

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K16/44

- Applicant** : Correctional Services Department (CSD) represented by Townland Consultants Limited
- Site** : Lai Chi Kok Reception Centre (LCKRC), Nos. 3/5 Butterfly Valley Road, Kowloon
- Site Area** : About 7,990m²
- Land Status** : Government Land
- Plan** : Approved Lai Chi Kok Outline Zoning Plan (OZP) No. S/K16/16
- Zoning** : “Government, Institution or Community” (“G/IC”)
- Application** : Correctional Institution

1. The Proposal

- 1.1 The applicant seeks planning permission for in-situ redevelopment of part of the existing LCKRC at Nos. 3/5 Butterfly Valley Road (about 5,200m²/65% of the site area) and extension to a piece of man-made slope to the north of LCKRC (about 2,790m²/35% of the site area) (the Site) (**Plan A-1**) for correctional institution (the Proposed Redevelopment). According to the Notes of the OZP for the “G/IC” zone, ‘Correctional Institution’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). There is no building height (BH) and plot ratio (PR) restriction for development in the “G/IC” zone under the OZP.
- 1.2 The existing LCKRC was built in 1977, comprising of 13 building blocks of the maximum security institution for male adult persons in custody (PICs) in the northern portion, and two building blocks for administrative offices and open-air car park in the southern portion (**Plan A-2**). It has been subject to several internal conversion, alteration and modification to increase the capacity from 940 penal places to the current 1,484 places. As at September 2020, the penal population is 1,524 male adult PICs, reaching an occupancy rate of 103%.

- 1.3 The Proposed Redevelopment involves the redevelopment of the area currently occupied by five existing blocks (i.e. Annex Blocks I to M¹) and northward expansion of the existing boundary (**Plan A-2**) for construction of three interconnected blocks (i.e. Entrance, Southern and Northern Blocks) with a BH ranging from 12 to 13 storeys (65mPD to 70.6mPD) to provide additional penal places for PICs with additional and enhanced ancillary facilities including reception units, visiting units, healthcare, custodial and rehabilitative facilities, and a secondary data centre to address the existing overcrowding problem and to replace the existing old/outdated facilities. The Proposed Redevelopment will increase the number of penal places at the Site from 400 to 810 (+410) and the whole LCKRC from a total of 1,484 to 1,894 penal places upon completion of redevelopment (Details at **Appendix II**).
- 1.4 No additional parking spaces and loading/unloading facilities will be required. The existing parking area of the LCKRC to the south of the Site will be slightly modified to provide a new taxi layby for visitors' pick-up/drop off activities (**Drawing A-16** and **Appendix II**).
- 1.5 The block plan, floor plans, section plan, greenery plan, landscape layout plan, proposed car parking arrangement, and photomontages submitted by the applicant for the Proposed Redevelopment are at **Drawings A-1 to A-20**. Major development parameters of the Proposed Redevelopment are appended below. The development parameters of the existing LCKRC and the Proposed Redevelopment is at **Appendix II**.

Major Development Parameters of the Proposed Redevelopment	
Site Area	About 7,990m ²
Plot Ratio	About 5.5
Total Gross Floor Area (GFA)	About 43,945m ²
- Northern Block	About 10,015m ²
- Entrance and Southern Blocks	About 33,930m ²
Site Coverage	About 55.1%
Number of Blocks	3
Number of Storeys	Entrance Block: 12 Southern and Northern Blocks: 13
Building Height	Entrance Block: not more than 65mPD Southern Block: not more than 66.6mPD Northern Block: not more than 70.6mPD
Number of Penal Places	810 <i>(including the reprovisioning of the existing 400 penal places)</i>
Site Coverage of Greenery	20.17% (about 1,612m ²)

¹ The existing Annex Blocks I to M to be demolished were originally designed for staff married quarters in 1977, and were converted to female adult correctional facilities in 2006, and further modified and amalgamated for male adult PICs in 2012 to meet the operational needs of CSD and the continually increasing demand for penal places. Annex Blocks I to M provide 400 penal places, dayrooms, exercise yards, hospital wards, library, office, secondary server room etc.

