

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K15/127

<u>Applicant</u>	: Olympic Creation Limited represented by Townland Consultants Limited
<u>Site</u>	: 8 Sze Shan Street, Yau Tong, Kowloon
<u>Site Area</u>	: 3,587m ² (about)
<u>Lease</u>	: (a) Yau Tong Inland Lot (YTIL) No. 36 (b) Restricted for cargo consolidation for containers and ancillary godown purposes
<u>Plan</u>	: Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25
<u>Zoning</u>	: “Residential (Group E)” (“R(E)”) [Subject to a maximum domestic plot ratio (PR) of 5.0 and a maximum non-domestic PR of 1.0, and a maximum building height (BH) of 120 meters above Principal Datum (mPD), or the height of the existing building, whichever is greater]
<u>Application</u>	: Proposed Flat, Shop and Services and Eating Place

1. The Proposal

- 1.1 The applicant seeks planning permission to redevelop the existing 7-storey industrial building (IB) into a 30-storey residential development (including two basement carpark floors) providing 483 flats, with shop and services and eating place uses (the Proposed Scheme) at 8 Sze Shan Street, Yau Tong, Kowloon (the Site) (**Plan A-1**). According to Schedule I^[1] for non-IBs of the Notes of the OZP for “R(E)” zone, development proposal comprising ‘Flat’, ‘Shop and Services’ and ‘Eating Place’ uses require planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, the Proposed Scheme would be developed within the permissible domestic and non-domestic PRs of 5 and 1, and within the BH restriction (BHR) of 120mPD. One residential tower atop 3-storey podium for eating place and shop and services uses with 2-level basement carpark is proposed (**Drawings A-1 to A-3 and A-6**). Full-height setbacks for provision of 2.75m and 3.5m footpaths along Shung Yiu Street and Sze Shan Street respectively have been incorporated in the Proposed Scheme, which are

^[1] According to Schedule I (for open-air development or for building other than industrial or industrial-office building) of the Notes of the OZP for “R(E)” zone, ‘Eating Place’ and ‘Shop and Services’ uses are always permitted on the lowest three floors of a building, taken to include basements, excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room.

generally in line with the setback requirements under the draft Cha Kwo Ling, Yau Tong and Lei Yue Mun Outline Development Plan (ODP) No. D/K15C/1B-A (**Plan A-2**). Additional voluntary setbacks with at-grade open squares and greenery areas for public enjoyment on 24-hour basis are proposed (**Drawings A-1, A-10 to A-12**)^[2]. A voluntary public passageway (5.5m(w) x 9.6m(h)) at G/F is proposed to link up Shung Yiu Street and Sze Shan Street (**Drawings A-1 and A-12**). Private open space of about 1,411m² would be provided as per the requirement under the Hong Kong Planning Standards and Guidelines (HKPSG).

- 1.3 The Site is elongated in shape and the tower is positioned at the northern side of the Site. To enhance air ventilation and visual permeability, design features including the aforementioned public passageway and a void from 3/F to 7/F (12m(w) x 17m(h)) are incorporated (**Drawings A-6 and A-12**). Residents' access at Sze Shan Street would be separated from the vehicular ingress/egress at Shung Yiu Street (**Drawing A-1 and A-12**).
- 1.4 Floor, section plans, landscape proposals and photomontages submitted by the applicant are shown at **Drawings A-1 to A-12**. The major development parameters of the Proposed Scheme are summarized as follows:

Development Parameters	
Site Area	about 3,587m ²
Plot Ratio (PR)	
- Domestic	5
- Non-domestic	1
Gross Floor Area (GFA) ^[a]	
- Domestic	17,935m ²
- Non-domestic	3,587m ²
Site Coverage (SC)	
- Podium (below 15m)	about 71.3%
- Tower (above 15m)	about 40%
No. of Storeys	30 (including 2 levels of basement and 1 level of refuge floor on 15/F)
BH (at main roof level)	120mPD
No. of Flats	483
Design Population (about)	about 1,305
Private Open Space (about)	about 1,411m ²
Greenery	about 733m ² (20.4%)
Parking Spaces and Loading/Unloading (L/UL) Bays	
- Private Car	85 (incl. 2 accessible parking)
- Motor-cycle	7 8
- LGV (HGV)-L/UL bays	3(3) 6 (3 nos. of LGV & 3 nos. of HGV)
Tentative Completion Year	2028

Note:

- [a] The applicant has indicated that bonus PR of about 0.902 (equivalent to a GFA of about 3,237m²) will be claimed for the setback area to be surrendered to the Government subject to approval by the Building Authority (BA) under Building (Planning) Regulations (B(P)R) 22(2). Any bonus PR/GFA/SC that

^[2] The full-height setback areas under ODP would be surrendered to the Government upon demand. For the voluntary setback areas that would be open for public enjoyment, the applicant would be responsible for the maintenance and management responsibility.

may be approved by the BA have not been reflected in the above.

