BH of 130mPD will be able to accommodate the required SWFs and an addition of 84 (+12.5%) of flats (i.e. 756 in total) and thus optimise the development potential of the Site by achieving the maximum total/domestic PR of 9/7.5 as permitted in the subject “R(A)” zone.

Demand for Public Housing

- (c) The application will increase the public housing production, which aligns with the Government’s policy and contributes to the fulfilment of the imminent housing need as evidenced by the 5.7-year average waiting time for public housing applicants.

Provision of Social Welfare Facilities

- (d) In response to the 2020 PA’s initiative, SWFs with a total GFA of about 5% of the total attainable domestic GFA to address the space shortfall of the welfare sector, which will be provided as per SWD’s request at detailed design stage and funding confirmation.

Planning Intention and Compatibility of BH with Surrounding Areas

- (e) The proposed public housing development is always permitted within and in line with the planning intention of the “R(A)” zone. The Site is within the cluster of existing/planned high-rise residential developments. The proposed BH is considered compatible with the surrounding urban context and BH profile in the area, including Sky Tower (159mPD) and three sites zoned “Comprehensive Development Area” (“CDA”)² with permitted BH of 100mPD (**Plan A-1**) along Sung Wong Toi Road; the Hong Kong Housing Society (HKHS)’s Dedicated Rehousing Estates (DRE) (100mPD) at To Kwa Wan Road and the Urban Renewal Authority (URA)’s Development Schemes (i.e. KC-018 and KC-019)(120mPD) and Grand Waterfront (175.5mPD) in the vicinity of the Site.

Technical Aspects

- (f) No adverse visual impact is anticipated as demonstrated by the photomontages in the Visual Appraisal (VA) (Appendix 1 of **Appendix Ia**), which concluded that the overall visual impacts ranged from negligible to moderately adverse. Design measures and associated green measures including building form arrangement, massing and façade treatment such as color shall be adopted to enhance the aesthetic quality of the propose development to alleviate the potential visual impacts from the proposed increase in BHR. Task Force on Kai Tak Harbourfront Development (KTTF) was consulted on the proposal in June 2023 and members had no objection to the proposal. No adverse landscape impact is anticipated as there are no existing trees at the Site (**Drawing A-19**).

² The site zoned “CDA(2)” is subject to approved planning application Nos. A/K10/256 and A/K10/259; while the site zoned “CDA(3)” is subject to an approved planning application No. A/K10/265. Both sites are proposed for comprehensive residential cum commercial developments. There is no application concerning the site zoned “CDA(1)”.

- (g) As no Air Ventilation Assessment (AVA) is required for the Site and it does not fall within the any identified air paths, significant adverse air ventilation impact to the surrounding pedestrian wind environment is not anticipated. A quantitative AVA will be conducted at detailed design stage.
- (h) No insurmountable impact on the environmental aspect is anticipated as demonstrated by the Environmental Assessment Study (EAS) conducted by the Housing Department (HD), based on the current layout with the provision of 10m setback from Sung Wong Toi Road and To Kwa Wan Road, 200m setback of the block from the chimneys of MTKGW and other mitigation measures to address the traffic and fixed noise and air quality issues. No adverse traffic impact is anticipated as there is no increase in PR and/GFA; and no insurmountable impacts on sewerage, drainage, water supply, environmental are anticipated.
- (i) Since the Site falls within the 300m Consultation Zone (CZ) of MTKGW, a Quantitative Risk Assessment (QRA) was prepared concluding that the potential risks associated with the MTKGW for the population increase resulted from the proposed development are in compliance with the relevant Risk Guidelines. Electrical and Mechanical Services Department (EMSD) has no adverse comments to the proposed development from risk perspectives.

Responses to Public Comments

- (j) The proposed development has already included SWFs, retail facilities and HKHA's offices. In planning the proposed public housing development, various factors, such as site constraints and the feasibility and suitability of required facilities, have been carefully considered. Consultations with stakeholders and relevant Government departments have been conducted to ensure that appropriate SWFs are incorporated to address the community's needs.

