

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/813

<u>Applicant</u>	: Food and Environmental Hygiene Department (FEHD), represented by Chung Wah Nan Architects Limited
<u>Site</u>	: Site G-5, Anderson Road Quarry Development (ARQD), Kowloon
<u>Site Area</u>	: About 710m ²
<u>Land Status</u>	: Government Land
<u>Plan</u>	: Approved Kwun Tong (North) Outline Zoning Plan (OZP) No. S/K14N/15
<u>Zoning</u>	: “Government, Institution or Community (2)” (“G/IC(2)”) - maximum building height (BH) of 200 meters above Principal Datum (mPD), or the height of the existing building, whichever is the greater
<u>Application</u>	: Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Refuse Collection Point and Recyclable Collection Centre Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed minor relaxation of BHR from 200mPD to 206.35mPD (i.e. +6.35m, +58% in terms of absolute BH and +3.18% in terms of mPD)^[1] for a proposed three-storey government, institution and community (GIC) building comprising refuse collection point (RCP) and recycling store (RS)^[2] uses (the Proposed Scheme) at Site G-5 in ARQD (the Site), which is zoned “G/IC(2)” on the approved Kwun Tong (North) OZP No. S/K14N/15 (**Plan A-1**). Since the Proposed Scheme with a proposed BH of 206.35mPD would exceed the BHR as stipulated on the OZP, planning permission from the Town Planning Board (the Board) under s.16 of the Town Planning Ordinance for the minor relaxation of BHR is required to accommodate the permitted ‘Government Refuse Collection Point’ and ‘Recyclable Collection Centre’ uses under the Notes of the OZP for the “G/IC(2)” zone.
- 1.2 According to the applicant, in addition to the originally planned RCP, the RS is proposed at the Site for better site utilization and to align with the Government’s policy to reduce/recycle municipal solid waste and to promote environmental

^[1] Increase in absolute BH from 11m to 17.35m (+58%) with mean site formation level at 189mPD.

^[2] The RS is part of the Environmental Protection Department’s (EPD’s) community recycling network in strengthening the support for waste reduction and recycling at the district level. RSs, operated by non-profit making organisations, are located at premises in convenient locations providing collection services for recyclables.

education to community.

- 1.3 The Proposed Scheme is a three-storey building with proposed run-in/out for the refuse collection vehicle (RCV) at Road G. Landscape treatments (namely vertical greening (VG) and planters with shrubs on flat roof of 2/F with the RS use solely, but no greening is proposed on G/F which designated for RCP use for rodent prevention) with greenery site coverage of about 6.6% is proposed. A glass canopy at main entrance for weather protection will be provided.
- 1.4 The floor and section plans and photomontage of the indicative scheme submitted by the applicant are shown at **Drawings A-1 to A-5**. The major development parameters of the Proposed Scheme are as follows:

Major Development Parameters	Proposed Scheme
Site Area	about 710m ²
Gross Floor Area (GFA)	about 1,610m ² [a]
Plot Ratio (PR)	2.27
Maximum BH (at main roof level)	206.35mPD (+6.35m) [b]
Number of Storey	3
Site Coverage (SC) (under 15m)	About 95%
Loading/Unloading (L/UL) Bays	
• RCV	1
• Light Goods Vehicles (LGV) for RS	1
Anticipated Year of Completion	2025

Notes

- [a] The Proposed Scheme as submitted is indicative only and its actual development layout design and GIC uses to be provided are subject to change in the detailed design stage.
- [b] Increase by +58% in term of absolute BH and +3.18% in terms of mPD

- 1.5 The main uses by floor and the floor-to-floor height under the Proposed Scheme (**Drawings A-1 to A-4**) are summarized as follows:

Floor	Main Uses	Floor Height (m)
G/F	RCP	7.65m
1/F	RCP and E&M	4.75m
2/F	RS (including recycling room, recycling corner, multi-purposed rooms, lavatories)	4.95m

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

- (a) Application form received on 11.1.2022 **(Appendix I)**
- (b) Supporting Planning Statement enclosing schedule of accommodation, architectural drawings, Visual Appraisal (VA), Traffic Impact Study (TIS), Preliminary Environmental Review (ER), Air Ventilation Impact Study (AVIS), Preliminary Geotechnical Justifications, Drainage Impact Study (DIS), and Water Impact Study (WIS) received on 11.1.2022 **(Appendix Ia)**