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

- (a) Application form received on 20.10.2020 **(Appendix I)**
- (b) Supporting Planning Statement enclosing conceptual architectural drawings, Traffic Impact Assessment (TIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA) and Sewerage Impact Assessment (SIA) received on 20.10.2020 **(Appendix Ia)**
- (c) First further information (FI)^[*] vide letter received on 15.1.2021 enclosing responses to departmental comments (RtoC), revised scheme design and revised TIA, EA, DIA and SIA **(Appendix Ib)**
- (d) Second FI^[#] vide letter received on 25.2.2021 enclosing RtoC, replacement pages for TIA, EA, SIA, DIA and revised floor plans **(Appendix Ic)**
- (a) Third FI^[#] vide letters received on 19.3.2021 and 20.3.2021 enclosing RtoC, replacement pages for TIA and revised floor and section plans **(Appendix Id)**

^[*]accepted but not exempted from publication requirement

^[#]accepted and exempted from publication requirement

1.6 On 18.12.2020 and 12.3.2021, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months each as requested by the applicant and the Planning Department (PlanD) respectively in order to allow sufficient time for preparation of FI to respond to departmental comments and for relevant government departments to provide comments on the late submission of the second FI. The application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application as set out in the Planning Statement and FIs in **Appendices Ia to Id** are summarized as follows:

Meeting the housing demand

2.1 The proposed redevelopment providing about 483 private residential units by 2028 is in line with Policy Addresses over the years for increasing housing supply in the medium-term to address the acute housing demand.

In line with planning intention and statutory planning control

2.2 The application to redevelop an obsolete IB for residential development is in line with the planning intention of the “R(E)” zone to phase out existing industrial uses through redevelopment for residential use. The Proposed Scheme is in compliance with the maximum domestic PR of 5 and maximum non-domestic PR of 1 and the BHR of 120mPD as stipulated in the Notes for the “R(E)” zone.

Design Merits

- 2.3 Shung Yiu Street is a narrow street without any footpath. To enhance pedestrian environment and for sake of pedestrian safety, full-height setbacks of 2.75m along Shung Yiu Street is proposed for providing public footpath and 1.15m along Sze Shan Street for provision of 3.5m footpaths as required under the ODP. The setback area of about 647m² (18% of the site area) will be surrendered to the government upon request. Additional voluntary setback with at-grade open squares and greenery areas of about 402m² (11% of the site area) (**Drawing A-10**), to be managed and maintained by the applicant, would be provided along Shung Yiu Street for public enjoyment on 24-hour basis to further contribute to the public realm and enhance pedestrian environment. With its elongated site configuration, a 5.5m public passageway at G/F of the proposed building is incorporated to facilitate pedestrian circulation between Shung Yiu Street and Sze Shan Street on 24-hour basis. Private open space of not less than 1m² per person in accordance with the HKPSG would be provided.
- 2.4 The residential block with tower SC of 40% is positioned at the northeastern portion of the Site with provision of flat units facing Sam Ka Tsuen Recreational Ground in southeast as existing IBs are mostly found to its north, west and southwest. According to the applicant, such disposition adopts 'self-protective design' to keep the residential units away from the existing concrete batching plants (CBPs) and the wholesale fish market in its further south (**Plan A-3**). Whereas, the public passageway (5.5m(w) x 9.65m(h)) as mentioned above would be provided at the northern portion of the Site for better pedestrian connectivity and visual/air permeability. To facilitate air ventilation into Cho Yuen Street, the 7.5m-wide vehicular access with permeable design at G/F and the void at the central portion of the Site from 3/F to 7/F (of about 12m(w) x 17m(h)) would be provided. Staggered podium design with landscape areas at podium level would create visual interest of the Proposed Scheme.
- 2.5 The Proposed Scheme will achieve greenery provision of about 20.4%, comprising greenery and vertical greening facing Shung Yiu Street at G/F and planted areas at podium (**Drawings A-8, A-11 and A-12**), which exceeds the Sustainable Building Design Guidelines (SBDG) requirement for a site with area between 1,000m² to 20,000m². The applicant also claims that Proposed Scheme has met the requirements on building separation and building setback under SBDG (**Drawings A-7 to A-9**). Solar control devices for façade facing west to reduce solar heat gain and avoid glare affecting adjacent buildings would be considered in detailed design stage.

