

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K11/244

- Applicant** : The Confucian Academy represented by Arup Hong Kong Limited
- Site** : “Comprehensive Development Area” Site, Diamond Hill, Kowloon
- Site Area** : 74,200 m² (about)
- Land Status** : (i) New Kowloon Inland Lots (NKIL) 6632 and 6634
(ii) Government land (GL)
- Plan** : Draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/30
- Zoning** : “Comprehensive Development Area” (“CDA”) (95.2%) and area shown as ‘Road’ (4.8%)
- (a) a total maximum gross floor area (GFA) of 314,700m², of which not more than 127,500m² should be used for non-domestic purpose
- (b) any floor space that is constructed or intended for use solely as public transport facilities, railway station development or Government, institution, community (GIC) or social welfare facilities as required by the Government, may be disregarded
- Application** : Proposed ‘Religious Institution’ and ‘Social Welfare Facilities’ Uses (Amendments to Approved Master Layout Plan (MLP) for a Comprehensive Development)

1. The Proposal

- 1.1 The applicant seeks planning permission for amendment to the approved MLP for a comprehensive development for proposed ‘Religious Institution’ and ‘Social Welfare Facilities’ (residential care home for the elderly (RCHE) and child care centre (CCC)) at the application site (the Site) (**Plan A-1**).
- 1.2 The MLP was previously approved with conditions by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 27.5.2016 under Application No. A/K11/223 (the Approved Scheme) which covers the whole “CDA” zone at Diamond Hill. The Approved Scheme, submitted by the Hong Kong Housing Authority (HKHA), was for proposed public housing development with commercial use, public open space^[1] (POS), religious facility and public transport interchange (PTI)

^[1] The POS includes a water feature park and landscaped walk.

at the Site (**Drawing A-1**). According to the MLP, the proposed domestic and non-domestic GFA for the public housing development are 188,600m² and 29,310m² respectively, while separately a GFA of not more than 15,000m² is proposed for religious facility. The building height (BH) (up to main roof) of the Approved Scheme ranges from 104mPD to 128mPD for the proposed public housing development, while that for the religious facility at the eastern portion of the CDA site is 4 storeys (excluding basement)/ 40mPD. The approved MLP also states that the religious facility will be implemented by other party.

- 1.3 As advised by the Director of Housing (DofH), Phase 1 of the public housing development was completed in 2021 while Phase 2 and Phase 3 are anticipated to be completed in 2023 and 2024 respectively. The PTI is near completion and the connecting footbridge/subway connections and road/junction improvement works are anticipated to be completed in 2025.
- 1.4 The proposed amendments to the Approved Scheme under the current application (the Proposed Scheme) are related to the religious institution for the Confucian Academy (CA) at the eastern portion of the Site (the Development Site). Same as the Approved Scheme, the total proposed GFA of 15,000m² and BH of 40mPD for the Proposed Scheme remain unchanged. The proposed changes, apart from the originally proposed religious facility, will include two social welfare facilities (SWF), namely a 223-bed RCHE and a 200-place CCC. To accommodate the SWF, an addition of one floor (i.e. from 4 to 5 storeys) is proposed with the overall BH remaining at 40mPD.
- 1.5 The Proposed Scheme has an open-air plaza, open-air entrance courtyard and Grand Hall are at G/F, two separate entrance lobbies for RCHE and CCC as well as the upper entrance to the religious institution fronting Lung Cheung Road are also at G/F (**Drawing A-5**). The main uses within the religious institution building include lecture rooms, library and function rooms at 1/F (**Drawing A-6**), a 200-place CCC at 2/F, a 73-bed and a 150-bed RCHE at 2/F and 3/F respectively (**Drawings A-7 and A-8**). The Da Cheng Hall (大成殿), of the Confucius Temple is located at roof floor (R/F) (**Drawing A-9**).
- 1.6 Parking facilities, general pick-up/set-down and loading/unloading area as well as the lower entrance to the religious facility is at basement level which is accessible via Choi Hung Road (**Drawing A-4**). To facilitate pedestrian connection between Choi Hung Road/ Lung Cheung Road/Diamond Hill MTR Station, a 7.5m-wide 24-hour barrier-free pedestrian walkway^[2] is proposed along the western boundary of the Development Site that also connects with the adjacent POS (Landscape Walk) (**Drawing A-5**).
- 1.7 There is a setback of main building (between 1/F and R/F) of not less than 35m from the southern^[3] boundary of the Development Site along Choi Hung Road and another setback of about 11m to 13m from the northern^[4] boundary along Lung Cheung Road, to create an open-air plaza and open-air entrance courtyard on G/F respectively (**Drawing A-5**). Landscape gardens at G/F and R/F, greenery along the 7.5m-wide 24-hour barrier-free pedestrian walkway and edge planters at the northern and southern site boundaries providing better walking experience would be proposed. A total of 27 trees

^[2] There is an existing public footway i.e. Luen Yee Road traversing the Development Site in north-south direction connecting Lung Cheung Road to the north and Choi Hung Road to the south. The applicant has proposed to divert/re-provide a 7.5 wide 24-hour barrier-free pedestrian walkway along the western boundary of the Development Site.

^[3] According to the applicant, exact area for setback is subject to detailed design.

^[4] According to the applicant, exact area for setback is subject to detailed design.

are proposed to be felled. To mitigate the landscape impact, a total of 60 new trees^[5], shrubs, groundcover, lawn and climbers are proposed to be planted (i.e. a greenery ratio of 11.7%). The proposed development is anticipated to be completed by 2026.