- 1.6 The Proposed Redevelopment incorporates a 20m-wide setback from its eastern boundary to provide buffer distance from Tsing Sha Highway and Butterfly Valley Road. A site coverage of greenery of 20.17% for the Site can be achieved with greenery provided on 12/F of Entrance Block, R/F of Southern Block and upper R/F of Northern Block (**Drawing A-14**). Use of colours and materials with façade articulations are proposed to provide visual variation in the detailed design of the buildings. For security purpose, appropriate width of clearance between the building blocks and fence should be maintained and it also serves as a passage for staff to conduct patrol duty to ensure the security of the institution (**Drawing A-1**).
- 1.7 The project will be implemented in three phases including pre-construction phase to provide temporary accommodation at existing buildings and open-air car park outside the Site for decanting; main construction phase of three new blocks; and post-commissioning alteration to remove the temporary works and renovate existing buildings. The unaffected part of LCKRC will remain in operation in all phases. The entire redevelopment works is targeted to commence in 2022/2023 and complete in 2030/2031.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 13.1.2021 (**Appendix I**)
 - (b) Supplementary Planning Statement and Technical Assessments (**Appendix Ia**)
 - (c) Letter received on 24.2.2021 providing responses to departmental and public comments, and replacement pages of preliminary environmental review (PER), sewerage impact assessment (SIA) and drainage impact assessments (DIA)[#] (**Appendix Ib**)
 - (d) Letter received on 9.3.2021 providing responses to departmental and public comments, revised figures, and a replacement page of PER[#] (**Appendix Ic**)

[[#]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 detailed in the Supplementary Planning Statement and submissions of further information at **Appendices I to Ic**. They are summarised as follows:

Need for Redevelopment of LCKRC

- (a) the LCKRC was built in 1977 and has been operating for more than 40 years. CSD has been increasing the capacity of LCKRC by internal conversion, alteration and modification in the existing building blocks over the years to meet the increasing penal population. There is still an overcrowding problem with over 100% occupancy rate. The LCKRC should be further expanded to provide more penal places and up-

to-standard correctional facilities to address the overcrowding problem and improve the living conditions of PICs;

- (b) the physical condition of the building structures is dilapidated and equipment is approaching the end of the service design life. Building conditions such as roof leakages and paint peeling are undesirable for staff members and PICs. Moreover, the Annex of LCKRC was non-purpose built and converted from old staff married quarters. Its design and space provision are insufficient and far from ideal to meet CSD's operational needs. The current space entitlement for night accommodation for each PICs in dormitory and cell are 4.6m² and 7m² respectively in accordance with the Hong Kong Correctional Services Standard, which will be maintained upon redevelopment. More social visit booths and official visit rooms will be provided to shorten the waiting time, healthcare, custodial and rehabilitative facilities² will be enhanced, and exercise yards and indoor exercise facilities will be provided for PICs;

Optimisation of the Existing Land Resources

- (c) CSD has been transferring some of the remand PICs to Stanley Prison as a stop-gap measure to relieve the persistent overcrowding problem in LCKRC. However, as there are different treatment, separation and detention arrangements between remand PICs and convicted PICs, it is not feasible to turn this arrangement into permanent or extend the arrangement to other institutions which will require additional resource, manpower and security requirements at institutions which are designed for detention of convicted PICs. The capacity of the other maximum security institutions for male adult PICs have been fully utilised and they are not able to cater for increasing stop-gap demand arising from LCKRC. As at August 2020, the occupancy rate of male adult maximum security institutions has already reached 90%;
- (d) LCKRC is at a strategic location and is more conveniently connected to most of the judicial courts all across Hong Kong than other male adult maximum security institutions, having regard to the substantial needs of conducting escorts of the remand PICs between institutions and the courts to attend hearings. CSD has been exploring the feasibility of alternative options for utilising the remaining development potential within the existing LCKRC. However, full-scale redevelopment was ruled out due to complicated construction phasing and impacts on regular operation of LCKRC;
- (e) as partial in-situ redevelopment confined within the existing LCKRC will generate BH up to 110mPD in order to provide the same GFA, and Express Rail Link (XRL) and its building plan control boundary are underneath the Main Blocks of LCKRC, the expansion with a minimum area of about 2,790m² encroaching on the northern man-made slope is the only alternative given the existing transport infrastructures, CSD's staff quarters and staff club, and Jao Tsung-I Academy surrounding the Site (**Plan A-2**). Having considered the site constraints, the Proposed Redevelopment

² Healthcare facilities refer to on-premises hospital which includes wards, cells, consultation rooms, etc. and designated specialised clinic will be set up to provide more comprehensive medical treatments for PICs. Custodial facilities refer to day and night accommodation such as dayrooms, dining halls, cells, dormitories, reception unit, kitchen, laundry, etc. Rehabilitative facilities refer to counselling room, religious service room, library, exercise yards, etc.

involving partial in-situ redevelopment and expansion to the northern sloping land is the most feasible option to maximise the redevelopment potential. The Security Bureau has given policy support for this redevelopment proposal of LCKRC;

