

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/537

- Applicant** : Apex Frame Limited represented by Llewelyn-Davis Hong Kong Limited
- Site** : Lots 444 (including S.A and RP), 458, 464, 484 and 488 in D.D. 443 and adjoining Government Land (GL), Tsuen Wan
- Site Area** : About 4,946m² (including GL of about 413.8m²)
- Lease** : Lot 444 (including S.A and RP) (New Grant No. 3842) (about 952.5m²)
Lot 458 (New Grant No. 3880 as varied or modified by a Modification Letter (ML) dated 8.3.1972) (about 966.2m²)
(all in D.D. 443)
(a) expires on 30.6.2047
(b) restricted to industrial purposes excluding any offensive, noxious, noisome or unhealthy trade, business or manufacture
- Lot 484 (New Grant No. 4314 as varied or modified by a ML dated 14.9.1970) (about 908.6m²)
Lot 488 (New Grant No. 4355) (about 912.6m²)
(all in D.D. 443)
(a) expires on 30.6.2047
(b) restricted to general industrial and/or godown purposes excluding any offensive trade
- Lot 464 in D.D. 443 (New Grant No. 4252 as varied or modified by a ML dated 5.12.1968) (about 792.3m²)
(a) expires on 30.6.2047
(b) restricted to industrial purposes only
- Plan** : Draft Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/36
[*currently in force*]
- Approved Tsuen Wan OZP No. S/TW/35
[*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 (6)” (“CDA(6)”)
- (a) maximum plot ratio (PR) of 5
(b) maximum building height (BH) of 100 metres above Principal Datum (mPD)

- (c) any floor space that is constructed or intended for use solely as Government, institution or community (GIC), or social welfare facilities, as required by the Government, shall be included for PR calculation

Application : Proposed Comprehensive Residential (Flat) and Social Welfare Facility (Multi-disciplinary Outreaching Support Team for the Elderly (MOSTE)¹) Development with Minor Relaxation of Maximum PR and BH Restrictions

1 The Proposal

- 1.1 The applicant seeks planning permission for a proposed comprehensive residential (flat) and social welfare facility (MOSTE) development with minor relaxation of maximum PR and BH restrictions from 5 to 6.1 (+22%) and 100mPD to 120mPD (+20%) respectively at the application site, which is zoned “CDA(6)” on the draft Tsuen Wan OZP No. S/TW/36 (**Plan A-1**). Development within the “CDA(6)” zone shall be governed by a Master Layout Plan (MLP), which should be submitted together with technical assessments and other relevant information to the Town Planning Board (the Board) for consideration on application under Section 16 of the Town Planning Ordinance (the Ordinance). According to the Notes of the OZP, the proposed ‘Flat’ and ‘Social Welfare Facility’ uses, which are under Column 2, and minor relaxation of PR and BH restrictions also require planning permission from the Board under Section 16 of the Ordinance.
- 1.2 The application site covers the whole “CDA(6)” zone, comprising Site A (i.e. Lot Nos 458 and 488 in D.D. 443) with an area of about 1,878.8m² (38% of the total site area) and Sites B to D (Lot Nos. 444 S.A, 444 RP, 484 and 464 in D.D. 443 respectively) occupying an area of about 2653.4m² (53% of the total site area) and adjoining GL (9% of the total site area) (**Plan A-2**). Site A is solely owned by the applicant while Sites B to D are under single ownership by separate landowners. The development is proposed to be implemented in four phases taking into account the land ownership pattern of the four sites (i.e. Phase 1 for Site A and Phases 2a to 2c for Sites B to D respectively) (**Drawing A-1**). Sites A to D are proposed to be developed each with a maximum domestic PR of 6 and self-contained in terms of development layout, provision of local open space, greenery coverage, vehicular access and carparking and loading/unloading (L/UL) facilities. A MOSTE with non-domestic GFA of about 455m² is proposed on G/F of Site A, which is equivalent to a total non-domestic PR of 0.1 based on the total site area (excluding GL) or 0.24 based on the site area of Site A. A separate vehicular ingress/egress point will be provided for each of the four sites. The completion of Sites A to D is anticipated to be 2027.
- 1.3 According to the MLP submitted by the applicant, the proposed comprehensive development comprises 4 residential blocks of 33 storeys, each above a basement level for car parking and L/UL. A total of 629 flats will be provided to accommodate a population of about 1,762 in the four sites. The MOSTE proposed at Site A will have

¹ The MOSTE comprising social workers, occupational therapists, physiotherapists and speech therapists, will provide outreach services for the service users of private residential care homes for the elderly (RCHEs) to address their social and rehabilitation needs. Premises of MOSTE is basically for providing office base for different staff posts, keeping records of the services provided by professionals of MOSTE to service users, conducting preparation works before staff’s visitations to RCHEs, carrying out training to needy carers / volunteers, conducting online training / activities to service users / carers / home staff. The subject site will not be used for domestic purpose.

entrances separated from the domestic portion of the building (**Drawing A-4**) and will be handed over to the Government upon completion as government accommodation. A continuous voluntary building setback ranging from 3m to 10m in width along Wang Wo Tsai Street and Yeung Uk Road is proposed for tree planting and greening to improve the overall amenity of the application site (**Drawings A-6 and A-13**). The MLP, Landscape Master Plan (LMP) and artist impressions of the application site are at **Drawings A-1, A-6 and A-13**.

