

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/KC/489**

- Applicants** : Cornhill Enterprises Ltd. & Lai Chi Kok Amusement Park Co., Ltd.  
represented by Ove Arup & Partners Hong Kong Ltd.
- Site** : Various Lots in S.D.4 and Adjoining Government Land, Kau Wa Keng,  
Kwai Chung
- Site Area** : About 48,313m<sup>2</sup>, including Government Land of about 22,238m<sup>2</sup>
- Land Status** : (a) Various Lots in S.D. 4 (about 2.61ha) (about 54%)  
- Old Schedule Lots/ New Grant Lots (for agricultural/ building  
purposes)  
(b) Government Land (about 2.22ha) (about 46%)
- Plan** : Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/31  
*[currently in force]*  
Draft Kwai Chung OZP No. S/KC/29  
*[in force at the time of submission. The zoning and development  
restrictions for the site remain unchanged on the current OZP]*
- Zoning** : “Comprehensive Development Area” (“CDA”)  
(a) maximum plot ratio (PR) of 5.0  
(b) maximum building height (BH) of 120 metres above Principal  
Datum (mPD)
- Application** : Proposed Comprehensive Development including Flat and Community  
Facilities

**1. The Proposal**

- 1.1 The applicants seek planning permission for the proposed comprehensive development including flat and community facilities at the application site (the Site), which is zoned “CDA” on the draft Kwai Chung Outline Zoning Plan No. S/KC/31 (OZP) (**Plan A-1**). According to the Notes of the OZP, ‘Flat’ and ‘Social Welfare Facility’ are Column 2 uses, which require planning permission from the Town Planning Board (the Board). In addition, developments within the “CDA” site shall be governed by a Master Layout Plan (MLP) supported by technical assessments and other relevant information to be considered by the Board on application under section 16 of the Town Planning Ordinance.

- 1.2 According to the MLP submitted by the applicants (**Drawing A-1**), the proposed development comprises 14 residential blocks of 31 to 35 storeys with a total PR of 5 and a maximum BH of 120mPD. A total of 5,973 flats will be provided in four phases to accommodate a total population of about 17,321. A number of social welfare facilities are proposed within the Site, including Home Care Services (HCS) for Frail Elderly Persons, a School Social Work Office (SSWO) (Hong Kong Family Welfare Society), a Neighbourhood Elderly Centre (NEC), a 60-place Day Care Centre for the Elderly (DE), an Office Base of On-site Pre-school Rehabilitation Services (OPRS) and a 60-place Special Child Care Centre (SCCC). The MLP and Landscape Master Plan (LMP), floor and section plans, urban design concept plans, photomontages and public access plans submitted by the applicants are shown in **Drawings A-1 to A-21**.
- 1.3 The development is proposed to be developed in four phases taking into account the land ownership pattern of the Site, i.e. two early phases under the interim scenario (i.e. Phases 1A and 1B) as well as two remaining phases (i.e. Remaining Phases A and B) <sup>(1)</sup> (**Drawing A-21**). Each phase will have maximum PR of 5 and be self-contained in terms of layout design, provision of local open space, greenery coverage, and car parking and loading/unloading facilities. The development will be served by two vehicular accesses at Lai King Hill Road with internal roads/right of ways to connect the four phases (**Drawing A-4**). Public access to the proposed social welfare facilities through the internal roads will be allowed during the operation hours of the facilities. A new underground sewage pumping station in Phase 1A next to Lai King Hill Road to be constructed and maintained by the applicants will serve the entire developments within the Site (**Drawing A-1**). The two early phases (2,947 flats) are anticipated to be completed by 2028, and the two remaining phases (3,026 flats) will be implemented in tandem with or after completion of the two early phases.
- 1.4 A minimum separation of 15m will be provided between each of the 14 residential blocks to reduce their building mass and façade lengths. The layout of the blocks is arranged to allow the three north-south oriented, 15m-wide air paths to be evenly distributed across the Site, with a view to enhancing air ventilation in the valley area of Kau Wa Keng. The three air paths will also serve as visual corridors to maximise visual permeability at pedestrian level. In addition, the blocks along Lai King Hill Road are voluntarily set back by over 5m to enable better air flow and minimise traffic noise impact (**Drawing A-12**). The proposed scheme will fully comply with the Sustainable Building Design Guidelines (SBDG) in terms of building separation and setback.
- 1.5 There are 13 Grade 3 historic buildings within the Site, one of which is located within Phase 1B while the other 12 are within Remaining Phase B (**Drawing A-1**). All these historic buildings are proposed to be preserved *in-situ*, with a view

<sup>(1)</sup> As claimed by the applicants, the approximate breakdown of the land ownership status of the four phases is as follows:

- Phase 1A: 56% private land and 44% Government land	}	All of the private land in the two early phases are either fully acquired or under acquisition by the applicants
- Phase 1B: 93% private land and 7% Government land		
- Remaining Phase A: 32% private land and 68% Government land	}	Majority of the private land in the two remaining phases are owned by third parties
- Remaining Phase B: 39% private land and 61% Government land		

to reminiscing the long history of Kau Wa Keng. Mitigation measures are proposed to avoid adverse impacts on the historic buildings, such as careful disposition of the residential blocks without adversely affecting the graded buildings. A thematic garden setting will be created to integrate the historic buildings with the surrounding landscape to foster a distinctive community environment **(Drawings A-18 and A-19)**.

- 1.6 The existing pedestrian crossing and bus lay-by at Lai King Hill Road are proposed to be moved eastward and westward respectively for a reasonable separation from the vehicular access to Phase 1A, and a public footpath with a minimum width of 3.5m will be maintained **(Drawing A-10)**. The reprovisioning will be implemented by the applicants before the population intake of Phase 1A. Besides, the proposed modification works for the junction of Lai King Hill Road/ Kwai Chung Interchange (i.e. Junction J3) will be carried out by the applicants before the first batch of population intake **(Drawing A-11)**. Feeder services to/from the Lai King Station are also proposed to relieve the burden on existing public transport services.
- 1.7 The two existing temporary open-air refuse collection points (RCP) at the southwestern part of the Site serving the area, including Kau Wa Keng Old Village and Kau Wa Keng San Tsuen, will be integrated and relocated to an enclosed podium within Phase 1B equipped with proper ventilation, de-odourising and exhaust systems, as well as green wall/green roof design **(Drawings A-1 and A-20)**. The proposed RCP will be constructed by the applicants and handed back to the Government upon completion of Phase 1B development. The affected public toilet within the Site will also be reprovisioned.
- 1.8 Various landscape treatments are proposed along the site boundary to mitigate potential visual impact, including green wall and fence wall with bamboo planters. Open lawn areas, play areas and water features will be provided on ground level. As for tree preservation and compensation, a total of 305 trees are recorded within the Site, none of which are registered Old and Valuable Trees. 13 existing trees are proposed to be retained while another 14 existing trees will be transplanted. 5 trees of undesirable species (i.e. *Leucaena leucocephala*) will be removed <sup>(2)</sup>. The remaining 273 existing trees will be affected and compensated within the Site on a 1:1 ratio in quantity upon full development of the proposed scheme **(Drawings A-15 and A-16)**.
- 1.9 The key development parameters of the proposed scheme are summarised in the table below:

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<sup>(2)</sup> *Leucaena leucocephala* (銀合歡) is a common undesirable species characterised by their aggressive and invasive growing habits and ability to prevent natural succession of native species. According to the Development Bureau Technical Circular (Works) No. 4/2020, the undesirable species could be removed and excluded from the compensatory tree planting proposal.