In-line with Government's Initiatives to Develop Smart Prison in Hong Kong

- (f) the Proposed Redevelopment is in response to the 2018 Policy Address for development of smart city facilities and to improve correctional services through adoption of smart technology. As the secondary data centre will involve storage and processing of restricted information and personal data of PICs, it should be located within CSD facilities for security reason. The secondary data centre is a reprovision of the existing secondary server room in LCKRC which serves the system resilience and disaster recovery of the existing primary server room at CSD Headquarters. To serve the purpose of system resilience, the primary and secondary data centre cannot be co-located at the same location. Therefore, the proposed secondary data centre in LCKRC and the primary data centre in the new CSD Headquarters, under construction, in Chai Wan, will be functioning together to provide system services to all correctional institutions to ensure the system availability and operational efficacy of CSD;
- (g) upon the redevelopment, different smart systems including video analytic monitoring system to detect abnormal behaviours and movement of PICs and location monitoring system to keep track of real-time movement of PICs, and centralised body temperature system will be implemented in the LCKRC. If any abnormality is detected, the systems will alert the correctional offices for immediate action. Besides, e-booking system will also be provided to facilitate the convenient booking for visits;

Appropriate Relocation Arrangement to Maintain Existing Services

- (h) during the construction phase of the new blocks, some facilities such as office, stores, server rooms will be temporarily reprovisioned in the existing building blocks and in a two-storey temporary building to be provided at the open-air car park for decanting to maintain daily operation of the reception centre while remand PICs will be either accommodated at other blocks of LCKRC or transferred to other institutions as appropriate. Appropriate security measures and monitoring measures will be taken to separate the construction activities and institution operation, e.g. installation of hoarding for physical separation, addition of CCTV cameras for monitoring, and tower cranes at the construction site will be restricted for swinging above the institution;

In-line with Planning Intention and Compatible with the Surrounding Land Uses

- (i) the Proposed Redevelopment for correctional institution is in line with the planning intention of the "G/IC" zone and will provide additional floor space with up-to-standard facilities to relieve the current overcrowding problem and house the much-needed correctional facilities. The Proposed Redevelopment with a PR of 5.5 and BH ranging from 12 to 13 storeys (65mPD to 70.6mPD) is considered compatible with the adjacent medium to high-rise buildings in the government, institution and community (GIC) cluster and a mix of residential and industrial-

office buildings. The scale and BH of the Proposed Redevelopment is not excessive in the local context and can blend in with the local character;

Incorporation of Urban Design Measures

- (j) the Site is located outside major air paths and it does not fall within the categories of government projects which may bring about potential impact on air ventilation in macro wind environment and for which an air ventilation assessment (AVA) would be required. As such, an AVA is not required in accordance with the Housing, Planning and Lands Bureau Technical Circular No. 1/2006;
- (k) the site layout and disposition of the buildings are responsive to site constraints and topographical context but also meeting the special operational and security requirements of LCKRC. The variation in BH of the Proposed Redevelopment echoes the hillside topography. Building gaps between the three blocks will reduce the massing and bulkiness of the development and also allow air penetration and visual permeability at the Site;
- (l) due to the unique operational requirements of the reception centre, longer façade length is proposed to achieve the number of cells or cell configurations required by CSD. However, different colours and materials with façade articulations will be proposed to break down the visual mass to provide visual variation. As the perimeter road/sterile area should be concrete paved and no anchorage point or visual blockage is allowed on the building facade due to security requirement, at-grade greenery and vertical greening cannot be provided. However, roof-top greenery on 12/F, R/F and upper R/F will be proposed, achieving a site coverage of greenery of about 20.17% (**Drawing A-14**);

Technical Aspects

- (m) various technical assessments including visual impact assessment (VIA), landscape impact assessment (LIA), PER, geotechnical planning review report (GPRR), traffic impact assessment (TIA), DIA and SIA have been conducted to demonstrate that the Proposed Redevelopment will not cause adverse visual, landscape, environmental, geotechnical, traffic, drainage and sewerage impacts;
- (n) a total of 55 trees are surveyed within and near the Site. They are mostly common species in Hong Kong with no registered Old and Valuable trees. Given that the expansion to the northern slope is the only alternative, out of the 55 existing trees, 17 trees along the northern boundary of the Site are in direct conflict with the Proposed Redevelopment and thus are proposed to be felled. The compensatory tree planting of heavy standard trees at a ratio of 1:1 will be provided mainly along the southern edge of LCKRC along Castle Peak Road (**Drawing A-15**);
- (o) a quantitative risk assessment (QRA) conducted in October 2018 revealed that the risk level posed by the nearby Lai Chi Kok Gas Offtake Station to the LCKRC is acceptable in accordance with the Government Risk Guidelines. The Electrical and Mechanical Services Department has no comment on the QRA and no objection to the application;