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

As the Site involves Government Land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of Town Planning Ordinance (TPB PG-No. 31B) is not applicable.

4 Previous Application

There is no previous application concerning the Site.

5 Similar Applications

There is no similar application for minor relaxation of BHR in “R(A)” zone within the OZP.

6 The Site and Its Surrounding Areas (Plans A-1 to A-4)

6.1 The Site is

- (a) a piece of Government Land that is partly undergoing site formation works³ (**Drawing A-19**) and partly occupied by the Kowloon Animal Management Centre⁴ (KAMC) of the Agriculture, Fisheries and Conservation Department (AFCD); and
- (b) bounded by Sung Wong Toi Road to its north, To Kwa Wan Road to its east, the site of the HKSB to its immediate south, and a site zoned “CDA(3)” that is currently occupied by six industrial buildings;

6.2 The surrounding areas have the following characteristics:

- (a) to the north and northeast across Sung Wong Toi Road is the proposed Sung Wong Toi Park and the adjoining public open spaces (POS) of the KTDA;
- (b) to the immediate east across To Kwa Wan Road is Shing Kai Road Garden, To Kwa Wan Road Pumping Station and the HKHS’s DRE site; and to the further east and northeast is the Kai Tak Sports Park (KTSP) including the stadium to be opened in 2025; and to the further southeast is the URA 5-street Development Scheme areas (i.e. KC-018 and KC-019);
- (c) to the further south and southwest across Mok Cheong Street is a site zoned “CDA” currently occupied by 12 residential street blocks and commonly known as the “Thirteen-Street” and MTKGW; and
- (d) to the further west are two other sites zoned “CDA(1)” and “CDA(2)” respectively. “CDA(1)” zone is currently occupied by the five-storey Freder Centre that is mainly used for storage and offices on the upper floors, and vehicle repair workshops and retail shops on the ground floor; and “CDA(2)” zone comprises three industrial lots which are partly vacant and partly occupied by K.K. Industrial Building that is nine-storey in height and mainly used for storage and offices.

7 Planning Intention

7.1 The planning intention of “R(A)” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

7.2 According to the ES of the OZP, BHRs are imposed on the OZP for various

³ The portion of the Site currently undergoing site formation works was occupied by Lok Sin Tong Benevolent Society (LSTBS) as transitional housing before it was handed over to HKHA in December 2023.

⁴ According to the applicant, the animals and facilities in KAMC shall be relocated to the new Animal Management and Animal Welfare Building Complex at Kai Tak Development Area (KTDA). The portion of land currently occupied by KAMC is scheduled to be handed over to HKHA by July 2024.

development zones. A minor relaxation clause in respect of the BHRs is incorporated into the Notes of the OZP to provide incentive for developments/redevelopments with design merits/planning gains. Each application for minor relaxation of BHRs will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;
- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible PR under the OZP; and
- (f) other factors such as site constraints, the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

8 Comments from Relevant Government Departments

8.1 The following government departments have been consulted and their views on the application are summarised as follows:

Harbourfront Planning

8.1.1 Comments of the Harbour Office, Development Bureau (HO, DEVB):

- (a) the Site falls under the purview of the Harbourfront Commission's KTTF and shall be considered having regard to the Harbour Planning Principles and Guidelines; and
- (b) she notes that the applicant has consulted the KTTF on the proposal via paper circulation in June 2023 (Ref. No. TFKT/C06/2023). The gist, location plan and the newspaper notices of the application were circulated to the members of KTTF on 13.6.2024. Members were invited to offer comments, if any, to the Board direct. On this basis and on the understanding that the proposed development complies with the planning intention as stipulated under the OZP, her office has no further supplements on the application.

Land Administration

8.1.2 Comments of the District Lands Officer/Kowloon West, Lands Department

(DLO/KW, LandsD):

- (a) no objection to the application; and
- (b) the Site has been vested in the HKHA by Vesting Order (VO) under Serial No. V.O. 303 dated 19.12.2023. There is no restriction on BH, GFA or SC in the VO.