Similar applications approved in Yau Tong Industrial Area (YTIA)

- 2.6 Similar applications within the "R(E)" zone in YTIA were previously approved by the Board, and some of them have been developed for approved residential uses. These cases have established desirable precedent for approval of the Proposed Scheme, which the industrial/residential (I/R) interface problem will be gradually minimized as the area is transforming into a new residential community.

Technical Aspects

- 2.7 The EA, including Air Quality Impact Assessment (AQIA), Noise Impact Assessment, Land Contamination Assessment and Waste Management Plan, as submitted concluded that with incorporation of mitigation measures (i.e. self-protective tower disposition, provision of acoustic window, acoustic balcony, fixed glazing), no insurmountable

environmental problems with respect to air quality, noise, waste and land contamination are anticipated. The submitted SIA and DIA also demonstrated that the Proposed Scheme would not have adverse impact sewerage and drainage impact to the surrounding areas.

- 2.8 The TIA revealed that the proposed redevelopment will not induce significant traffic impact on the surrounding road network and is considered acceptable from traffic engineering point of view. High end of parking requirements under the HKPSG are adopted for provision of car and motorcycle parking and L/UL spaces. In order to enhance pedestrian circulation, an at-grade cautionary crossing across Shung Yiu Street near the 5.5m passageway would be provided.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Application

Part of the Site is the subject of a previous application (No. A/K15/83) for residential development comprising two towers with a larger site area of 5,200m² (with the adjoining Shung Yiu Street in its north and northeastern sides included) and a proposed BH of about 149mPD (**Plan A-1**). This previous development scheme adopted a single aspect building design with non-noise sensitive rooms and a large portion of solid concrete walls facing the sources of industrial noise. Despite that the EA as submitted proven the proposed development could meet the relevant environmental requirements, the Director of Environmental Protection (DEP) considered that such single aspect building design was not appropriate from environmental planning perspective. The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) considered the proposed BH of 149mPD was on high side even those there was no BHR for the YTIA at that time³. The application was rejected by the Committee on 1.2.2008 on the grounds that the layout, design, deposition and height of the proposed development were considered inappropriate in the local context; and there was insufficient information in the submission to demonstrate the proposed development would not result in adverse air ventilation and visual impacts on the area. Details of the application is summarized in **Appendix II**.

5. Similar Applications

- 5.1 There were 22 similar planning applications covering six sites for residential and commercial developments within the “R(E)” zone on the OZP (**Plans A-1 and A-3**). 18 of them were approved with conditions by the Committee between 2000 and 2010 mainly on the grounds that the proposed developments were in line with the planning intention of “R(E)” zone and would not cause any adverse environmental, traffic and infrastructure impacts, and that the proposed developments would help to achieve gradual transformation of YTIA for improving the environmental quality of the area in long run. Four planning applications (Nos. A/K15/51, A/K15/56, A/K15/73 and A/K15/85) were rejected by the Committee or by the Board on review on the grounds that the applicants failed to

³ BHRs in the range between 80mPD to 140mPD were imposed for the sites zoned “R(E)”, “Comprehensive Development Area” and “Commercial” in YTIA, including the Site, in 2008.

demonstrate that the proposed developments would be environmentally acceptable and suitable mitigation measures would be implemented to address the potential I/R interface problems; there were insufficient information to justify the excessive BHs of the proposed developments and would set an undesirable precedent for similar or even taller residential developments in the area. The details of these applications are at **Appendix III**.

- 5.2 For the permissions granted, five sites (involving 16 approved applications) had been redeveloped for approved residential/shop and services uses (Nos. A/K15/59, A/K15/68, A/K15/74, A/K15/91 and A/K15/93) and the remaining two permissions (Nos. A/K15/61 and A/K15/90) granted for a site had lapsed (**Plans A-1 and A-3**).

6. The Site and Its Surrounding Areas (Plans A-1 and A-3 and photos on Plans A-4 and A-5)

6.1 The Site is:

- (a) occupied by a 7-storey IB, namely Olympic Godown, completed in 1982; and
- (b) an island site bounded by Sze Shan Street in the southeast and Shung Yiu Street in the other three sides.

