

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/500

| | | |
|---------------------------|---|--|
| <u>Applicant</u> | : | Hong Kong Housing Authority (HKHA) |
| <u>Site</u> | : | Tai Wo Hau Road, Kwai Chung Phase 1 – opposite Kwai Chung Estate Phase 2 – opposite Kwai Shing East Estate |
| <u>Site Area</u> | : | About 6,327m ² |
| <u>Land Status</u> | : | Government Land |
| <u>Plan</u> | : | Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/31 |
| <u>Zoning</u> | : | “Residential (Group A)2” (“R(A)2”) (a) maximum domestic/non-domestic plot ratio (PR) of 6/9.5 (b) maximum building height (BH) of 160 and 190 metres above Principal Datum (mPD) at Phases 1 and 2 respectively |
| <u>Application</u> | : | Proposed Minor Relaxation of PR and BH Restrictions for Permitted Public Housing Development |

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of domestic PR restriction from 6 to 6.5 (i.e. + about 8.3%) with a non-domestic PR of 0.62, and BH restriction (for Phase 2) from 190mPD to 198mPD (i.e. + about 4.2%) for permitted public housing development and social welfare facilities at the application site (the Site), which falls within an area zoned “R(A)2” on the draft Kwai Chung OZP No. S/KC/31 (**Plan A-1**). The Site comprises Phase 1 and Phase 2 portions as a linked-site development with the provision of social welfare/car parking facilities on a sharing basis, with two phases of development connected with footbridge linkage (**Plan A-2** and **Drawings A-1** and **A-2**). According to the Notes for “R(A)2” zone of the OZP, ‘Flat’ and ‘Social Welfare Facility’ are Column 1 uses, which are always permitted. Minor relaxation of the PR and BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on the individual merits of the development proposal.

- 1.2 The proposed development consists of one public housing block of 35 domestic storeys over a 4-storey podium in Phase 1 and one public housing block of 38 domestic storeys over a 3-storey podium and 1-storey of basement carpark in Phase 2. The podiums are mainly to accommodate social welfare facilities with communal podium garden and children play area on top (**Drawings A-2 and A-3**). Subject to detailed design, the proposed development will provide a total of about 937 flats with the proposed minor relaxation of PR and BH restrictions. As compared with the OZP compliant scheme¹, an addition of about 150 flats could be provided. According to the applicant's tentative programme, Phases 1 and 2 of the proposed development are targeted for completion in 2027/28 and 2026/27 respectively.
- 1.3 New footbridges will be provided to connect Phase 1 with Kwai Chung Estate to the north across Tai Wo Hau Road (Footbridge 1) and with Phase 2 to the south at a higher terrain level (Footbridge 2) (**Drawings A-1 to A-3**). A lift tower is proposed at the northern end of Phase 1 to connect the two proposed footbridges (**Drawing A-4**). All these pedestrian facilities are all-weather protected and universally accessible. The two proposed footbridges, to be funded and provided by HKHA, will be open to the public to facilitate pedestrian connection between Kwai Chung Estate and Kwai Shing Circuit through the Site (**Drawing A-4**). The G/F pedestrian and vehicular entrances are located at Tai Wo Hau Road and Kwai Shing Circuit for Phases 1 and 2 respectively (**Drawings A-5 and A-8**).
- 1.4 Communal podium garden with seating, children play area and open landscape decks in both Phases 1 and 2, as well as amenity planting at G/F and 2/F in Phase 1; and B/F, G/F and 1/F in Phase 2 are proposed (**Drawings A-5 to A-9**). Covered multi-purpose venue is incorporated in the communal podium garden for the residents and the community to organise community events (**Drawing A-6**). A total of not less than 2,570m² of local open space (LOS) will be provided in both Phases 1 and 2 in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). Subject to detailed design, a total of 103 trees within the Site will be felled and 178 trees will be planted within the Site resulting in a compensation ratio of 1:1.73. A minimum 20% of overall greenery coverage of the Site will be provided with the landscape and greening proposals.
- 1.5 Building setbacks of tower of about 11.6m, 5.7m and 23.3m from the northern, eastern and southern boundary at Phase 1 respectively and about 13.7m from the southern boundary at Phase 2 are proposed (**Drawing A-15**). Amenity planting, landscape treatments with vegetation fronting Tai Wo Hau Road and Kwai Shing Circuit on the G/F of Phases 1 and 2 respectively, and adoption of building design with use of compatible finishing materials/colour/façade treatment, are proposed to alleviate the potential visual impacts.