Development Parameters	Proposed Development				
	Phase 1A	Phase 1B	Remaining Phase A	Remaining Phase B	Total
Site Area (About) (m <sup>2</sup> )	13,577.3	10,111.8	7,934.7	16,689.3	48,313.2
Development Site Area (About) (m <sup>2</sup> )	13,568.6	10,111.8	7,934.7	16,689.3	48,304.5 <sup>(3)</sup>
Max. total PR	5	5	5	5	5
Max. Gross Floor Area (GFA) (m <sup>2</sup> )	67,843.2 (including HCS for Frail Elderly Persons and SSWO)	50,558.9 (including NEC)	39,673.6 (including DE and OPRS)	83,446.7 (including SCCC)	241,522.4 <sup>(4)</sup>
Max. Site Coverage (above 15m for building over 61m)	33.33%	33.33%	33.33%	33.33%	33.33% <sup>(5)</sup>
Max. BH (Main Roof)	120mPD	120mPD	120mPD	120mPD	120mPD
No. of Residential Blocks	5	2	2	5	14
No. of Domestic Storeys (All excluding 2 basement levels)	35	35	35	31-34	31-35
No. of Flats	1,707	1,240	960	2,066	5,973
Average Flat Size (About)	40m <sup>2</sup>	40m <sup>2</sup>	40m <sup>2</sup>	40m <sup>2</sup>	40m <sup>2</sup>
Anticipated Population (About)	4,950	3,596	2,784	5,991	17,321 <sup>(6)</sup>
Local Open Space (Not less than) (m <sup>2</sup> ) (i.e. 1m <sup>2</sup> per person)	4,950	3,596	2,784	5,991	17,321
Greenery Coverage (Minimum)	30%	30%	30%	30%	30% <sup>(7)</sup>

<sup>(3)</sup> The development site area is adopted for GFA and PR calculations. The minor difference between the application site area and development site area is due to the exclusion of Lot 3167 in S.D.4, Nos. 49 and 49A Kau Wa Keng San Tsuen (about 8.695m<sup>2</sup>), which slightly encroaches into the western boundary of the "CDA" site with an existing structure on it.

<sup>(4)</sup> The Net Operational Floor Areas (NOFA) of the social welfare facilities in Phase 1A, Phase 1B, Remaining Phase A and Remaining Phase B are about 582m<sup>2</sup>, 328m<sup>2</sup>, 554m<sup>2</sup> and 409m<sup>2</sup> respectively. The exact GFA for the respective social welfare facilities would be subject to review based on operational requirement in detailed design stage. The social welfare facilities to be provided in the remaining phases (i.e. DE, OPRS and SCCC) would be subject to further discussion with SWD in view of their development programme in the longer term.

<sup>(5)</sup> This is the maximum permissible site coverage under the Building (Planning) Regulations.

<sup>(6)</sup> A person per flat (PPF) ratio of 2.9 is adopted.

<sup>(7)</sup> The minimum greenery coverage of 30% is in compliance with PNAP APP-152. The overall greenery coverage for the whole site is 39%.

Development Parameters	Proposed Development				
	Phase 1A	Phase 1B	Remaining Phase A	Remaining Phase B	Total
Parking Facilities					
• Residential	362	258	204	421	1,245 <sup>(8)</sup>
• Visitor	25	10	10	25	70
• Motorcycle	18	13	10	21	62
• Private Light Bus (for GIC facilities)	1	--	4	--	5
• 48-seater Coach (for GIC facilities)	--	--	--	1	1
Loadling/unloading Bays					
• Heavy Goods Vehicle	5	2	2	5	14
• For GIC Facilities	1	--	--	2	3

- 1.10 In order to address the potential interface issues arising from the development phasing, the applicants have proposed a number of mitigation measures supported by technical assessments in respect of traffic, sewerage and drainage aspects for the interim scenario assuming the existence of the surrounding villages in the two remaining phases. The proposals regarding pedestrian access, as well as sewerage and drainage systems are briefly explained in paragraphs 1.11 to 1.12 below.
- 1.11 Under the interim scenario, part of Phase 1B along the Old Village will be used for widening of the existing village walkway of 2m to 4m into a 24-hour barrier-free unobstructed pedestrian access of 5.5m to 7.5m (**Drawing A-9**). Besides, the section of the walkway to Kau Wa Keng San Tsuen within Remaining Phase A will be retained <sup>(9)</sup> while the section within Phase 1A will be widened to not less than 2m.
- 1.12 While the Drainage Services Department (DSD) is undertaking the sewerage improvement works for the Kau Wa Keng area covering the two villages, which is anticipated to be completed in 2025 the earliest, the sewage generated from Phases 1A and 1B will be transferred via the separate private sewerage network to the proposed underground sewage pumping station at Phase 1A. According to the Drainage Impact Assessment, drainage diversions are proposed to transfer the stormwater within Phases 1A and 1B to the private drainage system to avoid causing flooding to the surroundings.

<sup>(8)</sup> Including accessible parking spaces.

<sup>(9)</sup> Upon implementation of Remaining Phase A, a pedestrian access will be provided along the western boundary of the Site to Kau Wa Keng San Tsuen (**Drawing A-8**).