6.2 The surrounding areas have the following characteristics:

- (a) YTIA is being gradually transformed and is currently with a mix of residential and industrial uses. Within the “R(E)” zones, five developments were completed for the approved residential uses, namely Peninsula East, Maya, The Spectacle, Ocean One and Canaryside (**Plan A-3**). Sites to the further south in the waterfront area is mainly zoned “Comprehensive Development Area” (“CDA”) with the intention for provision of comprehensive development/redevelopment for residential and/or commercial uses with provision of open space. Five planning approvals have been granted for four “CDA” sites for comprehensive residential developments, of which one is under construction (**Plan A-3**);
- (b) surrounded by IBs with no polluting industrial uses (namely Wah Fai Industrial Building, Ko Fai Industrial Building, Well Town Industrial Building, Long Life Industrial Building, Yau Tong Industrial City, Wah Shun Industrial Building, Wah Lee Industrial Building, Tai Yick Industrial Building and Yau Tong Industrial Building) and a commercial/office building (i.e. Chung Pak Commercial Building);
- (c) to the southeast and southwest across Sze Shan Street is Sam Ka Tsuen Recreational Ground zoned “Open Space” and Sze Shan Street Cooked Food Market zoned “R(E)”. An electrical substation, zoned “Government, Institution and Community” (“G/IC”), is located to its north across Shung Yiu Street; and
- (d) MTR Yau Tong Station is about 350m to the northwest of the Site.

7. Planning Intention

- 7.1 The “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in

order to avoid perpetuation of I/R interface problem.

- 7.2 According to the Explanatory Statement of the OZP, the developers will be required to submit adequate information to demonstrate that new residential development will be environmentally acceptable, and suitable mitigation measures, if required, will be implemented to address the potential I/R interface problems.

8. Comments from Relevant Government Bureau/Departments

- 8.1 The following Government bureau/departments have been consulted and their views on the application are summarised as follows:

Land Administration

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

- (a) The Site falls within YTIL No. 36, which is restricted for cargo consolidation for containers and ancillary godown purposes.
- (b) The proposed residential cum commercial redevelopment would be in conflict with the lease governing the Lot. If the planning application is approved by the Board, the lot owner has to apply to the LandsD for a lease modification/land exchange. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application, if received by the LandsD, will be considered by the LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by the LandsD.

Environmental Aspect

- 8.1.2 Comments of the Director of Environmental Protection (DEP):

- (a) The Proposed Scheme is to redevelop the existing IB for residential use, which will help to remove an undesirable I/R interface to improve the existing environment and facilitate gradual infilling of residential developments within the YTIA.
- (b) The EA, as part of the planning application documents to address the potential environmental impacts and I/R interface issues, as submitted by the applicant,
 - (i) It is noted that the applicant has addressed the interim I/R interface issues by implementing various suitable air and noise mitigation measures and other measures such as the residential entrances will be located at Sze Shan Street where the traffic flow of concrete mixers is low and a designated hotline will be set up by the management office for handling environmental complaints.
 - (ii) On noise, the proposed development will be subject to noise impact from nearby road traffic (e.g. from Shung Yiu Street and Sze Shan

Road) and fixed sources (e.g. from industrial operations, chillers, etc). After implementation of appropriate noise mitigation measures (e.g. acoustic windows and acoustic balconies, fixed glazing/auto-close door), no adverse noise impact is anticipated.

- (iii) On air quality, the air quality impact assessment recommends sufficient horizontal buffer distances from nearby roads, concrete batching plants, industrial chimneys and odour sources to minimize the effect of vehicular emissions, dust emissions, industrial emissions, and odour emissions as promulgated in Chapter 9 of the HKPSG. No adverse air quality impact is anticipated at the proposed development during operation phase.
- (iv) On sewerage, it is anticipated that there is no insurmountable sewerage impact arising from the proposed development. Approval conditions on the submission of a revised SIA and implementation of sewerage facilities identified in the SIA is required.
- (c) In view that there is no insurmountable environmental issues, he has no objection to the application but recommends that approval conditions as detailed in paragraphs 11.2 (a) to (d) below should be imposed, should the Board approve the application.
- (d) His other detailed technical comments are attached in **Appendix IV**.