¹ OZP compliant scheme in this application refers to a development proposal under maximum domestic/non-domestic PR of 6/9.5 and maximum BH of 160mPD and 190mPD for Phases 1 and 2 respectively.

- 1.6 The master layout plan, section plans, landscape plans and photomontages submitted by the applicant are shown at **Drawings A-1 to A-15**. Major development parameters of the proposed scheme are summarised below:

| Development Parameters | Proposed Scheme ^[1] | |
|---|---|---|
| | Phase 1 | Phase 2 |
| Site Area ^[2] | About 0.32ha | About 0.31ha |
| Gross Floor Area (GFA) <ul style="list-style-type: none"> • Domestic GFA • Non-domestic GFA | About 41,125m ² About 3,930m ² | |
| Maximum PR <ul style="list-style-type: none"> • Domestic PR • Non-domestic PR | Not more than 6.5 Not more than 0.62 | |
| Maximum BH (main roof level) ^[3] | Not more than 160mPD or about 117m above ground | Not more than 198mPD or about 121m above ground |
| No. of Block | 1 composite block | 1 composite block |
| No. of Storeys | 35 domestic storeys over a 4-storey podium | 38 domestic storeys over a 3-storey podium and 1-storey basement carpark |
| Flat Production | About 554 flats | About 383 flats |
| Design population ^[4] | About 1,254 | About 1,316 |
| Proposed Social Welfare Facilities ^{[5][6]} <ul style="list-style-type: none"> • Neighbourhood Elderly Centre • Special Child Care Centre • Early Education and Training Centre | 1 (about 303m ² Net Operating Floor Area (NOFA)) - - | - 1 (about 345m ² NOFA) 1 (about 212m ² NOFA) |
| Recreation Facilities <ul style="list-style-type: none"> • LOS • Children Play Area | Not less than 1,254m ² Not less than 101m ² | Not less than 1,316 m ² Not less than 105 m ² |
| Green Coverage (including existing provision) | Not less than 20% of the site area | Not less than 20% of the site area |
| Parking Facilities & Loading/Unloading (L/UL) Bays ^[7] <ul style="list-style-type: none"> Domestic • Car Parking Space • Light Goods Vehicle Parking Space • L/UL Bays | - - - | 26 ^[8] 4 2 |

| Development Parameters | Proposed Scheme ^[1] | |
|--|--------------------------------|-------------------|
| | Phase 1 | Phase 2 |
| Non-domestic | - | 10 ^[8] |
| • Car Parking Space (Visitors) | - | 13 |
| • Motorcycle Parking Space (Not specified) | - | 1 |
| • Welfare Facilities Parking Space | | |

Note :

- [1] The proposed development scheme is indicative in nature which is subject to detailed design.
 [2] The site area is subject to detailed survey.
 [3] After review by the applicant, the proposed development would not adopt Modular Integrated Construction (MiC).
 [4] The design population is based on actual flat mix.
 [5] The actual provision of the facilities will be subject to confirmation/advice by relevant Government departments at detailed design stage.
 [6] The proposed social welfare facilities as required by the Government are GFA countable and included in the non-domestic GFA/PR calculations.
 [7] The parking and L/UL provisions have been agreed by the Transport Department (TD).
 [8] The parking space includes 1 accessible parking space.

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

- (a) Application form received on 29.11.2022 (Appendix I)
 (b) Supporting Planning Statement received on 29.11.2022 (Appendix Ia)
 (c) Further Information (FI) received on 6.1.2023# (Appendix Ib)

Remarks:

accepted and exempted from publication and recounting requirement

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in the Supporting Planning Statement and FI at **Appendices Ia to Ib** which are summarised as follows:

- (a) The proposed minor relaxation of PR and BH restrictions is in line with Government's relevant initiatives/policies to enhance the development intensity and better utilise land resources to meet the imminent housing need.
- (b) Floor area for social welfare facilities equivalent to about 5% of the domestic GFA will be provided subject to the confirmation of the Social Welfare Department (SWD) on funding and detailed design.
- (c) The proposal is in line with the planning intention of the "R(A)2" zone. Given the high-rise and high-density residential developments in the vicinity, the proposed scheme is also compatible with the context of surrounding developments in terms of development intensity and BH (**Plan A-5**).