- (c) 1st further information (FI) dated 21.2.2021 enclosing responses to departmental comments ^[*] (**Appendix Ib**)
- (d) 2nd FI dated 25.2.2021 providing responses to departmental comments ^[*] (**Appendix Ic**)

Remarks:

^[*] *accepted and exempted from publication and recounting requirement*

2. Justifications from the Applicant

- 2.1 The justifications put forth by the applicant in support of the application are set out in the Supporting Planning Statement and FI at **Appendices Ia to Ic**, and summarized as follows:

In line with the Government Policies

- 2.2 According to the Chief Executive's 2019 Policy Address, the government strives for a 'Single Site, Multiple Use' ('SSMU') model aiming to optimise utilisation of some "G/IC" sites. The Proposed Scheme to accommodate two essential and compatible uses is in line with the 'SSMU' initiative. The proposed RS is an essential facility identified by EPD in support of waste reduction and clean recycling at district level with the aims at providing the public with recycling channel to prepare for the implementation of Municipal Solid Waste Charging and instilling a green living culture.

In line with the Planning Intention

- 2.3 The Proposed Scheme, comprising RCP and RS, will serve the new population of ARQD and cope with the future demand for waste collection services and recycling channels, and therefore is in line with the planning intention of the "G/IC" zone, which is intended primarily for provision of GIC facilities serving the needs of the local residents and/or a wider district.

Optimised BH with Site Constraints and Design Requirements

- 2.4 The proposed increase in BH (+6.35m) and the building footprint has been optimized taking into account the following design/operation requirements and site constraints:
- (a) minimum floor-to-floor height of 4.95m is required for the additional RS use with reference to an similar RS project in order to accommodate a baler machine for packing of recyclables materials;
 - (b) higher clear headroom (increase from 4.5m to 5.5m (+1m) as compared with the time when the BHR was imposed for the Site) is required for the L/UL space of RCV to meet operational needs according to the latest edition of FEHD's Handbook on Standard Features for RCPs published in March 2021;
 - (c) the structural beam depth of G/F has to be increased from 0.7m to 1.1m (+0.4m) to support the additional loading of the RS on 2/F and the associated plant rooms on 1/F; and
 - (d) a central frontage of vehicular access is required to reserve sufficient safety buffer with the pedestrian crossings on two sides of the Site abutting Road G (**Drawing A-1** and **Plan A-2**), resulting a relatively larger manoeuvring space

required for RCV but less efficient use of the floor space on G/F for the Site with an irregular configuration. Unlike typical standalone RCP that the site originally planned for, some G/F space is occupied by lift lobby with barrier-free access to serve the RS. Due to limited remaining area on G/F, some RCP facilities (e.g. drinking/resting rooms for the workers and E&M) are to be provided on 1/F. As such, there is a genuine need for an additional floor solely for the RS uses.

No Adverse Impacts on Visual, Landscape and Air Ventilation Aspects

- 2.5 As illustrated in photomontage (**Drawing A-5**) in the VA as submitted, the Proposed Scheme would preserve the stepped BH profile (see paragraph 3 below for details) and is compatible with surrounding building clusters. The VA concludes that the proposed 3-storey building is insignificant in scale and would not cause significant visual impacts to the surrounding areas. While the Site is located along the major wind corridor as identified under the Study, the AVIS as submitted concludes that no adverse air ventilation impact is anticipated given the low-rise and low-intensity nature of the proposed development.
- 2.6 The Site is located on newly formed land, no vegetation is found within the site boundary. Having regard to relevant guideline on rodent prevention that flower bed at close proximity to food attractions (incl. RCP and RS uses) should be avoided, landscape treatments on flat roof of 2/F in form of VG and planters with shrubs (**Drawing A-3**) (with greenery site coverage of about 6.6%^[3]) is proposed. Overall, no adverse landscape impact is anticipated. Being located in close proximity of the planned public open space (POS), building façade of the proposed development will be finished in such design and color that would be compatible with the surrounding setting for providing a harmonic and pleasant pedestrian environment (**Drawing A-5**).