- (p) as the former Lai Chi Kok Hospital, a Grade 3 Historic Building, is within 50m of the Site, no disturbance and physical damages should be made to the heritage during the course of the works or mitigation measures, where necessary, will be required. The Antiquities and Monuments Office (AMO) was consulted and it advised that a heritage impact assessment would not be required for the Proposed Redevelopment. AMO will be further consulted on the future outlook of the Proposed Redevelopment at the detailed design stage;
- (q) regarding the proximity to the railway protection boundary and Lai Chi Kok Gas Offtake Station, the Mass Transit Railway Corporation Limited (MTRCL) and the Hong Kong and China Gas Company Limited (Towngas) were consulted earlier respectively on the Proposed Redevelopment and they will be consulted again at later stages; and

Briefing to the Sham Shui Po District Council (SSPDC)

- (r) the Community Affairs Committee (CAC) of the SSPDC was briefed on 26.11.2020 on the Proposed Redevelopment. Members raised concerns mainly on the treatments of PICs, arrangement of official visits, alternatives for redevelopment and landscape impact of the redevelopment. The facilities in LCKRC will be increased and enhanced. CSD had explored different options for redevelopment and the current redevelopment proposal is the most feasible option taking into considerations on site constraints and operational feasibility. While 17 existing trees of common species need to be felled, compensatory planting at 1:1 ratio will be provided. Regarding the redevelopment at the CSD's staff quarters and staff club, these facilities including staff barracks, changing facilities, canteen and meeting rooms are essential to be maintained for meeting CSD's operation. The concerns raised by CAC of SSPDC related to daily operation of the institution will be considered separately.

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

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

4. Previous Application

There is no previous application covering the Site.

5. Similar Application

There is one similar application (No. A/K16/15) for correctional institution within the “G/IC” zone in the Lai Chi Kok OZP (**Plan A-1**). The application submitted by CSD for proposed correctional institution at the southern part of the existing LCKRC compound was approved with conditions by the Metro Planning Committee (the Committee) of the

Board on 27.10.2000. However, the approved scheme has not been implemented and the planning permission lapsed.

6. The Site and Its Surrounding Areas (Plans A-1 to A-3 and photos on Plans A-4 to A-8)

6.1 The Site is:

- (a) occupied by Annex Blocks I to M of LCKRC at its eastern portion and man-made slope at its northern portion;
- (b) accessible from Butterfly Valley Road; and
- (c) at about 350m southeast of the MTR Lai Chi Kok Station and 650m southwest of the MTR Mei Foo Station (**Plan A-1**).

6.2 The surrounding areas have the following characteristics:

- (a) to the immediate south and southwest is the existing LCKRC and its staff quarters and staff club, and Lai Chi Kok Gas Offtake Station. To the immediate north is vegetated natural hillside in the same “G/IC” zone which is not reserved for any GIC use;
- (b) to the west and southwest is Jao Tsung-I Academy, a Grade 3 Historic Building (the former Lai Chi Kok Hospital), which comprises education and community facilities, retail shops, eating places, and Heritage Lodge for hotel use within the same “G/IC” zone (**Plans A-1 and A-2**);
- (c) to the east is Butterfly Valley Road Pet Garden and Lai Chi Kok Drainage Tunnel Stilling Basin underneath the elevated Tsing Sha Highway and further east is the Christian Alliance International School and King Lam Street Link Substation;
- (d) to the southeast is the Cheung Sha Wan Industrial/Business Area zoned “Other Specified Uses” annotated “Business” (“OU(B)”) which is mainly occupied by industrial buildings, industrial-office and commercial/office developments; and
- (e) to the south and southwest across Kwai Chung Road and Lai Chi Kok Road are Lai Chi Kok Fire Station, residential and commercial developments namely Mei Foo Sun Chuen, Manhattan Hill, and Kowloon Motor Bus Headquarters.

7. Planning Intention

The planning intention of the “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. 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:

Policy Perspective

8.1.1 The Secretary for Security advised that policy support is given to the proposed redevelopment of LCKRC.

Land Administration

8.1.2 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) no objection to the application;
- (b) the Site falls within (i) portion of permanent government land allocation ("PGLA") GLA-NK 699 allocated to CSD for a correctional institutional centre and its supporting facilities (i.e. LCKRC), (ii) temporary government land allocation ("TGLA") GLA-TNK 464 allocated to CSD for open recreational area and (iii) unleased and unallocated Government land;
- (c) the Site falls within XRL Vesting Boundary which is administrated by Railway Development Section ("RDS") of LandsD. RDS's comment should be sought. Besides, it also falls within Drainage Tunnel Protection Zone, XRL Scheme Boundary and XRL Building Plan Control Boundary. Comments from the Drainage Services Department (DSD) and Railway Development Office of the Highways Department (RDO, HyD)/MTRCL should be sought; and
- (d) CSD is reminded to apply to his Office for an extension of the PGLA incorporating the area allocated to CSD under GLA-TNK 464 and unleased and unallocated Government land for implementation of the proposed redevelopment. The application, if approved by his Office, will be subject to the comments of relevant departments, and the feedbacks of local consultation.