1.13 In support of the application, the applicants have submitted the following documents:

- |   |   |              |               |   |   |   |   |   |   |                                |   |   |   |   |
|---|---|--------------|---------------|---|---|---|---|---|---|--------------------------------|---|---|---|---|
| (a) Application Form received on 17.1.2022  | } | (Appendix I) |               |   |   |   |   |   |   |                                |   |   |   |   |
| (b) Supporting Planning Statement (SPS)   |   | }            |               |   |   |   |   |   |   |                                |   |   |   |   |
| (c) Further Information (FI)1 received on 18.2.2022*  |   |              | }             |   |   |   |   |   |   |                                |   |   |   |   |
| (d) FI2 received on 22.3.2022*  |   |              |               | } |   |   |   |   |   |                                |   |   |   |   |
| (e) FI3 received on 10.5.2022*  |   |              |               |   | } |   |   |   |   |                                |   |   |   |   |
| (f) FI4 received on 9.6.2022*   |   |              |               |   |   | } |   |   |   |                                |   |   |   |   |
| (g) FI5 received on 13.7.2022*  |   |              |               |   |   |   | } |   |   |                                |   |   |   |   |
| (h) FI6 received on 29.8.2022*  |   |              |               |   |   |   |   | } |   |                                |   |   |   |   |
| (i) FI7 received on 18.10.2022*   |   |              |               |   |   |   |   |   | } | (Appendix Ia <sup>(10)</sup> ) |   |   |   |   |
| (j) FI8 received on 29.11.2022*   |   |              |               |   |   |   |   |   |   | }                              |   |   |   |   |
| (k) FI9 received on 3.1.2023 & 9.1.2023*  |   |              |               |   |   |   |   |   |   |                                | } |   |   |   |
| (l) FI10 received on 16.2.2023*   |   |              |               |   |   |   |   |   |   |                                |   | } |   |   |
| (m) FI11 received on 22.3.2023*   |   |              |               |   |   |   |   |   |   |                                |   |   | } |   |
| (n) FI12 received on 8.5.2023 #   |   |              |               |   |   |   |   |   |   |                                |   |   |   | } |
| (o) FI13 received on 16.5.2023 #  | } |              |               |   |   |   |   |   |   |                                |   |   |   |   |
| (p) FI14 received on 16.6.2023 providing a consolidated report with the updated SPS and technical assessments etc. superseding documents (b) to (o) # |   |              |               |   |   |   |   |   |   |                                |   |   |   |   |
| (q) FI15 received on 6.7.2023 #   |   |              | (Appendix Ib) |   |   |   |   |   |   |                                |   |   |   |   |
| (r) FI16 received on 12.7.2023 #  |   |              | (Appendix Ic) |   |   |   |   |   |   |                                |   |   |   |   |

Remarks:

\* Accepted but not exempted from publication and recounting requirements

# Accepted and exempted from the publication and recounting requirements

## 2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in **Appendix Ia**. They are broadly summarised as follows:

- 2.1 The Site has long been zoned “CDA” since 1992, and a Planning Brief (PB) was subsequently endorsed in June 1995 to guide the “CDA” development. The proposed comprehensive development represents an optimal solution to realise the planning intention of the “CDA” zone, which has had no substantial progress for implementation. The proposed development parameters including the PR and BH are also in line with the OZP restrictions and the PB.
- 2.2 The southern part of the Site is largely unused land with scattered temporary structures, whereas the northeastern part of the Site is occupied by the Kau Wa Keng Old Village. It is anticipated that the proposed scheme will be realised in four phases from 2028 onwards, and will transform the entire Kau Wa Keng area especially the Old Village in the longer term. The proposed scheme will deliver

<sup>(10)</sup> A consolidated report with the updated SPS and technical assessments was submitted by the applicants on 16.6.2023 (**Appendix Ia**) that supersedes the previous submissions, thus items as listed in (b) to (o) above are not attached in this Paper.

a total of 5,973 flats upon full development, accounting for about 46% of the Government's annual private housing supply target.

- 2.3 In view of the multiple ownership at the Site, a pragmatic phasing programme is proposed to take forward the long-awaited development in a progressive manner without compromising its comprehensiveness. The phasing arrangement is well-justified and can fully comply with the four criteria for phased development as set out in the Town Planning Board Guidelines for Designation of "CDA" zones and Monitoring the Progress of "CDA" Developments (TPB-PG No. 17A). Efforts have been made to acquire and consolidate the remaining portion of the "CDA" site for development, including proactive liaison with the villagers over the past 17 years prior to the submission of the application.
- 2.4 The 13 Grade 3 historic buildings will be fully retained to preserve the long history of Kau Wa Keng. The disposition of the building blocks will be carefully arranged to avoid encroachment on the graded buildings. Basement developments are proposed to be maintained at a certain distance from the footprint of the historic buildings to preserve their integrity. Open spaces with landscape features are also designed around the graded buildings (**Drawings A-18 and A-19**).
- 2.5 The proposed scheme is fully compatible with the existing high-rise residential developments in the neighbouring area across Lai King Hill Road (**Plans A-1 and A-2**). The proposed scheme is visually acceptable from the several key public viewing points as demonstrated in the Visual Impact Assessment (VIA).
- 2.6 The findings of various technical assessments have confirmed that the proposed scheme will not cause adverse impact to the Site and its surroundings upon early phase and full development stages in term of traffic, environmental, drainage, sewerage, air ventilation and visual perspectives with the adoption of appropriate mitigation measures. The disposition of building blocks and basements has been suitably arranged taking into account the waterworks reserve (WWR) within the Site (**Drawings A-3 and A-4**).
- 2.7 To offer a quality and sustainable living environment, various landscape design functions are proposed, such as landscape plaza at the entrance of each residential block, outdoor play zones, large-scale water bodies, courtyard and pocket seating spaces (**Drawings A-18 and A-19**). The proposed social welfare facilities are easily accessible and will provide home care services, social and recreational activities, as well as counselling for the elderly and children within and around the Site (**Drawing A-9**). While the two remaining phases are yet to be implemented, the proposed drainage and sewerage works under the interim scenario will avoid adverse impacts on the surrounding village areas. Besides, to cater for the shortage in public transport services in the area, feeder services to/from the MTR Lai King Station are proposed.

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

The applicants are one of the “current land owners” of the private lots within the Site and have complied with the 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) by giving notifications to the current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For the adjoining Government land, the “owners’ consent/notification” requirements as set out in the TPB PG-No. 31A are not applicable.

### 4. **Town Planning Board Guidelines**

4.1 According to the Town Planning Board Guidelines for Designation of “CDA” zones and Monitoring the Progress of “CDA” Developments (TPB-PG No. 17A), “CDAs” are intended to achieve the following objectives to:

- (a) facilitate urban renewal and restructuring of land uses in the old urban areas;
- (b) provide incentives for the restructuring of obsolete areas, including old industrial areas, and the phasing out of non-conforming uses, such as open storage and container back-up uses in the rural areas;
- (c) provide opportunities for site amalgamation and restructuring of road patterns and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
- (d) provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land-uses;
- (e) ensure adequate as well as timely provision of Government, institution or community (GIC), transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
- (f) ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

4.2 Furthermore, for “CDA” sites which are not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that:

- (a) the planning intention of the “CDA” zone will not be undermined;

- (b) the comprehensiveness of the proposed development will not be adversely affected as a result of the revised phasing;
- (c) the resultant development should be self-contained in terms of layout design and provision of open space and appropriate GIC, transport and other infrastructure facilities; and
- (d) the development potential of the unacquired lots within the “CDA” zone should not be absorbed in the early phases of the development, access to these lots should be retained and the individual lot owners’ landed interest should not be adversely affected.