- 1.8 The revised MLP of the Application Site, section plans, floor plans, Landscape Master Plan (LMP) and photomontages of the Development Site submitted by the applicant for the Proposed Scheme are at **Drawings A-1 to A-22**. Compared with the Approved Scheme, the major amendments are summarised as follows:
- (a) the number of storeys of the proposed development increases from 4 to 5 storeys (+1/+25%) to accommodate the two SWF with the overall BH remains at 40mPD. This is achieved by reducing the floor height of the temple (Da Cheng Hall) (大成殿) at the R/F from 18.9m to 12.7m and adjusting the floor-to-floor height from 4.5m to 3.5m;
 - (b) the GFA of the religious institution reduces from 15,000m² to 9,387 m² (-5,613 m²/(-37.4%)) due to the incorporation of the SWF (i.e. 223-bed RCHE (GFA of 4,025 m²) and 200-place CCC (GFA of 1,588 m²);
 - (c) the width of the pedestrian passage along the western boundary of the Development Site increases from about 3m-wide^[6] to 7.5m-wide 24-hour barrier-free pedestrian walkway;
 - (d) under the Approved Scheme, the setback area of 35m for an open air Entrance Plaza from Choi Hung Road was largely occupied by the driveway at ground level leading to the basement carpark with limited area for pedestrian enjoyment/activities. Under the Proposed Scheme, the run-in/ run-out for vehicular access are proposed at basement level instead of ground level (with main building setback between 1/F and R/F along Choi Hung Road). The quality of the Entrance Plaza is thus enhanced by separating pedestrian from vehicles and reserving most area for public enjoyment/activities. Seat bench and planting will be provided on the Entrance Plaza (i.e. not less than 35m setback area from Choi Hung Road as per the Approved Scheme will be provided); and
 - (e) under the Proposed Scheme, the 1/F to R/F of the main building will be set back (about 11m to 13m) from Lung Cheung Road to provide a new open-air Entrance Courtyard^[7] on the G/F equipped with landscape features where pedestrian can access in a convenient way. This open-air Entrance Courtyard will also connect to the 24-hour barrier-free pedestrian walkway with ramps for better accessibility.
- 1.9 A comparison of the major development parameters of the Approved Scheme and the Proposed Scheme as well as the proposed floor use of the Development Site are appended on Tables 1 and 2 respectively.

^[5] A total of 60 new trees are proposed resulting in a quantity compensation ratio of 1:2.22

^[6] Based on applicant's measurement on the architectural drawings under Planning Application No.A/K11/223

^[7] In response to the Committee's comments on the Approved Scheme in 2016, i.e. to set back the northern boundary of the proposed development to provide a wider landscaped pedestrian link between the PTI and the Diamond Hill MTR Station, the applicant proposed a setback of about 11m to 13m (exact area subject to detailed design) between 1/F and R/F of the main building from Lung Cheung Road to provide a new open-air Entrance Courtyard on the G/F. As regards the Committee's comments on the possibility for connection with the planned PTI, the applicant considered that the provision of pedestrian access is constrained by the site level difference between the Entrance Courtyard and the planned PTI while there is no planned pedestrian access from the PTI in connection with the Proposed Scheme.

Table 1:

Development Parameters	Approved Scheme (A/K11/223) (a)	Proposed Scheme (A/K11/244) (b)	Difference [(b)-(a)]
For whole “CDA” Development			
Overall Site Area (about)	7.42 ha	7.42 ha ^[*]	No Change
Overall Total GFA	232,910 m ²	232,910 m ²	No Change
For Development Site Only^{#[]}			
Proposed Uses	Religious Facility	Religious Facility and Social Welfare Facilities (RCHE & CCC)	Proposed SWF under application
Site Area (about)	8,000 m ²	7,718 m ² ^[%]	-282 m ² (-3.5%)
Total GFA (about) Religious Institution	Not more than 15,000 m ² ^[@] Not more than 15,000 m ²	Not more than 15,000 m ² ^[@] 9,387 m ² ^[^^]	No Change -5,613 m ² (-37.4%)
RCHE	/	4,025 m ² ^[+]	+4,025 m ²
CCC	/	1,588 m ² ^[+]	+1,588 m ²
Site Coverage (about)	52%	Not more than 52%	No Change
No. of Blocks	1	1	No Change
No. of Storeys	4 (excluding one basement)	5 (excluding one basement)	+ 1 Storey (+25%)
BH (up to main roof)	40mPD	40mPD	No Change
No. of Places/Beds for SWF	/	RCHE: 223 beds CCC: 200 places	Proposed SWF under application
Parking Facilities			
Private	57 (incl. 3 accessible spaces)	64 (incl. 2 accessible spaces)	+7 (+12.3%) -1 (-33.3%)
Ambulance	/	1 (for RCHE)	N/A
Motorcycle	3	7	+4 (+133%)
Light Goods Vehicle	3	4	+1 (+33.3%)
Coach	30	20	-10 (-33.3%)
Loading/Unloading Bay	3	4	+1 (+33.3%)
General Pick-up/set-down lay-by	/	1	N/A

^[*] As stated in the application form of the current application (No. A/K11/244), the site area is about 7.55ha which covers the entire “CDA” zone that is slightly different from the site area of the previous approved planning application (No. A/K11/223).

^[^^] Including a GFA of 2,439m² which is about 50% of GFA accountable for carparking floor.

^{#[]} Key development parameters extracted above cover the Development Site only. The Proposed Scheme will not affect other existing and commenced developments within the other part of “CDA” site.

^[%] Reduction due to reflecting the road improvement works at Choi Hung Road.

^[@] Equivalent to plot ratio (PR) of 1.875 and 1.944 for the Approved Scheme and Proposed Scheme respectively. The increase in PR is solely due to reduction in site area of Development Site.

^[+] The actual proposed GFA for RCHE and CCC are subject to detailed design.

Table 2:

Floor	Main Uses
B/F	Loading/Unloading Spaces, General Pick-up/Set-down Laybys, Vehicular Access, Car Parking Spaces, Confucian Academy Entrance Hall, Caretaker Office and E&M Facilities
G/F	Ling Xing Gate, Open-air Plaza, Open-air Entrance Courtyard, Confucian Academy, 24-hour Barrier-free Pedestrian Walkway, Entrances to RCHE and CCC, Confucian Academy Function Room Entrance
1/F	Confucian Academy
2/F	73-bed RCHE and 200-place CCC
3/F	150-bed RCHE
Roof Floor	Confucian Academy, De Cheng Gate and Da Cheng Hall