Traffic Aspect

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

Having reviewed the revised TIA at **Appendix Id**, he has no adverse comment on the application from traffic engineering point of view, but suggests that should the application be approved by the Board, approval conditions for the submission of a revised TIA, and implementation of traffic mitigation measures (including the at-grade cautionary crossing at Shung Yiu Street near the 5.5m passageway as proposed by the applicant); and the design and provision of vehicular access, and vehicle parking spaces, and L/UL facilities and maneuvering spaces for the proposed development as stated in paragraph 11.2 should be imposed.

Urban Design, Visual and Landscape Aspects

8.1.4 Comments of the CTP/UD&L, PlanD:

Urban Design and Visual Aspects

- (a) The application is for redevelopment of the existing 7-storey IB into a 30-storey building for flat, shops and services and eating places. The BH of the proposed development complies with BHR of 120mPD as stipulated on the OZP. The Proposed Scheme would unlikely cause any significant adverse visual impact to the surroundings.

- (b) Full-height setbacks for provision of 2.75m and 3.5m footpaths along Shun Yiu Street and Sze Shan Street respectively are proposed. Landscape treatments (e.g. planters and vertical greening) from G/F to 3/F and 3 open squares at G/F facing Sze Shan Street will be provided. A 5.5m wide double-height covered passageway at G/F connecting between Sze Shan Street and Shung Yiu Street has been proposed. These measures may promote visual interest and pedestrian comfort.
- (c) He has no comment on the Proposed Scheme from urban design and visual perspective.

Landscape Aspect

- (d) With reference to aerial photo of 2019, the Site is located in an area of urban landscape character dominated by medium to high-rise IBs and residential buildings with planned commercial and CDA developments in the vicinity. No existing tree is observed within application boundary. The proposed development is not incompatible with the landscape character of surrounding area.
- (e) In view that adverse landscape impact caused by the proposed development is not anticipated and adequate landscape provisions are proposed to improve the landscape quality of the development, he has no objection on the application from landscape planning perspective

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

The proposed development consists of one 30-storey tower block (including 2-storeys basement) with maximum BH of 120mPD which complies with the BHR permitted in the OZP. It may not be incompatible with adjacent developments with BHR of 120 to 140mPD. He has no comment from architectural and visual impact point of view.

Fire Safety

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

He has no specific comment on the proposed development subject to fire service installations and water supplies for firefighting being provided to his satisfaction. Emergency Vehicular Arrangement (EVA) arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by the Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans (GBPs).

Building Matters

8.1.7 Comments of the Chief Building Surveyor/Kowloon, BD (CBS/K, BD):

- (a) He has no in-principle objection to the application.
- (b) All building works are subject to compliance with the Building Ordinance

(BO).

- (c) Regarding the proposed setback areas to be surrendered, whether bonus PR could be granted for the surrender under B(P)R 22(2) could only be considered in the GBP submission stage. Bonus PR for the development will only be allowed if such surrender is considered essential and acceptable to relevant departments. PPAP APP-20 is relevant.
- (d) Detailed comments under the BO for the proposed scheme including the compliance with SBDG stipulated in PNAP APP-152 will be given at GBP submission stage.

8.2 The following Government bureaux/departments have no comment on/no objection to the application:

- (a) Principal Assistant Secretary (Harbour), Development Bureau;
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Chief Engineer/Construction, Water Supplies Department;
- (d) Chief Engineer/ Mainland South, Drainage Services Department;
- (e) Project Manager/East Development Office, Civil and Engineering Development Department (CEDD);
- (f) Head of Geotechnical Engineering Office, CEDD;
- (g) District Officer (Kwun Tong), Home Affairs Department;
- (h) Director of Electrical and Mechanical Services; and
- (i) Commissioner of Police.