## **5. Background**

- 5.1 The “CDA” zone at Kau Wa Keng which covers both Kau Wa Keng Old Village (an indigenous village) and Kau Wa Keng valley floor was originally designated as “Residential (Group A)” (“R(A)”) on the Kwai Chung OZP in 1976 intended for public rental housing development. However, it was revealed that the land resumption/ clearance process would be lengthy as most of the valley floor was ancestral or ‘Tso’ land. In view of the uncertainties in the overall planning of the valley, the Site was rezoned to “Undetermined” in 1981 pending Government’s investigation on the most appropriate form of development.
- 5.2 In 1990, various zoning amendments were made to the Kau Wa Keng valley to facilitate its comprehensive development, including rezoning the eastern half of the Site to “Village Type Development” (“V”) zone for Kau Wa Keng Old Village and the western half to “CDA” for public rental housing development. After consideration of the objections to the “V” zone and several land use options prepared by the Planning Department (PlanD) (including enlarging the “CDA” zone to cover Kau Wa Keng Old Village), the Board decided to rezone the entire Site to “CDA” in 1992 with a view to facilitating a comprehensive residential development through private initiatives. Since then the extent of the “CDA” zone has remained unchanged. To facilitate the developer in the preparation of a MLP for submission to the Board, a PB was prepared and endorsed by the Committee on 9.6.1995.
- 5.3 A planning application (No. A/KC/200) for comprehensive residential development was approved in 1996. Due to the difficulties in relocating the Old Village, there is not much progress for the implementation of the “CDA” zone and the planning permission subsequently lapsed in 2004. Given the great demand for small houses by the indigenous villagers of the Old Village and the need to better utilise valuable land resources, a land use review for the “CDA” zone was undertaken by PlanD in 2012, which includes exploring the feasibility of rezoning the “CDA” site to “V” or “R(A)” zone. Yet, given the complicated land issues and various development constraints such as the capacity of sewerage network, the review recommended that the “CDA” zoning be maintained to avoid piecemeal redevelopment and to ensure comprehensive development of the Kau

Wa Keng area to be controlled by the Board through the planning permission mechanism and the submission of a MLP with supporting technical assessments.

- 5.4 According to the latest “Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the Metro Area for the Years 2021/2023” (the CDA Review), it is considered appropriate to retain the “CDA” zoning of the Site, taking into account its multiple ownership with fragmented and uncoordinated piecemeal residential developments, as well as poor accessibility and minimal infrastructural and utility provisions.

## **6. Previous Applications**

- 6.1 The Site is the subject of six planning applications, two of which were related to the proposed comprehensive residential development (Application Nos. A/KC/161 and A/KC/200). Details and locations of the applications are summarised at **Appendix II** and shown on **Plan A-1**.
- 6.2 The Application No. A/KC/161 for proposed comprehensive residential development with a smaller site area (about 24,652m<sup>2</sup>) at the central part of the Site was rejected by the Committee on 17.6.1994 and by the Board on review on 11.11.1994, mainly on the ground that the proposed scheme lacked comprehensiveness as it only covered part of Kau Wa Keng Old Village.
- 6.3 The Application No. A/KC/200, which was submitted by another applicant for proposed comprehensive development to include a kindergarten and ancillary carpark covering the entire “CDA” site with a slightly larger site area (about 50,800m<sup>2</sup>), was approved with conditions by the Committee on 12.4.1996 and by the Board on 16.8.1996 upon review of an approval condition. The proposed development would provide 2,520 flats in 11 residential blocks at a PR of 5 with different layout and phasing arrangements. However, neither had any of the planning conditions been complied with nor had any building plan been submitted. The approved development scheme was not implemented due to the difficulties in relocating Kau Wa Keng Old Village and the planning permission lapsed in 2004 after extension of time limits for three times.
- 6.4 The remaining four planning applications were for other proposed uses at much smaller site areas and were not relevant to the subject comprehensive development.

## **7. Similar Application**

An application (No. A/KC/444) for a proposed residential and commercial development at the “CDA” zone at Cheung Wing Road, Kwai Chung North with PR of 6.36 and BH 145mPD was approved with conditions by the Committee on 22.3.2019. As the site is located at the periphery of industrial area, the planning considerations and the grounds of approval for the application were mainly related to the industrial/residential interface.

Details of the approval conditions of the application are at **Appendix III**, and the location of the application is shown on **Plan A-1**.

**8. The Site and Its Surrounding Areas (Plans A-1 to A-4; photos on Plans A-5 to A-8)**

8.1 The Site is:

- (a) located at the low-lying part of the valley area of Kau Wa Keng, which gradually rises from the southwest (about 3mPD) to the northeast (about 19mPD);
- (b) occupied by a number of scattered domestic and temporary structures and cultivated and vacant land at the southwestern portion; and Kau Wa Keng Old Village which includes 13 Grade 3 historic buildings and the former Yeung Ching School at the northeastern portion;
- (c) traversed by two water mains within the WWR in east-west direction serving Kwai Chung and Lai King Area (**Plan A-2**);
- (d) accessible via Lai King Hill Road; and
- (e) well served by public transportation, including bus and green minibus, along Lai King Hill Road and at the public transport interchange at the ground level of Nob Hill, as well as the MTR Mei Foo Station located in about 800m to the south (**Plan A-9**).

8.2 The surrounding areas have the following characteristics:

- (a) the Site is located at the southern end of the Kwai Chung OZP adjoining to the major residential cluster in Lai Chi Kok. It is sandwiched between Chung Shan Terrace to the immediate east and Kau Wa Keng San Tsuen to the immediate west, both of which are located on a higher platform. Chung Shan Terrace zoned “Residential (Group B) 1” is comprised of low-rise house-type developments, while Kau Wa Keng San Tsuen is a non-indigenous village within the “Green Belt” (“GB”) zone;
- (b) to the immediate south of the Site across Lai King Hill Road are a cluster of public and private housing developments zoned “Residential (Group A)” (i.e. Wah Lai Estate, Lai Yan Court, Wah Fung Garden and Lai Chi Kok Bay Garden); “Residential (Group A) 1” (i.e. Nob Hill); and “Residential (Group B) 5” (i.e. Happy Villa);
- (c) to the immediate north, further southeast and further west of the Site are areas zoned “Open Space” with steep vegetated slopes;
- (d) to the further east of the Site across Castle Peak Road – Kwai Chung is a vegetated slope area zoned “GB” with the Kau Wa Keng Fresh Water Service Reservoirs and Pumping Station zoned “G/IC”; and

- (e) to the further west and southwest of the Site are a large cluster of “Government, Institution or Community” zones comprising Lai King Correctional Institution, Lai Chi Kok Fresh Service Reservoir, Kwai Chung Hospital and Princess Margaret Hospital.

## **9. Planning Intention**

- 9.1 The “CDA” zone is intended for comprehensive development/ redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.2 According to the Explanatory Statement of the OZP, development of the area would entirely rely on the initiatives of private sector. The timing of implementation would depend on when the developer could assemble all the required private land and complete procedures such as obtaining approval of the Board and modification of lease documents. As it may take some time to implement the “CDA”, the Notes for the zone have also included ‘House’ use to allow villagers of the existing Kau Wa Keng Old Village to seek planning permission from the Board for the building of new village houses or redeveloping existing houses.