Urban Design, Visual Impact and Landscape Planning Aspects

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

Urban Design and Visual Aspects

- (a) the Site is located at the northern fringe of Ma Tau Kok area, which is predominantly medium-rise residential buildings and CDAs with BHR of 100mPD, intermixed with open spaces and GIC uses. To the immediate north/northwest and immediate east of the Site across Sung Wong Toi Road and To Kwa Wan Road respectively are the proposed Sung Wong Toi Park and POS in the KTDA. To the further north and northeast of the Site is the KTSP with a maximum BH of 70mPD. To the southeast of the Site are the DRE of the HKHS with a maximum BH of 100mPD, as well as the Ming Lun Street/Ma Tau Kok Road and To Kwa Wan Road/Ma Tau Kok Road Development Schemes of the URA, both with a maximum BH of 120mPD. Given the site context, the proposed development with a maximum BH of 130mPD will appear to be taller than the surrounding developments at the northern fringe of Ma Tau Kok area; and
- (b) as gathered from the submission, various design measures including an about 5.8m-wide tower setback from the northern site boundary, an about 6.6m-wide tower setback from the eastern site boundary and an about 12m-wide tower setback from the southern site boundary at 25.90mPD and above and landscape treatments such as tree planting, landscaped areas and podium garden are proposed. According to **Drawings A-3, A-4 and A-18**, a 6.5m-high void is proposed at the G/F to alleviate the visual bulk of the podium at the building's low zone. The applicant also undertakes to adopt colour and façade treatment at the detailed design stage to mitigate the visual impact.

Air Ventilation Aspect

- (c) the Site does not fall within the categories of which an AVA is required in accordance with the joint Housing, Planning and Lands Bureau (HPLB) and Environment, Transport and Works Bureau (ETWB) Technical Circular No. 1/06 on AVAs. With reference to the AVA Expert Evaluation on Ma Tau Kok Area (2008), the Site does not fall within any identified air path. As such, it is not anticipated that

the proposal will induce any significant adverse air ventilation impact on the surrounding pedestrian wind environment.

- (d) after considering the applicant's responses (**Appendix Ib**), she has no further comment on the application from urban design, visual and air ventilation perspectives.

Landscape Planning

- (e) with reference to the aerial photo of 2023, the Site is situated in city grid mixed urban landscape character predominated by high-density residential developments and construction sites. The Site is currently occupied by the AFCD as the KAMC. The proposed public housing development is not incompatible with the surrounding landscape character;
- (f) according to **Drawing A-9**, landscape planter with new tree planting at G/F, 2/F, 3/F and green roof on 4/F are proposed;
- (g) having reviewed the applicant's responses (**Appendix Ib**), noting *"Tree Preservation Committee (TPC) of HD's formal approval to remove all existing trees on site was obtained in January 2024"* and *"the Site has been cleared...prior to the submission of Section 16 planning application"* (i.e. current application), further significant landscape impact is not anticipated from the proposed development. She has no comment from landscape planning perspective.

8.1.4 Comments of the Chief Architect/Advisory and Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD):

- (a) based on the information provided, it is noted that the development proposal mainly consists of a residential block with proposed BH of 130mPD which is a 30% increase; and
- (b) her detailed comments are at **Appendix III**.

Traffic

8.1.5 Comments of the Commissioner of Police (C of P):

- (a) no comments on the application from traffic policing point of view; and
- (b) his advisory comments are at **Appendix IV**.

Environmental

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

- (a) he has no objection to the application since insurmountable environmental impacts associated with the proposed development are

not anticipated. Other technical comments on the EAS could be addressed via the established mechanism between HKHA and Environmental Protection Department (EPD);

- (b) the applicant has submitted the Sewerage Impact Assessment (SIA) to EPD under the established administrative mechanism. The findings of the SIA have demonstrated that no insurmountable sewerage impact is anticipated; and
- (c) his other detailed comments are at **Appendix III**.