9. Public Comments Received During Statutory Publication Period

- 9.1 The application and the first FI (**Appendix Ib**) were published for public inspection on 27.10.2020 and 26.1.2021. Within the two statutory public inspection periods, a total of seven comments were received, including six objecting comments from a member of Legislative Council (LegCo) (**Appendix V(a)**), 2 from the same member of Kwun Tong District Council (KTDC) (**Appendices V(b) and (c)**) and 3 from other individuals, and one from an individual providing comment (**Appendices V(d) to V(g)**).
- 9.2 The LegCo member and the KTDC member raised concern about the operation of the CBPs near Tung Yuen Street to the further south which may pose harm to the health of the residents' nearby and they objected the application unless there is known programme to relocate the CBPs (**Plan A-3**). The KTDC member questioned whether the applicant has submitted TIA and EA to demonstrate the Proposed Scheme would not cause adverse environmental and traffic impacts to the surrounding. The other objecting comments are mainly on the grounds that the Proposed Scheme would induce adverse traffic, visual, air ventilation and glazing impacts, and questioned the effectiveness of the noise mitigation measures. One individual commented that the transformation was not in fast pace as the area is still predominantly occupied by IBs and there is no community facilities provided in the proposed development to cater the increased population.
- 9.3 For the comment providing views, the one individual commented that technical assessments including EA, TIA, Visual Impact Assessment and Air Ventilation Assessment should be conducted to demonstrate the proposed development would not cause adverse environmental, traffic, visual and air ventilation impacts; the extensive use

of curtain wall would cause glare effect to surrounding residential developments; and measures to improve the pedestrian walkability of the surrounding area through this redevelopment should be considered.

10. Planning Considerations and Assessments

- 10.1 The application is for proposed redevelopment at the Site into a 30-storey development (including 2 levels of basement carpark) with ‘Flat’, ‘Shop and Services’ and ‘Eating Place’ uses, which require planning permission under Schedule I of the Notes for non-IBs in the “R(E)” zone. The Site, providing 483 flats, would be developed with a domestic PR of 5 and non-domestic PR of 1, and a BH of 120mPD.

Planning Intention and Development Intensity

- 10.2 The Proposed Scheme generally complies with the planning intention of the “R(E)” zone for phasing out of existing industrial uses through redevelopment for residential use. The proposed development would be developed to domestic PR of 5 and non-domestic PR of 1 and a maximum BH of 120mPD, which do not exceed the statutory restrictions under the OZP.

Land Use Compatibility

- 10.3 To facilitate phasing out the existing industrial operations, the YTIA had been rezoned from “Industrial” zone to zonings for residential and commercial uses in 1998. Since then, the area has been gradually transformed from a traditional industrial area to an area mixed with residential, commercial and industrial uses, including five completed developments for approved residential uses in “R(E)” zones (**Plan A-3**). On a wider context, planning approvals have been granted for four “CDA” sites at the waterfront area of YTIA for comprehensive residential developments, of which some are under construction/lease modification in progress (**Plan A-3**). The transformation of the YTIA has been gradually taking shape and such changes in land use over the past decades have unleashed the development potential to meet the changing development need of the society. The proposed residential development with shop and services and eating place uses at the Site is considered compatible with the long term planned land use of the area and would facilitate the gradual transformation of the area for residential use in long run.

Environmental Considerations

- 10.4 While a number of residential developments were approved at the “R(E)” and “CDA” zones in YTIA, it may not be possible to phase out all IBs within the “R(E)” zone in one go and there is a possibility that residential buildings might be redeveloped in the midst of IBs; thus it is vital to ensure through the planning application mechanisms that appropriate measures are adopted in the proposed residential development to address the possible I/R interface issues in the interim period. The EA submitted by the applicant demonstrated that with the proposed mitigation measures as detailed in paragraph 2.7 above, no insurmountable environmental problems is anticipated. DEP considers that the proposed redevelopment for residential use would help to improve the existing environment and facilitate gradual transformation in YTIA, and has no objection to the application, subject to imposition of relevant approval conditions in paragraph 11.2(a) to (d) below should the Board approve the application.

Urban Design, Visual and Landscape Aspects

- 10.5 The Site would be redeveloped with a BH within the statutory restriction of 120mPD, as

such, CTP/UD&L, PlanD advises that proposed development would unlikely cause any significant adverse visual impact to the surroundings. Setbacks for provision of 2.75m and 3.5m footpaths along Shung Yiu Street and Sze Shan Street required under ODP with additional voluntary setbacks have been proposed. The applicant has also proposed the 5.5m wide double height covered passageway at G/F and various measures for improving air ventilation and visual permeability including the voids on 3/F to 7/F (**Drawings A-6 and A-12**) as detailed in paragraph 2.4 above. CTP/UD&L, PlanD comments that these measures may promote visual interest and pedestrian comfort.

- 10.6 Private open space would be provided in accordance with the requirement under HKPSG (i.e. not less than 1m² per person) and greenery provision of 20.4% would be provided. CTP/UD&L, PlanD comments that adequate landscape provisions are proposed to improve the landscape quality of the development and thus no adverse landscape impact is anticipated. The applicant claimed that the Proposed Scheme has met the requirements under SBDG in respect of building separation, building setback and site coverage of greenery that would be subjected to scrutiny in GBP submission stage.