## **10. Requirements under PB**

- 10.1 The PB to facilitate the developer in the preparation of a MLP for submission to the Board was prepared and endorsed by the Committee on 9.6.1995. It is stated that the “CDA” zoning is to encourage the comprehensive redevelopment of the Kau Wa Keng valley floor and the area occupied by Kau Wa Keng Old Village as a whole, with a view to improving the environmental and living conditions of the area in particular the Old Village. At a maximum domestic PR of 5, the area should be developed in a comprehensive manner as a single project and should ensure adequate provision of GIC facilities and open space to serve the residential development.
- 10.2 The PB sets out the necessary planning parameters and development criteria for the proposed comprehensive development at the Site. In brief, the layout of the proposed development should take account of the scale of adjacent developments, existing landforms, and the existing vegetation and landscape features. The layout should also take particular account of building relationships and design aspects, and appropriate phasing and programming of development. Other requirements in relation to the provision of GIC facilities and open space, vehicular and pedestrian accesses, parking and loading/unloading facilities, as well as refuse collection are also specified in the PB. A copy of the PB is at **Appendix IV**.

- 10.3 A comparison of the major development parameters and planning requirements of the PB and the subject application is set out in **Appendix V**. The proposed scheme is generally in line with the PB, and has incorporated the latest planning parameters and requirements as requested/agreed by the relevant Government departments.

## **11. Comments from Relevant Government Departments**

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

### **Land Administration**

- 11.1.1 Comments of the District Lands Officer/Tsuen Wan & Kwai Tsing (DLO/TW&KT), Lands Department (LandsD):

- (a) the Site largely falls within the village environ (VE) of a recognized village, namely Kau Wa Keng, where indigenous villagers are eligible to apply for small house development under the Small House Policy. For the Site, about 54% is private land but the Applicants do not own all of it. Subject to survey, the site area is about 4.83 ha comprising about 2.61 ha of private land (54%) and 2.22 ha of Government land (46%). For the private land portion, there are about 213 private lots (93 agricultural lots and 120 building lots). Desktop checking reveals that there are about 160 surveyed squatter structures, of which about 100 fall on private land. There are 13 Grade 3 historic buildings within the Site;
- (b) land within the VE is primarily preserved for small house development by indigenous villagers under the Small House Policy. For any non-small house land exchange applications within the VE, the Applicants should provide justifications to substantiate the application for the exceptional circumstances for consideration;
- (c) the ownership of the proposed surrender lots will be examined when a land exchange application is accepted to be proceeded. For the lots alleged to be fully acquired by the Applicants, our records indicate that all private land within Phase 1B, i.e. various sub-sections of Lot No. 1349 RP in S.D. 4, are still owned by Tsang Wa Hon Tso because no consent had been given under s.15 of the New Territories Ordinances to the various Agreements and Conveyances on Sale registered against the said lots in favour of Cornhill Enterprises Limited. The Applicants should prove his title to the above land if land exchange is pursued thereat;

- (d) the proposed development involving historic buildings should be subject to the agreement from the Antiquities and Monuments Office (AMO);
- (e) LandsD reserves comment on the proposed schematic design including the site area which would only be examined in detail during the building plan submission stage upon completion of a land exchange, if applicable. There is no guarantee that the schematic design presented in the subject planning application will be acceptable under the lease if it is so reflected in future building plan submission(s); and
- (f) other detailed comments are in **Appendix VI**.

### **Traffic**

#### 11.1.2 Comments of the Commissioner for Transport (C for T):

- (a) no in-principle objection to the application from traffic engineering perspective subject to the following approval conditions:
  - (i) the submission of a revised Traffic Impact Assessment (TIA) to the satisfaction of C for T or of the Board;
  - (ii) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of C for T or of the Board;
  - (iii) the design and implementation of junction improvement works and the relocation of bus stop and signalized crossing, as proposed by the applicants, to the satisfaction of the C for T or of the Board; and
  - (iv) the design, construction, management and maintenance of 24-hour barrier-free public passageways within the proposed development to connect Kau Wa Keng Old Village and Kau Wa Keng San Tsuen to the public footpath along Lai King Hill Road, as proposed by the applicants, to the satisfaction of the C for T or of the Board; and
- (b) other detailed comments are in **Appendix VI**.

#### 11.1.3 Comments of the Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD):

- (a) no in-principle objection to the application from highway maintenance point of view subject to the following approval conditions:

- (i) the TIA report is agreed by TD;
  - (ii) the proposed junction improvement works and road modification works due to the development should be carried out by the applicants' own cost; and the design shall be approved by TD and complying with HyD's standard; and
  - (iii) the proposed retaining structure & its support for the setback area of the relocated bus lay-by, as well as the alternative relocation option, if appropriate, will be maintained by the applicants; and
- (b) other detailed comments are in **Appendix VI**.

### **Environment**

#### 11.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the subject application;
- (b) it is noted that the Environmental Impact Assessment Ordinance (EIAO) implication of the proposed sewage pumping station has been affirmed. Should any proposed works/facilities of the development be confirmed as a designated project (DP), the Applicants shall observe and follow the statutory procedure under the EIAO. It is noted that the Applicants intend to submit a Project Profile for direct application of environmental permit (DIR) for EPD's consideration and approval at a later stage. The Applicants are reminded that the information presented in this report and/or the Board's decision on this planning application shall not pre-empt EPD's future decision under the EIAO;
- (c) to address any potential change in flat layout/ design of the proposed development and any potential programme update of DSD's public sewerage works, the following approval conditions for an updated Environmental Assessment (EA) and an updated Sewerage Impact Assessment (SIA) are required should the application be approved by the Board:
  - (i) the submission of an updated EA in respect of air quality and noise impacts and the implementation of the mitigation measures identified therein to the satisfaction of DEP or of the Board;
  - (ii) the submission of an updated SIA to the satisfaction of DEP or of the Board; and
  - (iii) the implementation of the local sewerage upgrading/ sewerage connection works identified in the updated SIA to the

satisfaction of the Director of Drainage Services (D of DS) or of the Board; and

(d) other detailed comments are in **Appendix VI**.

11.1.5 Comments of the Chief Engineer/Mainland South (CE/MS), DSD:

- (a) no comment on the SIA, which should be subject to the view and agreement of EPD as the planning authority of sewerage infrastructure;
- (b) the proposed Remaining Phase B covers most of the works areas in Kau Wa Keng Old Village, which is under part of our PWP No. 4358DS (Sewerage to Lo Wai, Chuen Lung and Kau Wa Keng Old Village). The project is currently under planning and design stage with works anticipated to be completed in 2025; and
- (c) the proposed Phase 1A and Remaining Phase A cover most of the works areas in Kau Wa Keng San Tsuen, which is under part of our PWP No. 4391DS (West Kowloon and Tsuen Wan Village Sewerage – Phase 2). The project is currently under planning and design stage with works anticipated to be completed in 2029.

### **Drainage**

11.1.6 Comments of the Chief Engineer/Mainland South (CE/MS), DSD:

- (a) no further comment on the Drainage Impact Assessment (DIA);
- (b) should the application be approved by the Board, the following approval condition is recommended:

the submission of a revised DIA to the satisfaction of the D of DS or of the Board; and

(c) other detailed comments are in **Appendix VI**.