No Adverse Impact on Other Technical Aspects

- 2.7 According to the Preliminary ER as submitted, it is anticipated that no adverse environmental impacts would be caused during both construction and operation phases, in terms of air quality, noise, water quality and waste management. Full enclosure design is adopted for the RCP which would be equipped with air treatment and exhaust extraction systems, thus any odorous air would be deodorised before extracted out. Adverse odour impact associated with the operation of the proposed RCP is therefore not anticipated. According to the technical assessments, the proposed development would not cause adverse traffic, geotechnical, drainage and water impact to the surroundings.

Community Support

- 2.8 The Proposed Scheme has obtained support from the Housing, Planning and Environment Committee of the Sai Kung District Council in September 2021. As for the Members' concerns on the potential odour impact, the applicant responded in the meeting that an odour treatment system will be adopted in the RCP to treat air before exhaust.

^[3] The requirement on Site Coverage of Greenery under Sustainable Building Design Guidelines and the technical circular on 'Site Coverage of Greenery for Government Building Projects' is not applicable to the Site with an area of less than 1,000m².

3. **Background - Imposition of BHRs for ARQD**

- 3.1 With a view to examine the future land use, the key land use proposals in ARQD including Quarry Park, Residential Communities with supporting GIC facilities and Civic Core have been identified in the Study (**Plan A-4**). A stepped BH profile for the Residential Communities where the Site locates is recommended with a view to
- (a) respecting the Tai Sheung Tok ridgeline and the Quarry Park as viewed from strategic vantage point at HKCEC;
 - (b) preserving an existing view corridor between the Tai Sheung Tok summit and Jordan Valley;
 - (c) providing unobstructed views from the lookouts/viewing decks at different levels on the rock face;
 - (d) creating a human-scale environment along green pedestrian corridors;
 - (e) providing height variations to the building clusters; and
 - (f) moderating the row of tall towers along the rock face.
- 3.2 Having considered the urban design framework mentioned above, appropriate BHRs are incorporated for ARQD on the OZP. For sites in the Southern Residential Community, high-rise residential blocks are mainly planned closer to the rock face and stepping down towards the west, and developments along the southern side of Road G2 (particular for the GIC cluster including the Site) are proposed to be lower to create a human-scale environment along the green pedestrian corridor (**Plan A-4**).

4. **Compliance with the “Owner’s Consent/Notification” Requirements**

As the application site involves Government land only, the “owner’s concern/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 to the application.

5. **Previous Application**

There is no previous application in respect of the Site.

6. **Similar Applications on Proposed Minor Relaxation of PR/BH Restrictions**

- 6.1 There is no similar application within “G/IC(2)” on the OZP.
- 6.2 Another similar application (No. A/K14/812) for the proposed minor relaxation of BHR for permitted GIC uses at Site G2 and the proposed underground ‘Public Vehicle Park (excluding Container Vehicle)’ use at Site G2a in ARQD (zoned “G/IC(2)” and “Open Space” respectively), is scheduled for consideration at the same meeting (**Plan A-1**).

- 6.3 There are two similar applications (Nos. A/K14/797 and 798) for proposed minor relaxation of PR and BH restrictions^[4] for proposed ‘Social Welfare Facilities’, ‘School (not elsewhere specified)’, ‘Shop and Services’, ‘Market’, ‘Eating Place’ ‘Institutional Use (not elsewhere specified)’ and/or ‘Place of Entertainment’ within three planned public housing sites zoned “Residential (Group B)” subzones in ARQD (**Plan A-1**) approved with conditions by the Committee on 16.4.2021 on the considerations that the proposed increase in BHs were in-line with government policy for better site utilization that would be beneficial to community, no adverse impacts from urban design, visual, air ventilation and other technical aspects, and/or for accommodating building design to address specific site constraints.

7. **The Site and Its Surrounding Areas** (Plans A-1, A-2 and A-4 and photos on Plan A-3)

7.1 The Site is:

- (a) located in the southern portion of the ARQD, and is bounded by Road G to its northeast, a planned POS to its south and southwest, and a planned fire station cum ambulance depot to its northwest; and
- (b) currently under site formation works by the Civil Engineering and Development Department (CEDD) before handing over to the applicant for the planned RCP and RS construction works.

7.2 The surrounding areas have the following characteristics (**Plans A-1 to A-4**):

- (a) ARQD is planned for medium-density residential developments with supporting commercial and other GIC facilities, and intertwined with planned POS; and
- (b) a planned public housing development (with BHR of 290mPD) to its northeast across Road G is under construction, and planned primary school and secondary school (i.e. Site E2 and E3 on **Plan A-4**, both with BHR of 8-storey) to its further east.