8.1.3 Comments of the Chief Estate Surveyor/Railway Development, Lands Department (CES/RD, LandsD):

- (a) no comment from railway development point of view; and
- (b) the Site falls within the XRL Scheme Boundary and XRL Building Plan Control Boundary, and falls within/is in close proximity to XRL

Vesting Boundary. It is noted that the applicant has consulted/will consult RDO, HyD, Buildings Department (BD), MTRCL and relevant parties.

Traffic

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

- (a) no adverse comment from traffic engineering viewpoint, subject to the following approval conditions:
 - (i) the submission of a revised TIA and implementation of traffic mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
 - (ii) the design and provision of vehicular access, vehicle parking spaces, and loading/unloading facilities and maneuvering spaces to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

8.1.5 Comment of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD):

the proposed works fall within or is close to the existing railway protection boundary. As the operation of the existing railway system is not under the jurisdiction of his office, with reference to the procedures in Development Bureau Technical Circular (Works) No. 1/2019, the MTRCL should be consulted with respect to construction, future operation, maintenance and safety of these existing railway lines.

Environment

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

- (a) no in-principle objection to the application subject to the following approval conditions to fully address the outstanding issues of sewerage matters;
 - (i) the submission of an updated SIA to the satisfaction of the DEP or of the Board;
 - (ii) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA to the satisfaction of the Director of Drainage Services or of the Board; and
- (b) detailed comments on the SIA are at **Appendix III**.

Drainage and Sewerage Aspects

8.1.7 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) no in-principle objection to the application and no comment on the DIA;
- (b) should the application be approved by the Board, the following conditions are recommended:
 - (i) the submission of a revised DIA to the satisfaction of the Director of Drainage Services or of the Board;
 - (ii) the implementation of mitigation measures identified in the revised DIA to the satisfaction of the Director of Drainage Services or of the Board;
- (c) detailed comments on SIA are at **Appendix III**.

Urban Design, Visual and Landscape

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

Urban Design and Visual Aspects

- (a) the Site of about 7,990m² forms part of a “G/IC” zone covering a partly vegetated knoll with the highest elevation at about 75.6mPD. There is no BH or PR restriction stipulated for the Site on the OZP. The zone is occupied by LCKRC (with BHs generally ranging from about 18.1mPD to 57.4mPD) and Jao Tsung-I Academy/Heritage Lodge (with BHs generally ranging from about 24.1mPD to 62.4mPD) at its eastern and western portions respectively (**Plan A-2**). The Site itself is immediately bounded by Butterfly Valley Road/elevated Tsing Sha Highway and a 7-storey (about 29.9mPD) international school across the road to the east, LCKRC to the southwest, and vegetated slopes to the northwest. To the further east of the Site across Butterfly Valley Road/elevated Tsing Sha Highway is Cheung Sha Wan Industrial/Business Area generally zoned “OU(B)” with intended BHs ranging from 120mPD to 130mPD. Given the context and as illustrated in the VIA, while viewers at some short-range viewpoints would inevitably experience some visual impacts, the proposed redevelopment with maximum BH of about 70.6mPD and as a continuation and expansion of the existing reception centre would unlikely induce significant adverse effects on the visual character of the surrounding townscape;

- (b) the proposed redevelopment is to expand the capacity and enhance the facilities of the existing LCKRC. It is noted from the submission that longer façade length is proposed due to the unique operational requirements and security concerns. Only limited visual mitigation measures have been provided, i.e. green roofs at 12/F, R/F and upper R/F. In response to the urban design character of the area, the applicant will consider breaking down the visual mass by colours and materials with façade articulations to provide visual variation in the detailed design, and adopt an integrated architectural solution with contemporary design;

Landscape Aspect

- (c) no objection to the application from landscape planning perspective;
- (d) according to the aerial photo of 2020, the Site is situated in an area of miscellaneous urban fringe landscape character, dominated by government facilities, residential and industrial buildings. Given that the Site is located within the existing LCKRC within the “G/IC” zone, the proposed use is considered not incompatible with the surrounding landscape setting;
- (e) with reference to the LIA, 17 existing trees proposed to be felled and 16 of them are located within the site boundary. To mitigate the loss of existing trees, 17 compensatory trees will be planted within the existing LCKRC. According to the Supplementary Planning Statement, the perimeter road/sterile area should be concrete paved to eliminate the growth of grass and facilitate physical check of fence in accordance with CSD’s security requirements. Though at-grade greenery is not feasible due to the security requirements, landscape provisions of roof greening on 12/F, R/F and upper R/F are proposed so as to enhance the visual quality of the development;
- (f) the applicant is reminded that approval of the planning application under the Board does not imply approval of the site coverage of greenery requirements under Development Bureau Technical Circular (Works) No. 3/2012; and
- (g) for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant should seek comments and approval from the relevant authority/departments as appropriate.