### **Heritage Conservation**

11.1.7 Comments of the Executive Secretary (Antiquities & Monuments), AMO:

- (a) no adverse view on the application subject to the following approval conditions for the proper preservation of the graded buildings during the development:
  - (i) the submission of a Conservation Management Plan (CMP) for the preservation of the graded buildings within the proposed development prior to the commencement of any

works and implementation of the works in accordance with the CMP to the satisfaction of AMO or of the Board; and

- (ii) the submission of a full set of photographic, cartographic, and/or 3D scanning records of the graded buildings within the proposed development, including both the interior and exterior of the graded buildings, prior to the commencement of any works to the satisfaction of AMO or of the Board; and

- (b) other detailed comments are in **Appendix VI**.

### **Building Matters**

11.1.8 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) maximum PR and site coverage for the proposed development shall comply with the 1<sup>st</sup> Schedule of the Building (Planning) Regulation;
- (b) requirements for sustainable building design guidelines as stipulated in the PNAP APP-152 should be complied with in case the attribute of gross floor area concessions under the PNAP APP-151 is applied; and
- (c) detailed comments under Buildings Ordinance will be given at building plan submission stage.

### **Geotechnical Aspect**

11.1.9 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) it is noted that the development of the two early phases and two remaining phases, that would be affected by natural terrain hazards, will only be operated after the completion of mitigation works to be undertaken under the Landslip Prevention and Mitigation Programme by 2023; and
- (b) the Consultants' commitment to submit a Geotechnical Planning Review Report (GPRR) at the detailed design stage is noted. In this regard, please consider applying an approval condition on the submission requirement of GPRR to support the subject application.

### **Water Supply**

11.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application subject to the followings:

- (i) no structure shall be built or materials stored within the WWR. Free access shall be made available at all times for staff of the Director of Water Supplies and their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - (ii) no trees or shrubs with penetrating roots may be planted within the WWR or in the vicinity of the water mains;
  - (iii) some existing water mains outside the WWR will be affected. The cost of any necessary diversion shall be borne by the proposed development. In case it is not feasible to divert the affected water mains, a WWR within 1.5 metres from the centre line of the water mains shall be provided to WSD; and
  - (iv) the Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (b) it is noted that the proposed foundations have been removed from the WWR and at least 5.1m vertical clearance above ground has been provided. Should the application be approved by the Board, the following approval condition is recommended:
- the submission of a Waterworks Impact Assessment and implementation of a monitoring plan and any mitigation measures identified in the assessment report to the satisfaction of the Director of Water Supplies or of the Board; and
- (c) other detailed comments are in **Appendix VI**.

### **Environmental Hygiene**

#### 11.1.11 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) no in-principle objection to the application from food and environmental hygiene perspective, subject to the following approval conditions:
  - (i) the design and provision of a RCP, as proposed by the applicants, to the satisfaction of DFEH or of the Board; and
  - (ii) the design and provision of a public toilet, as proposed by the applicants, to the satisfaction of DFEH or of the Board; and
- (b) other detailed comments are in **Appendix VI**.

### **Fire Safety**

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

- (a) no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the Fire Services Department;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) other detailed comments are in **Appendix VI**.

### **Social Welfare Facilities**

11.1.13 Comments of the Director of Social Welfare (DSW):

- (a) no objection to the application;
- (b) as the design and floor space arrangement of 60-p DE, HCS for Frail Elderly Persons and 60-p SCCC would be reviewed at the detailed design stage to address SWD's comments and concerns, there is no further comment from service perspective and the following approval condition is suggested:  
  
the design and provision of social welfare facilities, as proposed by the applicants, to the satisfaction of DSW or of the Board; and
- (c) other detailed comments are in **Appendix VI**.

### **Urban Design, Air Ventilation and Landscape**

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

#### *Urban Design and Visual Impact*

- (a) The proposed PR and BH are in line with the respective restrictions stipulated in the OZP. Given the site context and the surrounding areas as mentioned in paragraph 8 and as illustrated in the VIA, it is unlikely that the proposed development will induce any significant adverse effects on the visual characters of the surrounding townscape; and
- (b) it is noted that the 13 graded historic buildings within the Site will be retained. The open space provided at G/F of the residential blocks may promote visual permeability towards the historic buildings. The Applicants also undertake to consider detailed façade treatment and architectural articulations at lower floors of

the residential blocks to facilitate visual interaction with the historic buildings in detailed design stage. A pedestrian access will be provided to Kau Wa Keng San Tsuen at all times as stipulated in paragraph 8.2.3 of the Explanatory Statement of the draft Kwai Chung OZP No. S/KC/31, with the existing access within Remaining Phase A retained under the interim scenario (Phases 1A and 1B). An additional pedestrian access straddling Phases 1A and 1B from Kau Wa Keng Old Village to the social welfare facilities is also proposed under the interim scenario (opening hours of the additional pedestrian access will be in line with the operating hours of the social welfare facilities in Phases 1A and 1B). The proposed development has incorporated three 15m-wide north-to-south ventilation/visual corridors at pedestrian level. The proposed residential blocks have generally been set back from the site boundary by more than 5m, and landscape treatments have been proposed along the site boundary, including trees, green wall and fence wall with bamboo planter. Landscape treatments in the form of trees, shrubs, open lawn and water features at G/F are provided. The above design measures may promote building permeability, visual interest and pedestrian comfort.

#### *Air Ventilation*

- (c) an Air Ventilation Assessment – Initial Study (AVA-IS) using computational fluid dynamic modelling has been carried out to compare the pedestrian wind environment in the surroundings of the Proposed Scheme with that in the Baseline Scheme (an OZP compliant scenario). With the proposed block layouts and wind enhancement features, the simulation results show that under both annual and summer conditions, the overall performances of the pedestrian wind environment in the surrounding areas and immediate vicinity of the Site under both Baseline Scheme and Proposed Scheme are generally comparable;

#### *Landscape*

- (d) no comment on the application from landscape planning perspective;
- (e) the Application Site is well-vegetated and many mature trees are found within the Site. The Applicant should consider a holistic approach to retain the existing landscape resources and historic buildings and incorporate them into the proposed landscape design in a comprehensive manner;
- (f) In view that the Site falls within “CDA” zone, the following approval condition is recommended to be included in the planning permission should the application be approved by the Board:

the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Board; and

(g) other detailed comments are in **Appendix VI**.

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

(a) no comment on the application from architectural and visual impact point of view; and

(b) it is noted that some of the blocks' façade area (such as Block 1, 3, 10 to 13) are facing west. Solar control devices should be considered to reduce solar heat gain and avoid glare as far as possible.

11.1.16 Comments of the Director of Leisure and Cultural Services (DLCS):

(a) no comment on the application but the Leisure and Cultural Services Department reserves the right to comment if its facilities or vegetation are affected; and

(b) other detailed comments are in **Appendix VI**.

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

- (a) Project Manager (West) (PM(W)), CEDD;
- (b) Director of Agriculture, Fisheries and Conservation;
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) Commissioner of Police (C of Police); and
- (e) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD).