Social Welfare Facilities

8.1.7 Comments of the Director of Social Welfare (D of SW):

- (a) he has no adverse comment on the application;
- (b) as mentioned in the SPS of the application, about 5% of the total attainable domestic GFA has been set aside for provision of welfare facilities in accordance with the implementation of initiative announced in the 2020 PA. It is understood that SWD has proposed and HKHA has agreed to incorporate Neighbourhood Elderly Centre, 100-place Child Care Centre and Integrated Family Service Centre at the subject public housing development. Funding has been secured to meet the construction cost of these welfare facilities accordingly; and
- (c) he trusts that HKHA will ensure all requirements for the aforesaid welfare facilities as stipulated in the basic provision schedules as well as all current and prevailing ordinances and regulations (if applicable) will be fulfilled, and there will be ongoing liaison during the detailed design stage.

8.2 The following government departments have no comment to the application and their advisory comments, if any, are at **Appendix IV:**

- (a) Chief Building Surveyor/Kowloon, Buildings Department;
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Commissioner for Transport (C for T);
- (d) Chief Engineer/Mainland South, Drainage Services Department (CE/MS of DSD);
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C of WSD);
- (f) Project Manager (East), Civil Engineering and Development Department (CEDD);
- (g) Director of Fire Services;
- (h) Head of Geotechnical Engineering Office, CEDD (H(GEO) of CEDD);
- (i) Director of Electrical and Mechanical Services (DEMS);
- (j) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (k) District Officer (Kowloon City), Home Affairs Department (DO(KC), HAD).

9 Public Comments Received During the Statutory Publication Period

The application was published for public inspection on 31.5.2024. During the statutory public inspection period, two public comments were received, including one providing views and the other objecting the application (**Appendix II**). A member of the Kai Tak Area Committee suggested that the proposed non-domestic area must include community facilities and other amenities that can help stimulate the local economy, which should be considered together with other district facilities to achieve efficient land utilization and coordinated planning and design. An individual objected the application, arguing that the proposal will create a “wall effect” together with the nearby DRE⁵, especially for the visitors to the KTSP. The small increase in the number of flats cannot justify the high proportion of increase in the proposed BH. Considering the declining residential market, it is suggested that the sites acquired by the URA should be prioritized for development. The above issues should be evaluated holistically to create a more liveable and attractive city.

10 Planning Considerations and Assessments

10.1 The current application is to seek planning permission for proposed minor relaxation of BHR from 100mPD to 130mPD (i.e. +30m or +30%) for the permitted public housing development at the Site. The Proposed Scheme with relaxed BHR will provide 756 flats and about 2,114m² for SWFs equivalent to about 6.87% of the domestic GFA. The proposed public housing development is considered conforming with the planning intention of the “R(A)” zone which is intended for high-density residential development.

Minor Relaxation of BHR

10.2 The Site is located at a corner site bounded by Sung Wong Toi Road and To Kwa Wan Road. According to the applicant, given various site constraints and design requirements of the Site as mentioned in paragraph 2(a) above, public housing development complying with the current BHR of 100mPD can only achieve total/domestic PR of about 6.70/6.59, which is far below the permissible maximum total/domestic PR of 9/7.5 of the Site under the “R(A)” zone. With the BHR relaxed to 130mPD, the Proposed Scheme shall be able to cater for a number of site constraints and design requirements, including the building setbacks to address air quality and noise issues, parking provisions to meet high-end requirements of the HKPSG as well as accommodating a 4-storey podium for SWFs and other non-domestic uses, and thus optimise the development potential permitted under “R(A)” zone. The Proposed Scheme is in line with the Government’s overall policies of better utilisation of scarce land resources and increasing housing supply to meet the public needs. Given that SWFs with a GFA equivalent to about 6.87% of the total domestic GFA will be provided, the Proposed Scheme is in compliance with the Government initiatives as announced in 2020 PA to increase the supply of SWFs in suitable public housing projects to cater for the needs of the community.

10.3 In terms of height profile, the Site is located at the north-eastern fringe of high-density Ma Tau Kok area subject to a BHR of 100mPD. Area further north are

⁵ A site designated “R(A)6” in the approved Kai Tak OZP No. S/K22/8 at To Kwa Wan Road fronting the Ma Tau Kok waterfront is earmarked for the development of a DRE.