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

- (a) it is noted that the Proposed Redevelopment consists of three new blocks of 12 to 13 storeys, with height ranging from not more than 65mPD to 70.6mPD, which may not be incompatible with adjacent

development with building height restriction up to 130mPD (**Plan A-1**);

- (b) regarding the greenery issue, it is noted that the proposed greenery could not fulfil the requirements of Development Bureau Technical Circular (Works) No. 3/2012 due to operational constraints and greenery at roof level will be provided as mitigation measure. As such, there is no further comment at this stage;
- (c) regarding building separation issue, it is noted that appropriate colours and materials with façade articulations will be provided to minimise possible visual impact due to the long building length. As such, there is no further comment at this stage; and
- (d) detailed comments on the three concerned slopes (i.e. Slope Numbers 11NW-A/C731, 11NW-A/C489 and 11NW-A/C488) from slope maintenance point of view are at **Appendix III**.

Heritage Conservation

8.1.10 Comments of the Antiquities and Monuments Office (AMO) of Development Bureau:

Archaeology

- (a) the project proponent should inform AMO immediately in case of discovery of antiquities or supposed antiquities at the Site in the course of the proposed works;

Built Heritage

- (b) it is noted that Lai Chi Kok Hospital at No. 800 Castle Peak Road (currently the Jao Tsung-I Academy), a Grade 3 historic building (the “Graded Building”), is situated in the vicinity of the Site (within 50m). The applicant should refer to the website of the Antiquities Advisory Board (AAB) (<http://www.aab.gov.hk>) for historical appraisal and grading boundary of the Graded Building as well as the updated lists of the graded buildings and new items pending grading assessment; and
- (c) the proposed redevelopment, given its proximity, may cause adverse impact(s), both physical and visual, to the Graded Building. Once the subject planning application is approved by the Board, the applicant is required to submit detailed work proposals together with the proposed mitigation measures to AMO for comment and agreement before commencement of any works. The following condition is recommended, if the application is approved by the Board:

the submission of the detailed work proposal(s) with necessary protective measures to safeguard Lai Chi Kok Hospital at No. 800 Castle Peak Road, a Grade 3 Historic Building prior to commencement of any works to the satisfaction of the Antiquities and Monuments Office or of the Board.

Fire Safety

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

- (a) no specific comment on the proposal subject to fire service installations and water supplies for fire-fighting being provided to the satisfaction of the Fire Services Department;
- (b) the emergency vehicular access shall comply with Section 6, Part D of the *Code of Practice for Fire Safety in Buildings 2011* which is administered by BD; and
- (c) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

Gas Safety

8.1.12 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no comment on the application; and
- (b) regarding the public comment concerning the impact on the Lai Chi Kok Gas Offtake Station near the Site, Towngas has been consulted on the QRA conducted by the applicant in 2018 and has no further comment on the gas safety concern. The applicant is advised to follow the requirements stipulated in Towngas' "Requirements for Construction Works Adjacent to Existing Gas Offtake Station and in the Vicinity of Gas Main" during the construction stage.

District Officer's Comments

8.1.13 Comments of the District Officer (Sham Shui Po), Home Affairs Department (DO/SSP, HAD):

the applicant has provided a briefing to the CAC of the SSPDC on 26.11.2020. The minutes of the meeting has not yet been confirmed.

8.2 The following government departments have no objection to or no comment on the application:

- (a) Director of Food and Environmental Hygiene (DFEH);
- (b) Director of Leisure and Cultural Services (DLCS);
- (c) Commissioner of Police (C of P);
- (d) Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD);

- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (f) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (g) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- (h) Project Manager (South), Civil Engineering and Development Department (PM(S), CEDD).