- (d) The minor relaxation of BH is required to (i) accommodate the specifically designed disposition and layout of the public housing blocks so as to address the site constraints including the incorporation of truncated floors at certain levels required for compliance of prescribed windows for habitation space under the Buildings Ordinance in response to the irregular site configuration at Phase 2; (ii) accommodate additional flats in optimising development potential of the Site; and (iii) accommodate the required social welfare facilities and car parking facilities.
- (e) The planning and design features are proposed as follows:
- (i) materializing the footbridges proposed in rezoning stage, i.e. two universally and publicly accessible, covered pedestrian linkages to connect Phase 1 with Kwai Chung Estate to the north and Phase 2 to the south for promoting connectivity and pedestrian comfort;
 - (ii) communal podium garden with seating, children play area and open landscape decks in both Phases 1 and 2, as well as soft landscaping, serving as open recreational space for creating a visually pleasing and enjoyable environment for the proposed development and surroundings;
 - (iii) covered multi-purpose venue incorporated in the communal podium garden for the residents and the community to organize community events, in order to respond to public aspiration gathered during local consultation exercise which was further committed to the Housing Affairs Committee of Kwai Tsing District Council in 2013.
 - (iv) landscape treatments including amenity planting at G/F and 2/F in Phase 1, and B/F, G/F and 1/F in Phase 2, and adoption of sensible and compatible building design, promoting visual interest and alleviating the potential visual impacts. A total of 103 trees within the Site will be felled and 178 trees will be planted within the Site resulting in a compensation ratio of 1:1.73; and
 - (v) various building setbacks as stated in paragraph 1.5 above, as well as building gap of not less than 65m between Phases 1 and 2, are proposed to enhance the air ventilation and visual permeability.
- (f) Various technical assessments have been conducted to demonstrate that the proposed redevelopment would not induce adverse/insurmountable impacts on air ventilation, environmental, sewerage, traffic and visual aspects, etc.

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” (TPB PG-No. 31A) are not applicable.

4. **Background**

Policy of “Enhancement of the Development Intensity of Public Housing Sites”

- 4.1 As announced in the 2014 Policy Address (PA), except for the north of Hong Kong Island and Kowloon Peninsula, which are more densely populated, the maximum domestic PR that can be allowed for housing sites located in the other Density Zones of the Main Urban Areas and New Towns would be raised generally by about 20% as appropriate. According to 2015 PA and decision of Executive Council in 2018, the Government will increase development intensity as appropriate by allowing further increase of domestic PR for public housing sites by 10% (i.e. up to 30% in total) (i.e. up to PR 6.5) where technically feasible.
- 4.2 In 2020 PA, the CE announced to increase the PR of future public housing projects so that 5% of the attainable domestic GFA would be set aside for social welfare facilities without compromising flat production.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Applications**

- 6.1 There are four similar applications (No. A/KC/445, 447, 495 and 499) submitted by HKHA for minor relaxation of PR and/or BH restrictions for permitted public housing developments in the Kwai Chung area, all of which were approved with condition(s) on 12.5.2017, 14.7.2017, 28.10.2022 and 9.12.2022 respectively (**Plan A-1**). These applications were approved mainly on the considerations that the applications are in line with the Government’s policy to increase housing supply; relevant technical assessments were submitted to support the technical feasibility; and there was no adverse comment from relevant government departments.
- 6.2 Details of the similar applications are summarised at **Appendix II** for Members’ reference.

7. **The Site and Its Surrounding Areas** (Plans A-1, A-2 and A-5; photos on Plans A-3 and A-4 and Drawing A-1)

7.1 The Site:

- (a) is located within an elongated slope area sandwiched between Tai Wo Hau Road to the north and Kwai Shing Circuit to the south, with Phase 1 located at a relatively lower terrain level than Phase 2;

- (b) includes two pieces of Government land, both currently and temporarily occupied by HKHA as works area; and
- (c) is well served by public transport services at the nearby bus and minibus termini at Kwai Chung Estate and Kwai Shing East Estate. MTR Tai Wo Hau Station and Kwai Hing Station is at about 400m to the northeast of Phase 1 and at about 500m to the southeast of Phase 2 respectively (**Plan A-5**).