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

- (a) Application form received on 6.9.2022 **(Appendix I)**
- (b) Supporting Planning Statement (SPS) received on 6.9.2022 including MLP, Air Quality Impact Assessment (AQIA), Noise Impact Assessment (NIA), Sewerage Impact Assessment (SIA), Landscape and Tree Preservation Proposal (LTPP), Traffic Impact Assessment (TIA) **(Appendix Ia)**
- (c) Further information (FI) enclosing response to comments (RtoC), replacement pages of SPS, revised AQIA, NIA, SIA, LTPP and supplementary information received on 14.10.2022 ^[*] **(Appendix Ib)**
- (d) FI enclosing RtoC, replacement pages of SPS, revised section and floor plans, revised TIA and supplementary information received on 24.10.2022 ^[*] **(Appendix Ic)**
- (e) FI enclosing RtoC, replacement pages of SPS, revised section and floor plans and replacement pages of LTPP received on 26.10.2022 ^[*] **(Appendix Id)**

[Accepted and exempted from the 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 Supporting Planning Statement and FIs at **Appendices Ia to Id** and summarized as follows:

- 2.1 The proposed development will be self-contained in terms of layout design and transport/sewage facilities with no adverse impacts to other developments of the “CDA” zone are anticipated. The Proposed scheme is in full compliance of TPB Guideline No. 17A - Designation of “Comprehensive Development Area” (“CDA”) Zones and Monitoring the Progress of “CDA” Developments.

- 2.2 The applicant is committed to provide a 223-bed RCHE and 200-place CCC within the proposed development to address the shortfall of residential care and childcare services in the community/Wong Tai Sin district. Such social welfare facilities will be operated on a self-financed basis and in full compliance with relevant Government's legislations and guidelines.
- 2.3 The Proposal Scheme has paid due respect to the Approved Scheme (Application No. A/K11/223) by including a total GFA of not more than 15,000m² for religious facility and SWF within the Development Site.
- 2.4 Despite the addition of one extra storey, the BH of the proposed development is maintained at 40mPD, which is the same BH as that of the Approved Scheme thus able to respect the planning intention as set out in the PB as a low-lying visual relieve and therefore maintain the visual corridor.
- 2.5 The Proposed Scheme has adopted the Government's initiative of "Single Site, Multiple Use". The former Home Affairs Bureau (HAB) has given the in-principle policy support for the proposed Confucian Temple of CA.
- 2.6 The Proposed Scheme will promote and develop the Confucius' teaching and philosophies, as well as the wealth of culture and art within Confucianism. The Proposed Scheme will offer a range of art and cultural facilities for a wide variety of year round events and activities, such as ritual events for Heaven and Earth Worship (祭祀天地) and Honoring Confucius (Spring Worship) (祭孔(春祭)) as well as other cultural and family activities.
- 2.7 The Proposed Scheme will create a unique and appealing religious landmark. It will also provide venues for the followers of Confucianism and quality recreational space for the wider community. The religious institution facilities will be opened to public between 8am to 5pm daily whereas the open-air Entrance Plaza and Entrance Courtyard on G/F fronting Choi Hung Road and Lung Cheung Road respectively will be opened to public between 9am to 9pm daily.
- 2.8 A 7.5m-wide 24-hour barrier-free pedestrian walkway is proposed along the western boundary of the Development Site to facilitate public/pedestrian connection between Choi Hung Road/Lung Cheung Road/MTR Station. As compared with the Approved Scheme, the width of this passageway is increased from about 3 m to about 7.5 m. Two setback areas are also proposed along Choi Hung Road and Lung Cheung Road for an open air Entrance Plaza and open air Entrance Courtyard respectively. The quality of the Entrance Plaza is enhanced, as compared to the Approved Scheme, by separating pedestrian from vehicles and reserving most area for public enjoyment/activities. A new setback area/Entrance Courtyard fronting Lung Cheung Road is proposed to address the Committee's comments on the Approved Scheme (under Application No. A/K11/223) to provide set back from the northern boundary of the Development Site.
- 2.9 The Proposed Scheme will feature a unique architectural design faithful to the traditions established by major Confucius Temples, which will signify the essence of Confucianism. The interior design and the external architectural features will make the scheme tangible representation of traditional Chinese culture and Confucian Philosophy. The landscape design will provide high quality and harmonious setting, ultimately enhance the visual and landscape amenity of the area.

2.10 The Proposed Scheme will form a “trio” of Confucian, Buddhist and Taoist institutions with the Chi Lin Nunnery and Wong Tai Sin Temple within the same district, which further establish a unique cluster of religious landmarks in East Kowloon.

2.11 Various technical assessments including AQIA, NIA, SIA, TIA and/on visual aspect have been conducted and concluded that the proposed development will not generate adverse impacts to the surroundings.

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

The applicant is not a ‘current land owner’. The Site partly comprises GL (63%) for which the ‘owner’s consent/notification’ requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable. For remaining portion within private lot (37%), the applicant has complied with the requirements as set out the TPB PG-No. 31A. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Applications

The Site is the subject of a previous planning application (No. A/K11/223) submitted by a different applicant, HKHA, for public housing development with commercial use, POS including a water feature park and landscaped walk, religious facility and PTI, with a total maximum GFA of 232,910m²^[8], which was approved with conditions by the Committee on 27.5.2016. On 21.5.2020, an application for extension of time (EOT) for commencement of developments was approved by the Director of Planning, under the delegated authority of the Board and the validity of the planning permission had been extended to 27.5.2024. Comparison on MLP, section plans, floor plans and LMPs of the Development Site between the Approved Scheme and the Proposed Scheme are at **Drawings A-1 to A-15**. Approval conditions^[9] in relation to HKHA’s development within the same “CDA” site have been partially complied with.

5. Similar Application

There is no similar planning application for religious institution and social welfare facilities development within “CDA” zone of the Tsz Wan Shan, Diamond Hill and San Po Kong OZP.

^[8] According to the Approved Scheme for application No. A/K11/233, the proposed domestic and non-domestic GFA for the public housing development are 188,600m² and 29,310m² respectively, while separately a GFA of not more than 15,000m² is proposed for religious facility.