## **12. Public Comments Received During Statutory Publication Period**

12.1 On 25.1.2022, the application was published for public comment. The 11 FIs subsequently submitted by the applicant were also published for public comment on 4.3.2022, 1.4.2022, 20.5.2022, 17.6.2022, 26.7.2022, 6.9.2022, 28.10.2022, 6.12.2022, 20.1.2023, 28.2.2023 and 31.3.2023. During the statutory public comment periods, a total of 690 comments were received. Among them, 24 supported the application and 592 objected to the application. Besides, 74 commenters provided views or expressed concerns on the application. Samples of the public comments are in **Appendix VII**. A full set of the public comments would be deposited at the meeting for Members' inspection.

12.2 The 24 comments submitted by the individuals expressed support to the application mainly on the grounds that the proposal is conducive to freeing up

valuable urban land for addressing the acute demand for housing, and that the proposal will help eliminate the unauthorised uses in Kau Wa Keng, in particular the barbeque venues, and their associated undesirable impacts.

- 12.3 Among the 592 objecting comments, 1 was submitted by the Kwai Tsing Branch of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB); 2 by the Kwai Chung (Central and South) Area Committee; 9 by Nob Hill Management Services Centre and the Incorporated Owners of Chung Shan Terrace; and 338 by the residents, representatives, village committee and village office of Kau Wa Keng Old Village and Kau Wa Keng San Tsuen. The remaining 242 objecting comments were submitted by other individuals. Besides, the 74 comments providing views include 1 submitted by the Owners' Committee of Wah Fung Garden, 1 submitted by the Incorporated Owners of Lai Yan Court, 1 submitted by the representatives of Kau Wa Keng Old Village's indigenous inhabitants as well as others from individuals. The main grounds of the objections and concerns/views are summarised as follows:

#### Land Matters

- (a) The removal of Kau Wa Keng Old Village (a recognised village) will violate the Basic Law, which stipulates the traditional rights and interests of the indigenous inhabitants of the New Territories should be protected.
- (b) The indigenous villagers and other stakeholders have not been consulted on the details of the subject application or land acquisition matters. The grave concerns of the villagers, including land value and compensation, village resite arrangements and demolition of ancestral halls, have not been properly addressed. Besides, the ownership status of various private lots as claimed by the applicant may not be an accurate portrait of the real situation.

#### Land Use and Public Facilities

- (c) The proposed scheme is not in line with the planning intention of the "CDA" zone. Under the phased development approach, the remaining phases (including Kau Wa Keng Old Village) will be left undeveloped, resulting in a piecemeal development pattern. Besides, the proposed development should not only focus on the "CDA" site alone but to develop together with Kau Wa Keng San Tsuen and Chung Shan Terrace in a holistic manner.
- (d) The provision of community facilities in Kau Wa Keng and its proximity is generally inadequate but the proposed social welfare facilities do not meet the need of the locals. A number of much-needed commercial facilities such as restaurants and supermarkets within a shopping complex should be provided to cater for the daily needs of the future residents.
- (e) Replacing the existing pedestrian walkway to Kau Wa Keng San Tsuen with a detour passing through the sloping areas is not acceptable, and will adversely affect daily commuting of the elderlies, emergency rescue and delivery of supplies. The proposed RCP in close proximity to the nearby

residential developments will generate potential hygiene problems such as odour and rodent infestation.

#### Traffic

- (f) The major roads serving the Kau Wa Keng area including Lai King Hill Road and Mei Lai Road are always congested, and the proposed development will likely aggravate the traffic congestion issue. The additional population will result in a more pressing demand for the already-inadequate public transport services.

#### Environment and Infrastructure

- (g) The proposed development will result in various issues such as air and noise pollution, waste and sewage problems, flooding and damage to water mains, causing nuisances to the nearby villagers and residents including those remaining ones in the later stage of the phased development. It will lead to felling of trees and pose adverse impact to the flora and fauna in the surrounding vegetated areas and streams. The vibrations from the construction works will adversely affect the stability of the village areas and the surrounding hillslopes.

#### Urban Design and Landscape

- (h) The proposed high-rise development is considered incompatible with the surroundings in terms of air ventilation and visual impacts. The landscape amenity and *feng shui* of Kau Wa Keng should be protected from any negative impact due to the proposed development. Landscape treatments such as the selection of plant species as proposed under the scheme should be further reviewed.

#### Heritage Conservation

- (i) Many buildings of historical value such as the former Yeung Ching School will be demolished upon commencement of the proposed development, and the long-standing history of Kau Wa Keng cannot be well-maintained. Besides, the proposed scheme is in lack of details regarding the future arrangements of the historic buildings.

### **13. Planning Considerations and Assessments**

- 13.1 The subject application is for a proposed comprehensive development at “CDA” zone comprising 14 residential blocks of 31-35 storeys with a total PR of 5 and a maximum BH of 120mPD, providing a total of 5,973 flats to accommodate a population of about 17,300. A number of social welfare facilities are proposed within the Site, and the 13 Grade 3 historic buildings are proposed to be preserved *in-situ* under the application. The proposed development will be implemented

in four phases as stated in paragraph 1.3, including two early phases in the interim scenario and two remaining phases in a longer term.

### Planning Intention and Development Restrictions

- 13.2 The Site falls within an area zoned “CDA” on the OZP which is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The proposed comprehensive residential development with the provision of community facilities is in line with the planning intention of the “CDA” zone. Under the scheme, the proposed total PR of 5 at a maximum BH of 120mPD complies with the relevant restrictions under the OZP and PB. The development potential of the site has been optimised, which is conducive to providing more housing supply to meet social needs.

### Comprehensive Development of the Site

- 13.3 It was considered appropriate under the latest CDA Review to retain the “CDA” zoning of the Site taking into account its multiple ownership, poor accessibility and minimal infrastructural and utility provisions. Under the proposed scheme, a comprehensive residential development with the provision of social welfare facilities is proposed with associated improvement of vehicular and pedestrian accessibility, as well as upgrading of sewerage and drainage facilities.
- 13.4 The proposed social welfare facilities in various phases of the development as set out in paragraph 1.9 above will offer a wide range of community services for the elderly and children within the Site and the surrounding areas, including HCS, NEC, DE and SCCC etc.. Under the interim scenario, HCS and NEC will be provided in particular to meet the demand for elderly services at an earlier stage. SWD has no in-principle objection to the proposal and recommends an approval condition on the design and provision of social welfare facilities as set out in paragraph 14.2 (o) below.
- 13.5 In view of the 13 graded historic buildings in Phase 1B and Remaining Phase B, the applicants have proposed various mitigation measures to avoid adverse impacts on the historic buildings, such as careful disposition of the new building blocks to avoid adverse heritage impacts. A thematic garden setting with landscape features will be provided around the historic buildings to promote a distinctive community environment. AMO has no adverse comment on the proposal subject to the imposition of relevant approval conditions as set out in paragraphs 14.2 (m) and (n) below.
- 13.6 A number of urban design and landscaping proposals are put forward for the Site under the proposed scheme in a comprehensive manner, including 15m building separation, three 15m-wide north-south oriented air paths, setback of over 5m from Lai King Hill Road, and various landscape treatments on ground level and along the site boundary. A greenery coverage of minimum 30% will be achieved in all phases and compensatory tree planting of 1:1 in quantity will be provided. The LMP has also been submitted to provide an overall framework

of the landscape design. CTP/UD&L of PlanD considers that these design measures may promote building permeability, visual interest as well as pedestrian comfort, and the proposed development will unlikely induce adverse visual impact. An approval condition in relation to the submission and implementation of a revised LMP is suggested in paragraph 14.2 (b) below.