7.2 The surrounding areas have the following characteristics:

- (a) the residential neighbourhood surrounded mainly by Kwai Chung Estate to the north and east with intended BHs ranging from 150mPD to 170mPD and 100mPD to 150mPD respectively; Kwai Shing East Estate to the south with intended BHs ranging from 140mPD to 190mPD; High Prosperity Terrace to the further southwest with intended BH of 190mPD; and Tai Wo Hau Estate and Kwai Yung Court to the further northwest and west with intended BHs ranging from 110mPD to 150mPD (**Plan A-5**);
- (b) Government, institution and community facilities including cluster of schools and education institutes to the east and southeast, and Kwai Shing High Level Salt Water Service Reservoir to the southwest at a vegetated slope; and
- (c) open space including Kwai Hop Street Playground to the east, Kwai Shing Service Reservoir Sitting-out Area located at a higher terrain to the southwest and Tai Wo Hau Road South Playground to the west.

8. **Planning Intention**

8.1 The planning intention of the “R(A)2” is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

8.2 According to the Explanatory Statement of the OZP, to provide incentive for developments/redevelopments with design merits/planning gains, each application for minor relaxation of BH restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;

- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air ventilation and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the OZP; and
- (f) other factors such as site constraints, the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

9. Comments from Relevant Government Departments

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

Land Administration

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

- (a) no comment on the application; and
- (b) the Site has been granted to HKHA by way of Short Term Tenancy (STT) under reference no. STTTK0018. The handover of the Site was completed in August 2022.

Traffic

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

- (a) no in-principle objection to the application from traffic engineering perspective given that:
 - (i) the Traffic Impact Assessment (TIA) illustrated that the traffic impact arising from the subject development to the adjacent road network within the area of influence is acceptable;
 - (ii) the junction improvement works of the junction of Kwai Chung Road, Kwai Yik Road and Kwai On Road would be carried out under the project of public housing development at Kwai On Factory Estate before the population intake of public housing development at the Site;

- (iii) the development proposal would accommodate the parking and L/UL provisions as stated in the approved Planning Brief; and
- (iv) two footbridges would be constructed to link up the proposed Phase 1 and Phase 2 development with Kwai Chung Estate to enhance pedestrian connectivity; and
- (b) should the application be approved, the following approval condition is suggested:

the design and provision of parking facilities, L/UL spaces and vehicular access for the proposed development to the satisfaction of C for T or of the Board.

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

no comment on the subject application from highways' maintenance point of view given that C for T has no comment on the TIA from traffic engineering perspective.

Environment

9.1.4 Comments of the Director of Environment Protection (DEP):

- (a) no objection to the application from environmental planning perspective as:
 - (i) the Air Quality Impact Assessment under Environmental Assessment Study (EAS) demonstrated that no insurmountable air quality impact is anticipated;
 - (ii) the Noise Impact Assessment (NIA) demonstrated that no adverse noise impact on the domestic block and social welfare facilities is anticipated with the implementation of proposed mitigation measures; and
 - (iii) the Sewerage Impact Assessment (SIA) concluded that no adverse impact on the existing sewerage system is anticipated; and
- (b) to address any potential change in actual layout/design of the proposed development, it is recommended to impose the following approval conditions:
 - (i) the submission of an updated SIA to the satisfaction of DEP or of the Board; and

- (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.

Social Welfare

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

no comment on the technical issues from welfare perspective given that the social welfare facilities as proposed by the SWD are included in the current proposal.