^[9] In refining the proposed development at the application site and complying with approval condition (a) of the planning permission, HD in 2020, submitted a revised MLP which is not related to the Development Site. On 18.12.2020, the submission part of the approval condition (a) of the planning application A/K11/223 was considered in compliance with, upon consultation with relevant Government departments. The revised MLP was certified by the Board and a copy of the revised MLP is deposited in the Land Registry in February 2021 for public inspection under section 4(A)3 of the Town Planning Ordinance.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photos on Plans A-3 and A-4)

6.1 The Application Site is:

- (a) located in the immediate south of the Diamond Hill MTR Station with part of the station underneath the northern part of the Site on underground level;
- (b) bounded by Lung Cheung Road to the north, Choi Hung Road to the south and Po Kong Village Road to the west;
- (c) partly occupied by a completed public housing development (Kai Chuen Court Phase 1) and the majority of the Development Site is currently works areas for construction of public housing development, POS and PTI at its south, north and east respectively.

6.2 The surrounding areas have the following characteristics:

- (a) to the immediate north across Lung Cheung Road are the high-density residential developments of Lung Poon Court, Galaxia and Bel Air Heights;
- (b) to the immediate south across Choi Hung Road are San Po Kong Business Area and Rhythm Garden; and
- (c) a number of GIC facilities and open spaces are in the vicinity, including Chi Lin Nunnery, Nan Lian Garden at the north-east, Kai Tai East Park along Sze Mei Street at the south; Choi Hung Road Playground at the south-west; and a GIC cluster near Lions Rise at the north-west.

7. Planning Intention

The planning intention of the “CDA” zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

8. Major Requirements under Planning Brief

- 8.1 The Planning Brief (PB) ^[10], which was endorsed by the Committee on 17.7.2015, sets out the broad planning parameters and development requirements to guide and facilitate the preparation of the MLP for the comprehensive developments in the “CDA” zone.
- 8.2 For the religious facilities at the Development Site, the PB requires the religious facilities be kept in low-rise structures with maximum BH of not more than 4 storeys (excluding basement) in order to preserve a visual corridor running through south-westward from Chi Lin Nunnery through Nan Lin Garden, the proposed GIC building at Sze Mei Street to the open space adjoining Rhythm Garden and further to Kai Tak; and a maximum GFA of 25,000m² ^[11]. As compared with the PB, the GFA of 15,000m² for the Proposed Scheme is lower than the maximum 25,000m² permitted. However, the proposed GFA and BH (i.e. 40mPD) under the Proposed Scheme is the same as the Approved Scheme which has taken into account the relevant planning and urban design

^[10] On 19.1.2021, the PB was updated (**Appendix IIa**) by Housing Department to reflect the approved MLP for the public housing development.

^[11] The PB states that development parameters for the religious facilities are subject to detailed design at the MLP submission stage.

considerations as required in the PB. The major development parameters of the Proposed Scheme are considered generally in line with those stipulated in the PB. A comparison of major development parameters and land use proposals under the PB and the Proposed Scheme is at **Appendix IIb**.

9. Comments from Relevant Government Departments

9.1 The following Government departments have been consulted and their views on the application and the FI are summarized as follows:

Policy Perspective

9.1.1 Comments of the Secretary for Home and Youth Affairs (SHYA):

- (a) the former HAB gave the in-principle policy support on 14.11.2012 for the proposed Confucian Temple (孔廟) of CA (孔教學院) at the CDA site at Diamond Hill. Noting that CA proposed to amend the use of the site of Confucius Temple to accommodate a RCHE and a CCC, the former HAB also indicated its support to their section 16 planning application via a letter on the 24.11.2020.
- (b) SHYA is satisfied that the applicant, CA, is a bona fide religious organization, and is registered under section 88 of the Inland Revenue Ordinance as a charitable organisation. He also notes that the subject section 16 planning application submitted by CA intended to include the RCHE and CCC at its proposed Confucius Temple development at the Diamond Hill CDA as proposed in 2020. Therefore, he has no objection, purely from religious perspective, to the subject planning application and his view indicated in HAB's letter of 24.11.2020 remains valid. As the subject matter includes RCHE and CCC, relevant bureau and departments have to be invited to offer comment and give policy support from other policy perspectives. Religious perspective is only one of the areas to be considered for this planning application.

9.1.2 Comments of the Secretary for Labour and Welfare (SLW) and Director of Social Welfare (D of SW):

- (a) has no objection in-principle to the CA's proposal for setting up a RCHE and a CCC, both to be operated on a self-financing basis, at the application site apart from its religious development from welfare service and district perspective, provided that there is no capital or recurrent financial implication to the Government;
- (b) the proposed RCHE should comply with all licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap. 459, its subsidiary legislation and the latest version of Code of Practice for Residential Care Homes (Elderly Persons);
- (c) as regards the location requirement of the proposed CCC, we would like to reiterate that no part of any centre premises, except the parapet wall around a roof playground, shall be situated at a height of more than 12 metres in the case of a centre used for children under 2 years of age. For any centre

premises situated at a height more than 12 metres but below 24 metres above ground level, it could only be used for children aged 2 to 3 if it could be successfully registered under the Child Care Services Ordinance (Cap. 243); and

- (d) We suggest the following approval condition be imposed, should the application be approved:

“The provision of a Residential Care Home for the Elderly and a Child Care Centre, as proposed by the applicant, to the satisfaction of Director of Social Welfare or of the TPB.”

- (e) The applicant is also advised that the provision of the CCC should be in compliance with the registration requirements of the Child Care Services Ordinance (Cap. 243), its subsidiary legislation, the latest version of the Operation Manual for Pre-primary Institutions and Practice Note for Authorized Persons APP-43 respectively.