9. Public Comments Received During Statutory Publication Periods

- 9.1 During the statutory public inspection period, a total of 25 public comments including 20 supporting the application, three objecting to the application and two expressing concerns/comments on the application were received (**Appendix IV**).
- 9.2 The 20 supportive comments are from the Chairman of the Sham Shui Po West Area Committee, Lions Club of Sham Shui Po Hong Kong, chaplains and individuals and the major supportive grounds are that the Proposed Redevelopment of LCKRC will increase the penal places to address the overcrowding environment, it will provide more rehabilitative and healthcare facilities so as to provide better medical services, more visiting units to reduce the waiting time for visit; and replace the old facilities to improve the living and working environments of the PICs and staff members.
- 9.3 Three objecting comments are from a SSPDC Member and individuals and the major objection grounds are summarised as follows:
 - (a) the overcrowding problem is caused by Police's abuse of power and the redevelopment proposal is not comprehensive;
 - (b) the Proposed Redevelopment involving slope modification will cause adverse visual and landscape impacts to the Jao Tsung-I Academy, which is a Grade 3 Historic Building;
 - (c) alteration/redevelopment of existing buildings of LCKRC should be considered for increasing the penal places for PICs. No outdoor recreational space is proposed in the Proposed Redevelopment;
 - (d) the proposed Northern Block will require excavation into the man-made slope and the Proposed Redevelopment is incompatible with the surrounding areas and will cause adverse visual impact; and
 - (e) overseas research shows that there is drawback of incarceration of juvenile offenders and the reform and rehabilitation programs are more important than just increasing penal places.
- 9.4 Two public comments expressing concerns/comments are received from the Towngas and a concern group on rights of prisoners and the major concerns/comments are summarised as follows:

- (a) Towngas expresses concerns on the impact on an offtake station and requests a QRA to be conducted to evaluate the potential risk and identify the monitoring measures during construction stage; and that Towngas should be consulted in the design and construction stages; and
- (b) the concern group indicates no objection to the Proposed Redevelopment but considers that the arrangements, logistics and facilities related to visiting and living conditions, rights and general welfare of PICs, rehabilitative role and supporting services of CSD should be improved.

10. Planning Considerations and Assessments

- 10.1 The application is to seek planning permission for correctional institution to facilitate the Proposed Redevelopment of part of the existing LCKRC. The Site is zoned “G/IC” which is intended for provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. The Proposed Redevelopment involves redevelopment of five existing blocks (Annex Blocks I to M) (about 5,200m²/65% of the site area) and northward expansion to a sloping land comprising mainly a man-made slope (about 2,790m²/35% of the site area) for construction of three interconnected blocks to provide additional penal places and other supporting facilities to improve the overcrowding problem and replace the old and outdated facilities. An addition of 410 penal places will be provided upon completion of the redevelopment. The total penal places of the entire LCKRC will then increase from 1,484 to 1,894.

Policy Aspect

- 10.2 The LCKRC has been in operation for over 40 years and the occupancy rate is over 100%. There are overcrowding problem and the existing condition of building structures is dilapidated. The applicant indicates that they have explored other alternatives with a view to increasing the capacity of the LCKRC. Having considered site constraints and different options (paragraphs 2(c) to 2(e) above), CSD considers that partial in-situ redevelopment with expansion of the Site is the most feasible solution. The Secretary for Security has given policy support to the Proposed Redevelopment.

Land Use Compatibility

- 10.3 The subject “G/IC” zone is largely occupied by GIC facilities including LCKRC, CSD’s staff quarters and staff club, Jao Tsung-I Academy and Lai Chi Kok Gas Offtake Station while the remaining portion is covered by man-made slope and vegetated natural hillside and is unallocated government land which is not reserved for any particular use (**Plans A-1 and A-3**). The Site is situated in an area of miscellaneous urban fringe landscape character, dominated by government facilities, residential and industrial buildings. The Proposed Redevelopment is mainly located within the existing LCKRC with expansion of about 2,790m² into the man-made slope and natural hillside in the same “G/IC” zone. In view of the above, the proposed use is considered not incompatible with the surrounding land uses, developments and landscape setting.

Urban Design, Visual and Landscape Aspects

- 10.4 The subject “G/IC” zone comprises a number of GIC facilities including the Jao Tsung-I Academy with a BH ranging from 24.1mPD to 62.4mPD, CSD’s staff quarters and staff club of about 22.7mPD to 57.4mPD, and the LCKRC with existing buildings of about 18.1mPD to 40.2mPD. The remaining area is mainly vegetated hillside up to a height of about 75.6mPD (**Plan A-2**). The Site is immediately bounded by Butterfly Valley Road/elevated Tsing Sha Highway to the east, the remaining of LCKRC to the southwest, and vegetated slopes to the northwest. To the further east of the Site across Butterfly Valley Road/elevated Tsing Sha Highway is a 7-storey (about 29.9mPD) international school and the Cheung Sha Wan Industrial/Business Area generally zoned “OU(B)” with permissible BHs ranging from 120mPD to 130mPD. Given the context and as illustrated in the VIA, while viewers at some short-range viewpoints would inevitably experience some visual impacts, the Proposed Redevelopment with maximum BH of about 70.6mPD and as a continuation and expansion of the existing reception centre would unlikely induce significant adverse effects on the visual character of the surrounding townscape. CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comment on the proposed BH and the visual aspects.
- 10.5 In response to the urban design character of the area, the applicant will consider the use of colours and materials with façade articulations to provide visual variation in the detailed design, and adopt an integrated architectural solution with contemporary design for the proposed buildings. For security reasons, the perimeter road/sterile area needs to be concrete paved and no greenery will be provided at pedestrian level. Yet, roof-top greenery is proposed at 12/F, R/F and upper R/F to achieve a site coverage of greenery of 20.17%. CTP/UD&L, PlanD and CA/CMD2, ArchSD noted the special security considerations and they have no adverse comment on the application.
- 10.6 According to the LIA, there are a total of 55 trees surveyed within and near the Site and 17 of them are in direct conflict with the site formations works on the northern slope and are proposed to be felled. To mitigate the loss of existing trees, 17 compensatory trees will be planted mainly along the southern edge of LCKRC. CTP/UD&L, PlanD has no objection to the application from landscape planning perspective.