Urban Design, Air Ventilation and Landscape

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

Urban Design

- (a) the surrounding area is characterized by high-rise residential developments with intended BHs generally ranging from 130mPD to 190mPD. While the proposed development for Phase 2 with a BH of about 198mPD would be slightly taller than the intended BH for the Kwai Shing East Estate (190mPD), the height variation of Phase 1 (154.5mPD) and Phase 2 (198mPD) would generally maintain the intended descending BH profile from Kwai Shing East Estate in the south to Kwai Chung Estate in the north. Given the context and as illustrated in the Visual Appraisal (**Drawings A-12 to A-14**), the proposed public housing development would unlikely induce significant adverse effect on the visual character of the surrounding townscape;
- (b) the proposed development has incorporated two universally accessible and covered footbridges to connect (i) two Phases with about 40m level difference; and (ii) Phase 1 with Kwai Chung Estate in the north. Building setbacks and landscape treatment including amenity planting are also proposed as stated in paragraphs 1.4 and 1.5 above. The above measures may promote connectivity, building permeability, pedestrian comfort and visual interest;

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 OZP compliant scheme. The two studied schemes have very similar building block layout plans with the building separation between Phases 1 and 2 maintained at about 65m. When compared with the OZP compliant scheme, the building height of Phase 1 in the proposed scheme is reduced by 5.5m while that in Phase 2 is increased by 8m. 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 OZP compliant scheme and proposed scheme are comparable. Significant adverse impact on the surrounding pedestrian wind environment is not anticipated;

Landscape

- (d) the Site is situated in an area of residential urban landscape character surrounded by residential developments to the north, east and south including Kwai Chung Estate and Kwai Shing East Estate. The proposed scheme is not incompatible with the surrounding environment;
- (e) with reference to the Planning Statement and Tree Survey Report, existing trees of common species generally in fair condition are identified, of which 103 are proposed to be felled within the Site. New landscape treatments such as planting proposal with 178 new trees are proposed in Phases 1 and 2. Hence, she has no objection to the application from landscape planning perspective; and
- (f) the applicant is reminded that approval of the planning application does not imply approval of the site coverage of greenery requirements under the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to concerned party for approval. Similarly, for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant should approach relevant authority direct to obtain necessary approval as appropriate.

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

no comment from architectural and visual impact point of view since the adjacent "R(A)" zone is subject to a BH restriction of 160mPD to 190mPD.

Fire Safety

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

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department (BD).

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

- (a) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD);
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Chief Building Surveyor/ New Territories West (CBS/NTW), BD;
- (d) Head of Geotechnical Engineering Office (H(Geo)), CEDD;
- (e) Project Manager (West) (PM(W)), CEDD;
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (g) Director of Electrical and Mechanical Services (DEMS);
- (h) Director of Food and Environmental Hygiene (DFEH);
- (i) Director of Leisure and Cultural Services (DLCS); and
- (j) Commissioner of Police (C of Police).

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection period, two public comments from individuals were received (**Appendix III**). The Chairman of Kwai Chung Residents Right Concern Group expresses views and supports the application mainly on the ground that the proposal can facilitate the provision of elderly centres and benefit the residents nearby; while an individual objects to the application mainly on the grounds that there is inadequate provision of outdoor recreational facilities and adverse air ventilation/visual impacts are anticipated.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of domestic PR restriction from 6 to 6.5 (i.e. + about 8.3%), with a non-domestic PR of 0.62, and BH restriction from 190mPD to 198mPD (i.e. + about 4.2%) for permitted public housing development and social welfare facilities at the Site, which fall within an area zoned "R(A)2". The

proposed development is in line with the planning intention of “R(A)2” zone, which is primarily for high-density residential developments.

Development Intensity

11.2 The proposed minor relaxation of PR for the development would allow for an addition of about 150 public housing flats (total of about 937 flats) as compared with the OZP compliant scheme (total of about 787 flats) and the provision of floor area equivalent to about 5% of the domestic GFA for social welfare facilities. The proposal is in line with the Government policy of enhancing development intensity of public housing sites (up to domestic PR of 6.5, i.e. +30%) to increase housing supply with social welfare facilities and better utilise land resources, where technical feasibility permits.

Building Height

11.3 The surrounding area is characterised by high-rise residential developments with BH restrictions generally ranging from 130mPD to 190mPD. While the proposed development for Phase 2 with a BH of about 198mPD would be slightly higher than the BH restriction for Kwai Shing East Estate (190mPD), the height variation of Phase 1 (160mPD) and Phase 2 (198mPD) would generally maintain the intended descending BH profile from Kwai Shing East Estate in the south to Kwai Chung Estate in the north. (**Plan A-5**). Besides, the proposed minor relaxation of BH restriction is also required to accommodate the provision of social welfare and car parking facilities, as well as the specifically designed disposition and layout of public housing blocks so as to address the site constraints, including the incorporation of truncated floors at certain levels required for compliance of prescribed windows for habitation space under the Buildings Ordinance in response to the small site area and irregular site configuration at Phase 2. CTP/UD&L, PlanD considers that the proposed public housing development with the proposed mitigation measures as stated in paragraph 1.5 would unlikely induce significant adverse effect on the visual character of the surrounding townscape. CA/CMD2, ArchSD has no comment from architectural and visual impact point of view.