Land Administration

9.1.3 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) no adverse comment on the application;
- (b) the Development Site currently covers (i) a public footway (i.e. Luen Yee Road); (ii) unleased and unallocated GL; and (iii) land being temporarily occupied by HD for carrying out construction works of public housing developments and a public transport interchange. The applicant does not possess any land ownership of the Site;
- (c) the public footway of Luen Yee Road is now being managed by TD and maintained by HyD. According to paragraphs 5.3 of the “Traffic Impact Assessment” in Appendix H of the “Supporting Planning Statement”, Luen Yee Road would be temporarily diverted by a 4.5m-wide pedestrian walkway at the eastern side of the Site during construction stage and replaced by a new 7.5m-wide 24-hour barrier-free pedestrian walkway on the western side of the Site upon completion of the proposed development. TD and HyD’s views should be sought on this proposal which may involve statutory procedures under the Roads (Works, Use and Compensation) Ordinance (Cap. 370);
- (d) if the Town Planning Board approves the subject application, the applicant shall apply to LandsD for private treaty grant (“PTG”) of the Site to implement the proposal. However, there is no guarantee that the application would be approved. Such application will be considered by LandsD acting in the capacity of Landlord at its sole discretion subject to policy support and endorsement given by the concerned policy bureaux (i.e. HYAB and LWB for the subject application), and subject to any necessary authorization under Roads (Works, Use and Compensation) Ordinance (Cap. 370). In the event that the application is approved by LandsD, it shall be subject to such terms and conditions, including payment of premium and administrative fee, as may be imposed by LandsD; and

- (e) regarding the proposed 24-hour barrier-free pedestrian walkway which will replace Luen Yee Road, if the application is approved by the Town Planning Board, please consider incorporating such requirement as one of the planning application conditions. If it is to be imposed as a lease condition under the PTG, PlanD shall identify the appropriate authority to be specified under lease to advise the standards and requirements of the walkway and to oversee the compliance of the same.

Traffic Aspect

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

- (a) Having reviewed the TIA submitted by the applicant, the Proposed Scheme with the reduced size of the religious institution and addition of SWF will not create adverse traffic impact to the existing road network/ junctions, TD has no objection to the application from traffic engineering perspective.
- (b) However, there is still room for further enhancement on the TIA including parking and loading/unloading provisions, vehicular access, and the 24-hour barrier-free pedestrian walkway. To ensure proper evaluation of the traffic impact, should the application be approved by the Board, the following approval conditions should be imposed:
 - (i) the submission of a revised Traffic Impact Assessment for the proposed development to the satisfaction of Commissioner for Transport or of the Town Planning Board;
 - (ii) the design and provision of ingress/egress point, parking facilities, loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
 - (iii) the design and provision of a 24-hour barrier-free pedestrian walkway to connect Lung Cheung Road and Choi Hung Road to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (c) His other detailed comments are at **Appendix III**.

9.1.5 Chief Engineer/Railway Development 2-2, Railway Development Office, Highway Department (CE/RD2-2, RDO, HyD):

- (a) No adverse comment on the application from railway development point of view;
- (b) Please note that the proposed Religious Institution and SWF in Diamond Hill CDA zone falls within the railway influence area and administrative route protection boundary of the proposed East Kowloon Line (EKL) promulgated under the Railway Development Strategy-2014 (RDS-2014). Please make sure this office is consulted and liaised for any updates on the design and programme of the proposed works to resolve any interfacing issues between the two projects in accordance with the HyD TC No.

3/2015. The method statement and details of any construction works in the vicinity of the future railway works shall be circulated to this office for agreement in advance. Please also provide the as-built plans of the works at the subject site for our record; and

- (c) As a reminder, the proposed works falls within or is close to the railway protection boundary of the existing railways (Kwun Tong Line). The proposed works also falls within the gazetted railway scheme boundary of the Tuen Ma Line which has been fully commissioned. Please note that the operation of existing railway system is not under the jurisdiction of this office. With reference to DEVB TC(W) No. 1/2019 and/or Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-24, please consult MTR Corporation Limited (MTRCL) with respect to the operation, maintenance, safety and any future works required for the existing railways.

Environmental Aspect

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

- (a) No objection to the application.
- (b) The environmental assessments and sewerage impact assessment submitted by the Applicant have demonstrated that adverse environmental and sewerage impacts would not arise from the proposed development with mitigation measures in place. To minimize nuisance to nearby sensitive receivers during operation of the religious institution, the Applicant has committed to review its operation and adopt suitable mitigation measures and management practices, including limiting its operation to non-sensitive hours; adoption of noise mitigation measures for outdoor religious ceremonies such as adding soft pads to musical instruments, reducing the volume of loudspeakers and provision of semi-enclosure for loudspeakers; and following EPD's guidelines related to joss paper burning including the use of furnace with best available technology for effective emission control.
- (c) To ensure proper evaluation of the potential noise and sewerage impacts, and to ensure proper implementation of the required mitigation measures, we would recommend the following approval conditions be imposed, should the application be approved by the Board:
 - (i) the submission of a Noise Impact Assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board";
 - (ii) the submission of a Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board"; and
 - (iii) the implementation of the local sewerage upgrading/sewerage connection works as identified in the Sewerage Impact Assessment for

the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board”.

(d) The applicant is advised on the following:

- (i) if outdoor religious ceremonies with use of musical instruments and loudspeakers would take place, noise mitigation measures should be proposed. Examples may include limiting noise generating activities to take place between 9 am and 7 pm, adding soft pads to drums and bells to reduce the noise produced by these musical instruments, reducing the volume of loudspeakers and adjusting the directions to minimise the noise impacts, and provision of a temporary semi-enclosure (e.g. erecting noise panels up to the ceiling of covered corridors) with no gap nor openings on the noise panels, etc.
- (ii) incense/joss paper burning activities might cause nuisance to nearby sensitive receivers. The Applicant is encouraged to promote alternative forms of worshipping or arrange for off-site burning as far as practicable by collecting paper offerings from worshippers. If on-site joss/paper incense burning is inevitable, the Applicant is advised to follow the below guidelines and adopt suitable measures to minimise the potential nuisances on nearby sensitive receivers, including:
 - (a) “Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places” (“廟宇、火葬場及其他祭祀場所燃燒紙錢的空氣污染 控制指引”);
 - (b) “Guidelines on Air Pollution Control for Paper Artifacts Burning at Funeral Parlours and Other Places of Worship” (“殯儀館及其他祭祀場所燃燒紙紮祭品的空氣污染控制指引”); and
 - (c) “Guideline on Air Pollution, Noise and Wastewater for Worshipping in Open Areas” (“在露天場地舉行祭祀活動的空氣污染、噪音及污水管制指引”).
- (iii) In particular, the applicant is advised to provide furnaces with best available technology incorporated with electrostatic precipitator and water scrubber for flue gas treatment to ensure effective removal of smoke and ash flakes from paper offering burning. The above guidelines and relevant information are available at the following EPD website:
https://www.epd.gov.hk/epd/tc_chi/compliance_ass/others/joss.html