Other Technical Aspects

- 10.7 The TIA as submitted revealed that the proposed redevelopment would not induce significant traffic impact on the surrounding road network and is considered acceptable from traffic engineering point of view. The proposed development would provide parking spaces according to the high end requirement under the HKPSG. C for T has no adverse comment on the application from traffic engineering perspective. The other relevant Government departments including FSD and WSD, and DSD have no adverse comment on/no objection to the application, subject to incorporation of approval condition on sewerage aspect in paragraph 11.2 below.

Previous and Similar applications

- 10.8 As for the previous rejected application (No. A/K15/83) for proposed residential use, DEP considered that the single aspect building design adopted as one of the environmental mitigation measures was inappropriate from environmental planning perspective, and that the proposed BH of 149mPD was on high side as commented by CTP/UD&L, PlanD. For current application, the Proposed Scheme with a BH of 120mPD and with incorporation of various design measures, CTP/UD&L, PlanD comments that the Proposed Scheme would unlikely cause any significant adverse visual impact and would improve the pedestrian environment and promote visual interest. DEP considers that the proposed redevelopment for residential use would help to improve the existing environment and facilitate gradual transformation in YTIA, and has no objection to the application.
- 10.9 The Committee had previously approved 18 similar applications for residential and commercial development within “R(E)” zone in YTIA (**Plan A-3** and **Appendix III**) on grounds mentioned in paragraph 5 above that are applicable to the current application. Approval of the application is in line with the previous decision of the Committee on other similar applications in “R(E)” zone.

Public Comments

- 10.10 Regarding the public comments on land use compatibility, traffic, environmental, air ventilation and visual aspects, the assessments above are relevant. The existing CBPs in the waterfront area of YTIA are about 200m away from the Site (**Plan A-3**). The EA as conducted demonstrated that the proposed residential development, with adoption of various mitigation measures and self-protective design would not subject to insurmountable environment problems, DEP has no adverse comment in this regard. From land use

planning perspective, CBP should be set up in an appropriate land use zoning in the long run to minimise the impacts on the surrounding. To this end, the Government is studying the feasibility to identify a suitable site in Tseung Kwan O Area 137 for market to set up a CBP. The provision of GIC facilities are generally sufficient to meet the existing and planned demand in the Planning Scheme Area except shortfalls in provision of district open space, school places and hospital beds. As for the shortfall in social welfare facilities, a welfare block comprising different types of welfare facilities with target completion by 2027 is proposed at a “G/IC” site in Lei Yue Mun Path, which is about 400m from the Site (Plan A-1).

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments as mentioned in paragraph 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 26.3.2025, 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 of a revised Environmental Assessment to address the potential air quality and noise impacts and industrial/residential interface environmental problems, and the implementation of the environmental mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of a revised Land Contamination Assessment and the implementation of the mitigation measures proposed therein prior to the commencement of the construction works for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the sewerage facilities identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a revised Traffic Impact Assessment and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the design and provision of vehicular access, and vehicle parking spaces, and loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and

- (g) 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 VI**.

11.3 There is no strong planning reason to recommend objection of the application.

12. Decision Sought

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

13. Attachments

Appendix I	Application form received on 20.10.2020
Appendix Ia	Supplementary planning statement received on 20.10.2020
Appendix Ib	First FI vide letters received on 15.1.2021
Appendix Ic	Second FI vide letter received on 25.2.2021
Appendix Id	Third FI vide letters received on 18.3.2021 and 19.3.2021
Appendix II	Previous application covering the Site
Appendix III	Similar applications within “Residential (Group E)” of the OZP
Appendix IV	Detailed technical comments from Government department
Appendices V(a) to (g)	Public comments received during the statutory publication periods
Appendix VI	Recommended Advisory Clauses
Drawings A-1 –A-5	Floor plans
Drawing A-6	Section plan
Drawings A-7 – A-9	Sustainable Building Design Calculations
Drawing A-10	Open space calculation
Drawing A-11	Landscape Proposal
Drawing A-12	Photomontages
Plans A-1 and A-2	Location Plans on OZP and ODP
Plan A-3	Site Plan
Plans A-4 and A-5	Site Photos

**PLANNING DEPARTMENT
MARCH 2021**