8. **Planning Intention**

- 8.1 The planning intention of “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

- 8.2 As stated in the Explanatory Statement (ES) of the OZP, to provide incentive for developments/ redevelopments with design merits/planning gains, and to cater for

^[4] Application no. A/K14/797 involved minor relaxation of PR and BH restrictions in the respective eastern part of the two application sites concerned with proposed increase in BHs from 260mPD to 273mPD (+13m (+5%)) and from 255mPD to 266mPD (+11m (+4%)) for the planned public housing developments to the north and further south of Site G2 respectively (**Plan A-1**). Application no. A/K14/798 involved minor relaxation of PR and BH restrictions from 280mPD to 290mPD (+10m (+3.6%)) for the eastern part of the application site for the public housing development in the northern tip of ARQD (**Plan A-1**).

circumstances with specific site constraints, each application for minor relaxation of BHR under section 16 of the Ordinance 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 public passage/street widening;
- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air ventilation 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 the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

9. Comments from Relevant Government Departments

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

Land Administration

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

- (a) he has no comment on the application from land administration point of view; and
- (b) the Site is currently held by Project Manager/East (PM(E)), CEDD under temporary land allocation GLA-TSK3479 for the purpose of site formation and infrastructural works for the term expiring on 31.12.2022. The Site availability is subject to the program of the said site formation and infrastructural works by CEDD.

Urban Design, Visual, Air Ventilation and Landscape Aspects

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

Urban Design and Visual Aspects

- (a) the Proposed Scheme comprises a 3-storey building accommodating a RCP and a RS at the Site. With reference to the relevant photomontages (**Drawing A-5**), significant adverse visual impact induced by the Proposed scheme is not anticipated given the low-rise in nature;

- (b) according to the submission, landscape treatments including planters and VG at 2/F and a glass canopy at G/F (main entrance) for weather protection will be provided. Incorporation of the above measures may promote visual interest and enhance pedestrian comfort;
- (c) given the close proximity of the planned POS to the immediate south-east and south-west of the Site, a building design such as façade articulation at the building low zone might be explored in the detailed design stage;

Air Ventilation Aspect

- (d) as noted from the brief discussion given in the AVIS in **Appendix Ia**, although the Proposed Scheme may result in larger wake area to its leeward side when compare to the OZP-compliant scheme (i.e. with BHR of 200mPD), the Proposed Scheme with relaxed BH under application would unlikely have significant adverse air ventilation impact on the surroundings given the low rise in nature;

Landscape Aspect

- (e) according to the aerial photo of 2020, the Site is situated in an area of quarry/landfill landscape character predominated by vacant land, vegetated man-made slope and residential development. The Proposed Scheme is not incompatible with the landscape character of the surrounding environment; and
- (f) with reference to the Planning Statement and the FI (**Appendix Ia** and **Ib**), the Site is vacant without any vegetation. Landscape provisions such as planters with shrubs and VG at the flat roof on 2/F are proposed to enhance the landscape quality of the proposed development. Significant adverse landscape impact to the existing landscape resources arising from the proposed development is not anticipated. Hence, he has no objection to the application from landscape planning perspective.

9.1.3 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

it is noted that the Proposed Scheme with a BH of 206.35mPD, which is about 3.2% higher than the BHR of 200 mPD. The BHR of adjacent developments are ranging from 230 mPD to 290 mPD. As such, he has no comment from architectural and visual impact point of view.

Traffic Aspect

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

Having review the submissions, he has no comment on the application from the traffic engineering perspective.

Environmental Aspect

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

based on the evaluations and findings of the Preliminary ER, no insurmountable environmental problems associated with the construction and operation of the proposed RCP and RS are anticipated. As such, he has no objection to the application.

Fire Safety

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

- (a) he has no objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his Department; and
- (b) 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 Buildings 2011 which is administered by the Buildings Department. Any internal storage or use of dangerous goods as defined in Chapter 295 of the Laws of Hong Kong should be notified to the D of FS, their comments regarding the siting of dangerous goods store would be offered during the detailed design/general building plan submission stage.