Building Aspect

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

- (a) RCHE which is for habitation is a domestic use under the Buildings Ordinance (BO) and should be accountable for domestic site coverage and gross floor area under BO. Subject to special circumstance of individual

case, application for modification may be considered at building plan submission stage for treating RCHE as non-domestic building for the purposes of Building (Planning) Regulations 20, 21 and 25;

- (b) it appears that Emergency Vehicular Access (EVA) has not been provided for the proposed development. The applicant should be reminded that provision of EVA is required under Regulation 41D of the Building (Planning) Regulations. The applicant may wish to consult Fire Services Department in this regard;
- (c) subject to compliance with Practice Note for Authorized persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2, 100% GFA concession may be considered for underground private carpark while only 50% GFA concession may be considered for aboveground private carpark. It appears that the proposed carpark is not an underground one and not complied with the criteria for 100% GFA concession under PNAP APP-2;
- (d) all building works should in all aspects comply with the BO and its allied regulations;
- (e) before any new building works are to be carried out on the application site, the prior approval and consent of the BD should be obtained. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO and to ensure full compliance with the BO and its allied regulations, in particular;
 - (i) provision of adequate means of escape in accordance with the B(P)R 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
 - (ii) provision of adequate fire resisting construction in accordance with the Building (Construction) Regulation 35 and the FS Code;
 - (iii) provision of access to building for the purposes of firefighting and rescue in accordance with the B(P)R 41A, B and D and the FS Code;
 - (iv) provision of barrier free access in accordance to the B(P)R 72 and the Design Manual: Barrier Free Access 2008; and
 - (v) provision of adequate sanitary fitments to the premises in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.
- (f) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and APP-152 on Sustainable Building Design Guidelines are applicable to the proposed development at the subject site;
- (g) detailed comments under the BO on individual sites for private developments such as permissible PR, SC, means of escape, emergency vehicular access, private streets, and/or access roads, open space, barrier free access and facilities, compliance with the sustainable building

guidelines, etc. will be formulated at the building plan submission stage; and

- (h) if the proposal under application is subject to the issue of a licence, please be reminded that any structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.

Housing Aspect

9.1.8 Comments of the Director of Housing (D of H):

- (a) it is noted that the Applicant would carry out the design, construction and implementation of proposed run-in, drainage connection works and associated works for the proposed development, in the later design and construction stage of the proposed development;
- (b) the interface between the PTI and Religious Facilities sites are subject to the detailed design and implementation of the PTI (i.e. Boundary adjustment on the MLP). The Applicant should ensure the interface between the subject site with the development of PTI, Phase 3 public housing development and Landscaped Walk is well integrated for future pedestrian use;
- (c) it is noted that the proposed 24-hour barrier-free pedestrian walkway within the Application Site will be connected with the adjacent Landscaped Walk. Our latest design of the Landscape Walk showed there are level difference between the proposed public footpath and the Landscaped Walk, the Applicant should ensure the design is well integrated and approach Housing Department for the latest Landscaped Walk layout to ensure there is no site level and interface issues between Landscape Walk and the proposed development; and
- (d) the Applicant is advised to approach HD to discuss the details of Tree Removal Records in the Application Site to update and revise the Landscape and Tree Preservation Proposal.

Urban Design, Air Ventilation and Landscape Aspects

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

Urban Design Aspect

- (a) The Site of about 7,718m² is located at the eastern portion of the subject "CDA" zone, with high-rise public housing developments with approved BHs ranging from 109mPD to 128mPD within the "CDA" zone. To the immediate north and northwest of the Site across Lung Cheung Road are medium-to-high-rise residential buildings with existing BHs ranging from about 90mPD to 160mPD. To the immediate south and southwest of the Site across Choi Hung Road are the SPKBA with existing BHs ranging from about 36mPD to 120mPD, and Rhythm Garden with existing BHs ranging from about 71mPD to 92mPD. To the northeast of the Site are Chi Lin Nunnery with existing BHs ranging from 35mPD to 46mPD and Nan Lian Garden. Given that the maximum BH of the proposed development

is maintained at 40mPD as in the Approved Scheme, the visual corridor running through south-westward from Chi Lin Nunnery through Nan Lian Garden, the proposed GIC building at Sze Mei Street to the open space adjoining Rhythm Garden and further off to Kai Tak (**Plan A-2**) as stipulated in the PB of the subject "CDA" zone will also be maintained. The proposed development will unlikely cause any significant adverse visual impact to the surroundings. CTP/UD&L have no comment from visual point of view.

- (b) As gathered from the applicant's submissions, the proposed development will provide (i) a setback of not less than 35m from the southern site boundary facing Choi Hung Road, (ii) a setback of about 11m to 13m from the northern site boundary facing Lung Cheung Road, and (iii) a 7.5m-wide 24-hour barrier-free pedestrian walkway along the western site boundary. Landscape treatments such as landscaped gardens at G/F and R/F, greenery along the 7.5m-wide 24-hour barrier-free pedestrian walkway and edge planters at the northern and southern site boundaries will be introduced. These measures, all open to the public, may help promote visual interest and pedestrian comfort.

Landscape Aspect

- (c) According to the updated Landscape and Tree Preservation Proposal (**Appendix Ib**) a total 27 nos. of trees are proposed to be felled. Total 60 no. of new trees, shrubs, groundcover, lawn and climbers are proposed to be planted in the proposed Development Site to mitigate the landscape impact. Entrance plaza facing Choi Hung Road, entrance courtyard facing Lung Cheung Road at G/F and ceremony courtyard at R/F are provided for enjoyment of the users and visitors. In this regard, CTP/UD&L has no objection to the application from landscape planning perspective.
- (d) The applicant is reminded that approval of the application under Town Planning Ordinance does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to BD for approval. Similarly for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant is reminded to approach relevant authority direct to obtain the necessary approval, where appropriate.
- (e) Should the application be approved by the TPB, the following landscape condition is recommended to be included in the planning permission: The submission and implementation of landscape master plan to the satisfaction of the Director of Planning or of the Town Planning Board.