Stadium and open space that delineated the high density Kai Tak residential development with BHR ascending from 100mPD to 135mPD. Area to the east are new or redevelopments subject to with a BHR of 100mPD and 120mPD along the waterfront. Although the proposed development exceeds the BH profile of the locality, it is in keeping with the BH profile of the waterfront development and is comparable to new developments in a wider context (**Plans A-1 and A-3**).

- 10.4 The applicant has also proposed a number of measures to mitigate the overall visual impacts of the proposed development including providing greenery at grade and on podium, communal play area and landscaped area on 3/F, podium setbacks from the adjoining roads, building setback from the southeastern boundary of the Site to improve air quality, arranging building form and disposition with varying building massing and using appropriate colour scheme/façade treatment for the building (**Drawings A-1, A-9 and A-18**). These measures can contribute to the improvement of streetscape by enhancement of visual permeability, promoting visual interests and pedestrian comfort. The VA conducted (Appendix 1 of **Appendix Ia**) also demonstrates that the proposed development will not encroach upon the 20% building free zone of the ridgeline as viewed from the strategic viewing points (**Drawings A-10 and A-11**). In this regard, CTP/UD&L, PlanD has no adverse comment on the application from urban design and landscape perspective.
- 10.5 Taking into account paragraphs 10.2 to 10.4 above, the current application will generally meet the criteria for consideration of relaxation of BHR as mentioned in paragraphs 8.2(c) and (e) above in respect of provision of better streetscape, enhancement of visual permeability, and accommodation of building design to address site constraints.

Technical Aspect

- 10.6 The EAS submitted by the applicant has demonstrated that the Proposed Scheme is acceptable and technically feasible from air and noise perspectives. According to DEP, the SIA was also submitted by the applicant to EPD via established administrative mechanism and demonstrated that no insurmountable sewage impact is anticipated. DEP, CE/MS of DSD and CE/C of WSD has no objection to the application. DEMS has no comments on the QRA in support of the application. Other relevant Government departments, including DAFC, C for T and C of P have no objection to or no adverse comments on the application.

Public Comments

- 10.7 Regarding the suggestion of including more community facilities and other amenities for effective land utilization as well as an objection raised in the public comments about the potential “wall-effect” resulting from the proposed development, the applicant has provided responses as stated in paragraphs 2(d) to 2(g) and 2(j) above. To Kwa Wan Road and the low-rise To Kwa Wan Pumping Station between the Site and the DRE site has allowed for a buffer distance to be maintained (**Plan A-3**). Concerned Government departments’ comments and the planning assessments above are also relevant.
- 10.8 Regarding the public suggestion of developing sites of the URA instead of the Site for public housing as mentioned in paragraph 9 above, the Government has been

adopting a multi-pronged approach to increase land supply in view of the acute demand for public housing, and the Site is considered suitable for public housing development.

11 Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 16.7.2028, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The recommended advisory clauses are attached at **Appendix IV**.
- 11.3 There is no strong reason to recommend rejection of the application.

12 Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13 Attachments

| | |
|------------------------------|---|
| Appendix I | Application Form received on 22.5.2024 |
| Appendix Ia | Supporting Planning Statement received on 22.5.2024 |
| Appendix Ib | FI received on 5.7.2024 |
| Appendix II | Public Comments |
| Appendix III | Detailed Comments of Government Departments |
| Appendix IV | Recommended Advisory Clauses |
| Drawing A-1 | Site Constraints Plan |
| Drawing A-2 | Master Layout Plan |
| Drawings A-3 to A-8 | Floor and Section Plans |
| Drawing A-9 | Landscape Master Plan |
| Drawings A-12 to A-17 | Photomontages of the Proposed Development |
| Drawing A-18 | Illustration of the Proposed Development |
| Drawing A-19 | Current Site Photo |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |

| | |
|-------------------------|-------------------------|
| Plan A-3 | Building Height Profile |
| Plan A-4 | Aerial Photo |
| Plans A-5 to A-7 | Site Photos |

PLANNING DEPARTMENT
JULY 2024