### Technical Aspects

- 13.7 Various technical assessments, including TIA, SIA and DIA, have been conducted for both interim and full development scenarios and demonstrated that there will be no insurmountable traffic, environmental and infrastructural impacts arisen from the proposed development. In order to address adverse impact on the existing road network and public transport services, junction improvement works of Lai King Hill Road/ Kwai Chung Interchange, rearrangement of bus stop and pedestrian facilities and feeder services to/from the MTR Lai King Station have been proposed. Enhancement of pedestrian accesses is also proposed in the interim scenario to promote walkability and improve the connectivity of Kau Wa Keng Old Village and Kau Wa Keng San Tsuen. TD has no objection to the proposed development and recommends the imposition of relevant approval conditions as set out in paragraphs 14.2 (c) to (f) below.
- 13.8 A number of measures are also proposed to reduce environmental nuisances and enhance the overall living environment, including housing the RCP in an enclosed podium with advanced systems and landscape design, reprovisioning of the public toilet, as well as the provision of sewerage and drainage systems and facilities for the development. EPD, DSD and FEHD have no in-principle objection to the application subject to the imposition of relevant approval conditions as set out in paragraphs 14.2 (g) to (j), (p) and (q) below.

### Phased Development Approach

- 13.9 According to the proposed scheme for the comprehensive development, each of the four phases will be self-contained in terms of layout design, provision of local open space, greenery coverage, social welfare facilities and car parking and loading/unloading facilities as stated in paragraph 1.3. All the phases are proposed to be developed with maximum PR of 5, the technical feasibility of which has been demonstrated through relevant technical assessments subject to suitable mitigation measures. The existing access arrangements to the two remaining phases, i.e. the existing footpaths, will be largely maintained under the interim scenario. New 24-hour right of ways for the remaining phases will be provided via the early phases. TD and SWD have no adverse comments on the aforesaid arrangements. The planning intention of the entire "CDA" zone will not be undermined, and its comprehensiveness will not be adversely affected. This is in line with the TPB-PG. No. 17A in respect of the allowance for phased development.

## Public Comments

13.10 With regard to the public comments concerning urban design and landscape, traffic, environment, heritage and other technical aspects, the relevant technical assessments have demonstrated that the proposal would not cause significant impacts on these aspects. The planning assessments above and departmental comments in paragraph 11 are relevant. The public concerns on land matters/ land acquisition issues would be subject to further liaison and negotiation between the developer and individual land owners. For the concerns on the inadequate retail and community facilities in the area, the shopping facilities and community services in the residential areas to the south of the Site would help cater for such demand. Regarding the concern on the nuisances and vibrations during the construction stage, good site practices and relevant guidelines should be followed. As for *feng shui* issue, it is not a planning consideration of the Board.

## **14. Planning Department's Views**

14.1 Based on the assessments made in paragraph 13 above and having taken into account the public comments mentioned in paragraph 12, the Planning Department has no objection to the application.

14.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 14.7.2027, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

### Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan to incorporate the approval conditions as stipulated in conditions (b) to (s) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission of a revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the design and implementation of junction improvement works and relocation of bus stop and signalized crossing, as proposed by the applicants,

to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (f) the design, construction, management and maintenance of 24-hour barrier-free public passageways within the proposed development to connect Kau Wa Keng Old Village and Kau Wa Keng San Tsuen to the public footpath along Lai King Hill Road, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the submission of an updated Environmental Assessment in respect of air quality and noise impacts and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (h) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (i) 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;
- (j) the submission of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (k) the submission of a Waterworks Impact Assessment and implementation of a monitoring plan and any mitigation measures identified in the assessment report to the satisfaction of the Director of Water Supplies or of the Town Planning Board;
- (l) the submission of a Geotechnical Planning Review Report to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the Town Planning Board;
- (m) the submission of a Conservation Management Plan (CMP) for the preservation of the graded buildings within the proposed development prior to the commencement of any works and implementation of the works in accordance with the CMP to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board;
- (n) the submission of a full set of photographic, cartographic, and/or 3D scanning records of the graded buildings within the proposed development, including both the interior and exterior of the graded buildings, prior to the commencement of any works to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board;

- (o) the design and provision of social welfare facilities, as proposed by the applicants, to the satisfaction of the Director of Social Welfare or of the Town Planning Board;
- (p) the design and provision of a refuse collection point, as proposed by the applicants, to the satisfaction of the Director of Food and Environmental Hygiene or of the Town Planning Board;
- (q) the design and provision of a public toilet, as proposed by the applicants, to the satisfaction of the Director of Food and Environmental Hygiene or of the Town Planning Board;
- (r) 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; and
- (s) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

- 14.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicants fail to demonstrate that the proposed comprehensive residential development of the "CDA" zone is feasible through the phased development approach.

**15. Decision Sought**

- 15.1 The Committee is invited to consider the application and decide whether to grant or to refuse to grant permission.
- 15.2 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.
- 15.3 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.

**16. Attachments**

**Appendix I**  
**Appendix Ia**

Application Form received on 17.1.2022  
Consolidated Report received on 16.6.2023

<b>Appendix Ib</b>	Further Information received on 6.7.2023
<b>Appendix Ic</b>	Further Information received on 12.7.2023
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Application
<b>Appendix IV</b>	Planning Brief
<b>Appendix V</b>	Comparison of Major Parameters with Requirements in Planning Brief
<b>Appendix VI</b>	Detailed Comments from Government Departments
<b>Appendix VII</b>	Samples of the Public Comments
<b>Appendix VIII</b>	Recommended Advisory Clauses
<b>Drawings A-1 to A-2</b>	Master Layout Plans
<b>Drawings A-3 to A-6</b>	Floor Plans
<b>Drawings A-7</b>	Indicative Section
<b>Drawings A-8 to A-9</b>	Public Access Plans
<b>Drawing A-10</b>	Proposed Relocation of Pedestrian Crossing and Bus Stop
<b>Drawing A-11</b>	Proposed Junction Modification Works
<b>Drawing A-12</b>	Urban Design Concept Plan
<b>Drawings A-13 to A-14</b>	Photomontages
<b>Drawings A-15 to A-16</b>	Landscape Master Plans
<b>Drawing A-17</b>	Landscaping Concept Plan
<b>Drawings A-18 to A-20</b>	Artist's Impression Plans
<b>Drawings A-21</b>	Land Ownership Plan
<b>Plan A-1 and A-2</b>	Location Plans
<b>Plan A-3</b>	Site Plan
<b>Plans A-4</b>	Aerial Photo
<b>Plans A-5 to A-8</b>	Site Photos
<b>Plan A-9</b>	Pedestrian Network and Public Transport Plan