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

- (a) Project Manager (East), CEDD;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (d) Chief Highway Engineer/Kowloon, HyD;
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) District Officer (Sai Kung), Home Affairs Department (HAD);
- (g) District Officer (Kwun Tong), HAD;
- (h) Commissioner of Police;
- (i) Director of Electrical and Mechanical Services;
- (j) Director of Leisure and Cultural Services; and
- (k) Head of Geotechnical Engineering Office, CEDD.

10. Public Comments Received During Statutory Publication Period

The application was published for public inspection on 18.1.2022. During the statutory public inspection period, one public comment from an individual who considered that RS should be provided at appropriate location in order to avoid inducing roadside parking issue (**Appendix II**).

11. Planning Considerations and Assessments

- 11.1 The application is for minor relaxation of BHR from 200mPD to 206.35mPD (i.e. +6.35m, +58% in terms of absolute BH and +3.18% in terms of mPD) for the proposed 3-storey GIC building for accommodating the permitted ‘Government Refuse Collection Point’ and ‘Recyclable Collection Centre’ uses at the Site which is zoned “G/IC(2)”. The proposed development with the RCP and the RS uses is in line with the Government’s policies for better site utilization, to reduce/recycle municipal solid waste and to promote environmental education to the community; and is also compatible with the planning intention of the “G/IC” zone, which is intended primarily for provision of GIC facilities serving the needs of the local residents and/or a wider district.

Minor Relaxation of BHR

- 11.2 According to the applicant, the proposed increase in BH (+6.35m) under application is for accommodating the RS in addition to the originally planned RCP, having regard to relevant operational needs and the latest design/headroom requirements of these facilities as discussed in paragraph 2.4 above. The applicant also indicates that the building footprint and individual floor use have adopted an optimal and efficient design taking account of the irregular site configuration, the centrally-located vehicular run-in/out with larger RCV manoeuvring space required, and the provision of lift lobby for the RS users which is not common for typical standalone RCP that the Site is originally planned for.
- 11.3 Site G5 is located in GIC cluster at the Southern Residential Community and abutting the southern side of the planned green pedestrian corridor (**Plan A-4**) which other planned GIC facilities (namely a police station and a fire station cum ambulance depot) are subject to BHR of 230mPD (**Plan A-1**). BHRs of 290mPD and 8-storey are imposed on the OZP for the planned public residential and school developments to the north of the Site across Road G (**Plan A-1**). Given the context and as illustrated in the photomontages (**Drawing A-5**), significant adverse visual impact induced by the proposed 3-storey building with the RCP and the RS uses is not anticipated and CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comment on the application from urban design, visual and architectural perspectives. As a whole, the Proposed Scheme with a relaxed BH would still maintain a human-scale pedestrian environment along the green pedestrian corridor as recommended under the Study. Also, with its low rise nature, CTP/UD&L, PlanD comments that the Proposed Scheme with relaxed BH under application would unlikely have significant adverse air ventilation impact on the surroundings. He also considers that significant adverse landscape impact to the existing landscape resources arising from the proposed development is not anticipated and has no objection to the application from landscape planning perspective.

Other Technical Aspects

- 11.4 According to the technical assessments as submitted by the applicant, the Proposed Scheme is demonstrated to be environmentally acceptable and technically feasible, and all concerned government departments consulted namely C for T, PM(E), CEDD, DEP, HyD, DSD, WSD and FSD have no in-principle objection to/no adverse comment on the application. Relevant approval condition on fire safety aspect is suggested to be imposed as in paragraph 12.2 below.

- 11.5 As for the public comment with concern on roadside parking associated with the RS, the applicant indicated that the RS users are expected to be the residents from the nearby housing developments and regular recycling spots would be provided in areas that are further away from the RS in order to minimise the need for long-distance travelling to conduct recycling activities.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 4.3.2026, 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 condition of approval and advisory clauses are suggested for Members' reference:

Approval condition

- (a) the design and provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

- 12.3 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 to 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 11.1.2022
Appendix Ia	Supplementary planning statement
Appendix Ib	Further Information received on 21.2.2022
Appendix Ic	Further Information received on 25.2.2022
Appendix II	Public Comment received during the statutory publication period
Appendix III	Recommended advisory clauses

Drawings A-1 to A-4
Drawing A-5

Floor and Section Plans
Photomontage

Plan A-1
Plan A-2
Plan A-3
Plan A-4

Location Plan
Site Plan
Site Photos
Proposed Open Space and GIC Facilities in ARQD

PLANNING DEPARTMENT
MARCH 2022