Cultural Heritage

9.1.10 Comments of the Antiquities and Monuments Office (AMO, DEVB):

According to the result of the archaeological survey-cum-excavation conducted in 2013, the cultural significance of the findings was considered of low to medium except the two reserved areas covered by trees. The reserved area in the south was studied by the Hong Kong Housing Authority in its Archaeological

Survey-cum-Excavation conducted in 2017 while archaeological survey-cum-excavation at the reserved area in the north, which partly falls within the landscaped walk (about 50m²) and partly north-western corner of the Development Site (about 150m²), has not been conducted. Noting that the applicant in its submission will conduct an archaeological survey-cum-excavation of the concerned reserved area within its site, and carry out appropriate mitigation measures according to the findings, AMO has no further comments on the application. In addition, AMO has no comments on the public comments on the application.

Fire Safety

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

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire safety requirements will be formulated upon receipt of formal submission of GBPs; and
- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by this Department at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the *Code of Practice for Fire Safety in Building 2011* which is administered by the Buildings Department.

District Officer's View

9.1.12 Comments of the District Officer (Wong Tai Sin), Home Affairs Department (DO/WTS, HAD):

- (a) strongly supports the inclusion of the two proposed social welfare facilities (SWFs), especially the RCHE, in the Confucius Temple development. Currently, there are 92 000 elderly in the Wong Tai Sin ("WTS") District, which accounts for about 23% of the district population (the second highest percentage in Hong Kong). The additional SWFs would therefore answer the need of the elderly in WTS, creating a more age-friendly living environment and hence benefiting the WTS community as a whole;
- (b) strongly supports the CA's application to construct a Confucius Temple in the Diamond Hill CDA site; and
- (c) from the local perspective, the construction of a Confucius Temple would render WTS District an important traditional Chinese culture capital, and the only district showcasing world renowned religious facilities of Confucianism (Confucius Temple), Taoism (Wong Tai Sin Temple) and Buddhism (Chi Nin Nunnery cum Nan Lian Garden). Furthermore, the proposal receives staunch support from the local WTS community, including the then pro-establishment camp dominated Fourth and Fifth Term WTS District Council, key pro-establishment local organisations and district leaders of WTS District.

Other Aspects

9.1.13 Comments of the Director of Electrical and Mechanical Services (D of EMS):

- (a) no particular comment on the application from electricity supply safety aspect; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

9.1.14 Comments of the Director of Food and Environmental Hygiene (D of FEH):

- (a) should there be any government lands (i.e. new roads, pavements, footbridges, crossing facilities, elevated walkways systems, subways, open space, footpath widening, lifts, flower beds, etc.) to be built by the project proponent, the project proponent must provide recurrent consequence (RC) to FEHD in case FEHD is required to provide manual cleansing services for captioned localities in the study area on condition that HyD or other concerned departments would take up the maintenance responsibility;
- (b) if any FEHD's facility is affected by the development, FEHD's prior consent must be obtained. Reprovisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. Besides, the project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the reprovisioned facilities to FEHD; and
- (c) the project works should not affect the normal operation of our nearby FEHD's facilities such as refuse collection point, public toilet, etc. and our routine waste collection services.

9.2 The following Government bureaux/departments have no comments on/no objection to the application:

- (a) Secretary for Development (SDEV);
- (b) Secretary for Education (SED);
- (c) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
- (d) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (f) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (g) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (GEO, CEDD);
- (h) East Development Office, Civil Engineering and Development Department (EDO, CEDD);

- (i) Commissioner of Police (C of P);
- (j) Director of Leisure and Cultural Services; and
- (k) Government Property Administrator (GPA).

10. Public Comments Received During Statutory Publication Period

10.1 During the statutory public inspection periods, a total of 21 public comments (**Appendix IV**) from individuals were received, including 8 supporting comments, 10 objecting comments and 3 comments providing views on the proposal.

10.2 The supporting grounds are mainly as follows:

- (a) the Proposed Scheme can establish a new landmark in the Wong Tai Sin area and promote Chinese and Confucius Culture and enhance religious pluralism;
- (b) the proposed SWF including RCHE and CCC are able to address the rising demand of residential elderly care and child care services in the WTS District;
- (c) the Proposed Scheme can increase the provision of recreational space for the area;
- (d) the Proposed Scheme is in-line with Government's initiatives of 'Single Site Multiple Use'; and
- (e) the Proposed Scheme can enhance the walkability of the area.

10.3 The objecting grounds and concerns are mainly as follows:

- (a) it is unclear if there is a genuine demand for a Confucian Temple in Hong Kong. To optimize the land resource, public housing, social welfare facilities, commercial/retail spaces, parks should be developed instead;
- (b) it is unclear if the proposal has obtained policy support from relevant bureau;
- (c) 孔廟 is normally managed by the Government and should be a standalone building without other shared uses. The naming of the proposed religious facility as 孔廟 is inappropriate and it is not a typical religious temple;
- (d) the architectural design is incompatible with the surroundings. More greenery and vegetation should be incorporated like Chi Lin Nunnery;
- (e) the development will generate adverse traffic impact as well as noise and air pollution;
- (f) there are no operational details for the proposed social welfare facilities;
- (g) the site shall be integrated with the adjoining Landscape Walk and Public Transport Interchange; and
- (h) 24-hour barrier-free pedestrian walkway shall be provided within the site and incorporated into open plaza/courtyard so to enhance walkability between Diamond Hill MTR station and the PTI.

11. Planning Considerations and Assessments

- 11.1 The application is to seek planning permission for amendment to the eastern portion of the previously approved MLP while the remaining portion, comprising public housing development with commercial uses, POS and PTI at the CDA site (which are mostly under construction^[12]) would not be affected. Under the applicant's Proposed Scheme, in addition to the previously approved religious facility use, a 223-bed RCHE (GFA of 4,025 m²) and a 200-place CCC (GFA of 1,588 m²). Same as the Approved Scheme, the Proposed Scheme has a total GFA of 15,000m² and BH of 40mPD. One additional floor (i.e. from 4 to 5 storeys/+25%) is proposed to accommodate the SWF. With the major development parameters remaining the same, except the addition of one storey for incorporation of the SWF, the changes are considered not unacceptable.