Technical Aspects

- 10.7 A Grade 3 historic building, i.e. the former Lai Chi Kok Hospital (currently the Jao Tsung-I Academy) is situated in the vicinity of the Site, AMO has no objection to the application and requires the applicant to submit detailed work proposal together with mitigation measures to AMO for comment and agreement before commencement of any works.
- 10.8 The Proposed Redevelopment will not create adverse environmental, geotechnical, traffic, drainage and sewerage impacts on the surrounding areas according to the various assessments including PER, GPRR, TIA, DIA and SIA conducted by the applicant. Concerned Government departments consulted including DEP, H(GEO),

CEDD, C for T, CE/MS, DSD, AMO and D of FS have no objection to/no adverse comments on the application. Relevant approval conditions on traffic, drainage, sewerage, built heritage and fire safety are suggested to be imposed (paragraph 11.2 below).

Public Comments

- 10.9 Regarding the public comments received, the planning assessments above and departmental comments in paragraph 9 are relevant. Regarding the visual and landscape impacts on the Grade 3 Historic Building, VIA and LIA have been conducted. AMO and CTP/UD&L, PlanD have no objection to the planning application. As requested by AMO, an approval condition on submission of detailed works proposal(s) with necessary protective measures to safeguard the Grade 3 Historic Building prior commencement of any works will be imposed and he will be further consulted at detailed design stage.
- 10.10 Regarding comments relating to the living conditions of the PICs and facilities of the LCKRC, the applicant states that facilities including day and night accommodation, reception units, visiting units, healthcare, custodial and rehabilitative facilities including exercise yards and indoor exercise facilities will be provided and enhanced. Comments relating to the operational and other concerns have been referred to CSD for consideration.
- 10.11 Regarding the concern on the impact on the Lai Chi Kok Gas Offtake Station near the Site, the applicant stated that a QRA has been conducted in October 2018 and it revealed that the risk level posed by the nearby Lai Chi Kok Gas Offtake Station to the LCKRC is acceptable in accordance with the Government Risk Guidelines. Towngas has been consulted on the QRA and has no further comment on the gas safety concern.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9 above, 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 12.3.2025, 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 traffic impact assessment and implementation of traffic mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and

- (b) the design and provision of vehicular access, vehicle parking spaces, and loading/unloading facilities and maneuvering spaces to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (c) the submission of a revised drainage impact assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission of an updated sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (f) the submission of the detailed work proposal(s) with necessary protective measures to safeguard Lai Chi Kok Hospital at No. 800 Castle Peak Road prior to commencement of any works to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board; and
- (g) the 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 V**.

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

12. Decision Sought

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

13. Attachments

Appendix I	Application form received on 13.1.2021
Appendix Ia	Supplementary Planning Statement and Technical Assessments
Appendix Ib	Letter received on 24.2.2021 providing responses to departmental and public comments, and replacement pages of PER, SIA and DIA
Appendix Ic	Letter received on 9.3.2021 providing responses to departmental and public comments, revised figures, and a replacement page of PER
Appendix II	Development Parameters of the Existing LCKRC and the Proposed Redevelopment
Appendix III	Detailed Comments from Government Departments
Appendix IV	Public Comments
Appendix V	Advisory Clauses
Drawing A-1	Block Plan
Drawings A-2 to A-12	Floor Plans
Drawing A-13	Section Plan
Drawing A-14	Greenery Plan
Drawing A-15	Landscape Layout Plan
Drawing A-16	Proposed Car Parking Arrangement
Drawings A-17 to A-20	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plans
Plan A-3	Aerial Photo
Plans A-4 to A-8	Site Photos

**PLANNING DEPARTMENT
MARCH 2021**