Planning and Design Merits

11.4 The proposed development materializes two pedestrian linkages proposed in rezoning stage as stated in paragraph 1.4 above, both of which are universally and publicly accessible as well as all-weather protected to facilitate the connection between Kwai Chung Estate and Kwai Shing Circuit through the Site (**Drawings A-1 to A-3**). Building setbacks of tower of about 11.6m and 5.7m from the northern and eastern boundary at Phase 1 respectively and about 13.7m from the southern boundary at Phase 2 are proposed to improve visual permeability (**Drawing A-15**). Amenity plantings at ground level along Tai Wo Hau Road and Kwai Shing Circuit, as well as communal podium garden including a covered multi-purpose venue and children play area are also proposed to enhance streetscape and pedestrian environment (**Drawings A-5 to A-9**). CTP/UD&L, PlanD considers that the proposed scheme is not incompatible with the surrounding

environment and the above measures may promote connectivity, building permeability, vibrancy, pedestrian comfort and visual interest.

Technical Aspects

- 11.5 Regarding the air ventilation, the simulation results in the AVA-IS indicate that the overall performances of the pedestrian wind environment in the surrounding areas and immediate vicinity of the Site under both OZP compliant scheme and proposed scheme are comparable. CTP/UD&L, PlanD considers that significant adverse impact on the surrounding pedestrian wind environment is not anticipated.
- 11.6 Other relevant technical assessments including TIA, EAS and SIA have demonstrated that the proposed minor relaxations would not cause adverse nor insurmountable traffic, environmental and sewerage impacts to the surrounding areas. C for T has no in-principle objection to the application subject to the incorporation of approval conditions set out in paragraph 12.2(a) below. DEP also has no objection to the application subject to the incorporation of approval conditions set out in paragraphs 12.2(b) to (d). Other relevant Government departments, including FSD, DSD, SWD and LCSD have no objection to/adverse comment on the application.
- 11.7 Taken into account paragraphs 11.3 to 11.5 above, the approval of the current application is in line with the criteria for consideration of BH relaxation under Explanatory Statement of the OZP as summarized in paragraph 8.2, i.e. provision of better streetscape, provision of separation between buildings to enhance air ventilation and visual permeability, and accommodation of building design to address site constraints.

Similar Applications

- 11.8 There are four similar applications (No. A/KC/445, 447, 495 and 499) submitted by HKHA for minor relaxation of PR and/or BH restriction(s) for permitted public housing developments as stated in paragraph 6 above. The applications were approved by the Committee on 12.5.2017, 14.7.2017, 28.10.2022 and 9.12.2022 respectively. Approval of the current application is generally in line with the Committee's previous decisions.

Public Comments

- 11.9 Regarding the public comments received, the above planning assessments and departmental comments in paragraph 9 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 13.1.2027, 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 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;
- (b) the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) 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.

Advisory Clauses

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

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

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or to refuse to grant permission.

13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

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| Appendix I | Application Form received on 29.11.2022 |
| Appendix Ia | Supporting Planning Statement received on 29.11.2022 |
| Appendix Ib | FI received on 6.1.2023 |
| Appendix II | Similar Applications |
| Appendix III | Public Comments |
| Appendix IV | Recommended Advisory Clauses |
| Drawing A-1 | Site Layout Plan |
| Drawings A-2 and A-3 | Section Plan |
| Drawing A-4 | Pedestrian Connection |
| Drawings A-5 to A-9 | Conceptual Landscape Plans |
| Drawings A-10 to A-11 | Local Open Space Diagram |
| Drawings A-12 to A-14 | Photomontages |
| Drawing A-15 | Proposed Building Setbacks |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plans A-3 and A-4 | Site Photos |
| Plan A-5 | Height of Existing Buildings in Surrounding Areas |

**PLANNING DEPARTMENT
JANUARY 2023**