Planning Intention

- 11.2 The "CDA" zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The main use of the Development Site i.e. 63% of GFA is for religious institution whilst 37% for the SWF. Such change is considered acceptable and the proposed uses generally in line with the Approved Scheme. Besides, the Proposed Scheme would not affect the provision of the public housing development with commercial uses, POS and PTI facilities within the CDA site. Relevant Government departments have no objection to/adverse comment on current application subject to incorporation of appropriate approval conditions in paragraph 12.2 below. The addition provision of SWF are generally in line with the planning intention of "CDA" zone.

Policy Aspect

- 11.3 The Proposed Scheme, adopted the Government's initiative of "Single Site, Multiple Use". Apart from the original religious facility of CA under the Approved Scheme, it would also provide a 233-bed RCHE and a 200-place CCC to address the shortfall of residential care and childcare services within the WTS District. According to SHYA, the former HAB gave the in-principle policy support in 2012 for the proposed Confucian Temple of CA at the CDA site. Noting that CA proposed to amend the use of the site to accommodate a RCHE and a CCC, the former HAB in 2020 also indicated its support in this regard. SLW and D of SW has no objection in-principle to the proposed RCHE and CCC, both to be operated on a self-financing basis from welfare service and district perspective. DO/WTS strongly supports the SWF especially the RCHE as it answers the need of the elderly in WTS. From the local perspective, the proposed Confucius Temple would render WTS District an important traditional Chinese culture capital, and the only district showcasing world renowned religious facilities of Confucianism (Confucius Temple), Taoism (Wong Tai Sin Temple) and Buddhism (Chi Nin Nunnery cum Nan Lian Garden).

Urban Design and Landscape Aspects

- 11.4 Given that the maximum BH of the proposed development is maintained at 40mPD, the visual corridor running through south-westward from Chi Lin Nunnery through Nan Lian Garden, the proposed GIC building at Sze Mei Street to the open space adjoining Rhythm Garden and further off to Kai Tak (**Plan A-2**) as stipulated in the PB of the subject "CDA" zone will also be maintained. The proposed development will unlikely cause any significant adverse visual impact to the surroundings. CTP/UD&L, PlanD has no comment from visual point of view. The Proposed Scheme would provide an open-air Entrance Plaza (i.e. setback of not less than 35m facing Choi Hung

^[12] Except phase 1 of the public housing development which was completed in 2021.

Road) and another setback (about 11m to 13m) to provide open-air Entrance Courtyard facing Lung Cheung Road; and a 7.5m-wide 24-hour barrier-free pedestrian walkway along the western site boundary. Landscaped gardens at G/F and R/F, greenery along the 7.5m-wide 24-hour barrier-free pedestrian walkway and edge planters at the northern and southern site boundaries will be introduced. These measures, all open to the public, may help promote visual interest and pedestrian comfort. A total of 27 trees are proposed to be felled. To mitigate the landscape impact, a total of 60 new trees, shrubs, groundcover, lawn and climbers are proposed to be planted. In this regard, CTP/UD&L, PlanD has no objection to the application from a landscape planning perspective.

- 11.5 The Proposed Scheme only involves amendment to the use to accommodate a RCHE and CCC with the same total GFA of 15,000m² and BH of 40mPD as the Approved Scheme. The proposed amendment to the Approved Scheme would not create adverse traffic, environmental, sewerage, landscape and visual impacts on the surrounding areas according to the various assessment conducted by the applicant. Concerned Government departments including TD, HyD, EPD, DSD and UD&L of PlanD were consulted on the application, and they have no in-principle objection to/no adverse comment on the application. Relevant approval conditions on traffic, landscape, environmental and sewerage aspects are suggested to be imposed (paragraph 12.2 below).

Compliance with PB

- 11.6 As compared with the PB, the GFA of 15,000m² for the Proposed Scheme is lower than the maximum 25,000m² permitted. However, the proposed GFA and BH under the Proposed Scheme is the same as the Approved Scheme which has taken into account the relevant planning and urban design considerations as required in the PB. The major development parameters of the Proposed Scheme are considered generally in line with those stipulated in the PB.
- 11.7 Apart from the provision of SWF to serve the acute demand in the WTS District, the applicant proposes to increase the width of the 24-hour barrier public pedestrian passage along the western boundary of the Development Site from 3m to 7.5m. Other design and landscape features under the Proposed Scheme as mentioned in paragraph 11.4 would promote better public enjoyment.

Public Comments

- 11.8 The eight supportive public comments received are noted. Regarding the objecting comments and comments providing views, the planning assessment above and departmental comments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 28.10.2026, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan to incorporate the approval conditions as stated in conditions (b) to (k) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the design and provision of a 24-hour barrier-free pedestrian walkway to connect Lung Cheung Road and Choi Hung Road to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and provision of ingress/egress point, vehicular access, parking facilities, loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the submission of a revised Traffic Impact Assessment for the proposed development to the satisfaction of Commissioner for Transport or of the Town Planning Board;
- (f) the submission and implementation of landscape master plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (g) the submission of a Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (h) the submission of a Noise Impact Assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (i) the implementation of the local sewerage upgrading/sewerage connection works as identified in the Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (j) the provision of water supplies for firefighting, fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (k) the provision of the social welfare facilities including a RCHE and a CCC, as proposed by the applicant, to the satisfaction of the Director of Social Welfare or of the Town Planning Board.

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:
- there is no strong reason to recommend rejection of the application.

13. Decision Sought

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

14. Attachments

Appendix I	Application form received on 6.9.2022
Appendix Ia	Supporting Planning Statement received on 6.9.2022
Appendix Ib	FI vide letter received on 14.10.2022
Appendix Ic	FI vide letter received on 24.10.2022
Appendix Id	FI vide letter received on 26.10.2022
Appendix IIa	Endorsed PB
Appendix IIb	Comparison of main development parameters with PB
Appendix III	Other technical comments from Government departments
Appendices IV(a) and IV(u)	Public Comments
Appendix V	Recommended advisory clauses
Drawing A-1	MLP of the Application Site
Drawings A-2 to A-10	Section plans, layout plans of Development Site submitted by the applicant
Drawings A-11 to A-15	LMP and landscaped sections of Development Site submitted by the applicant
Drawing A-16 to A-22	Photomontages submitted by the applicant
Plans A-1 and A-2	Location Plan and Site Plan
Plans A-3 and A-4	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2022**