- 1.4 Regarding the overall building design, the proposed voluntary building setback includes 3m from the northern and northeastern boundaries fronting Wang Wo Tsai Street at Sites A and B, 10m from the southeastern boundary fronting Wang Wo Tsai Street at Site D, 8m from the southern boundary fronting Yeung Uk Road at Sites C and D and 6m from the southeastern boundary of Site C abutting the adjacent “Open Space” (“O”) zone (**Drawing A-1**). Building separation will be provided between the residential towers to enhance the visual and air permeability, including about 15m between the residential towers at Sites A and B, and about 38m between the residential towers at Sites C and D (**Drawings A-1 and A-3**). The proposed development will comply with the Sustainable Building Design Guidelines (SBDG), in respect of building setback, separation and greenery as a whole. The existing public lane on the GL within the application site will be retained for pedestrian circulation with direct access to the planned open space and is proposed to be opened to the public for 24 hour access (**Plan A-2 and Drawing A-6**).
- 1.5 A continuous planting strip will be provided outside the fence wall, by setting back the fence wall along the application site boundary abutting Wang Wo Tsai Street and Yeung Uk Road by 3m (**Drawing A-6**). Another continuous planting strip along the existing public lane is also proposed in the form of at-grade tree planting where practicable or shrub planting on podium edge to strengthen the comprehensiveness of the landscape design of the application site (**Drawing A-6**). Provision of vertical green wall and artistic paintings at podium façade that fronting the public lane would be further explored at detailed design stage. As for Phase 1 development at Site A owned by the applicant, a private open space, podium garden and sky garden are proposed on G/F, 1/F and 17/F (refuge floor) respectively. Various landscape treatment such as tree and shrub planting will be provided in the private open space and climbing plants at podium level to enhance the visual experience (**Drawings A-4, A-6 to A-12**). The applicant will enhance the public lane to the south of Site A by artistic painting and colour treatment at podium façade (**Drawing A-13**).

- 1.6 The key development parameters of the proposed development are summarised in the table below:

Development Parameters	Phase 1 (Site A) Lots 458 & 488	Phase 2a (Site B) Lot 444 (incl. SA&RP)	Phase 2b (Site C) Lot 484	Phase 2c (Site D) Lot 464	Total
Development Site Area ² (about) (m ²)	1,878.8	952.5	908.6	792.3	4,532.2

² Existing backlane on GL of about 413.8m² is excluded from the development site area.

Total GFA (about) (m ²)	11,727.8	5,715	5,451.6	4,753.8	27,648.2
- Domestic	11,272.8	5,715	5,451.6	4,753.8	27,193.2
- Non-Domestic	455 ³ (about 4% of domestic GFA)	-	-	-	455 (about 1.7% of total domestic GFA)
Total PR ⁴	About 6.24	About 6	About 6	About 6	About 6.1
- Domestic	6	6	6	6	6
- Non-Domestic (MOSTE)	0.24	-	-	-	0.1
Max. Site Coverage (SC) ⁴	Not more than:	Not more than:	Not more than:	Not more than:	Not more than:
- Podium	100%	100%	100%	100%	100%
- Residential Tower	37.5%	33.3%	33.3%	37.5%	37.5%
Max. BH (mPD)	Not more than 120	Not more than 120	Not more than 120	Not more than 120	Not more than 120
No. of Storeys					
- Domestic	29	29	29	29	29
- Podium	3 (including MOSTE)	3	3	3	3
- Refuge floor cum sky garden	1	1	1	1	1
- Basement carpark	1	1	1	1	1
No. of Blocks	1	1	1	1	4
No. of Flats	261	132	126	110	629
Average Flat Size (about) (m ²)	43	43	43	43	43
Anticipated Population (about)	731	370	353	308	1,762 ⁵
Private Open Space (Not less than) (m ²) (i.e. 1m ² per person)	731	370	353	308	1,762
Greenery Coverage (Not less than) (m ²)	20%	20%	20%	20%	20%
Parking Facilities					
- Private vehicles	76	41	40	35	192
- Motorcycle	3	2	2	2	9
- L/UL Bays	2	1	1	1	5

1.7 The application site is bounded by Wang Wo Tsai Street and Yeung Uk Road and is located in the northern part of Tsuen Wan East Industrial Area (TWEIA). To address

³ The Net Operational Floor Area (NOFA) of the MOSTE is about 293m², as required by Social Welfare Department (SWD). Detailed design will be subject to agreement with SWD.

⁴ Based on development site area of 4,532.2m².

⁵ The assumption of 2.8 persons per flat is adopted as per the 2021 Population Census of Tsuen Wan District.

the possible noise problems, noise mitigation measures including acoustic window, balcony and architectural fins are proposed according to the submitted Environmental Assessment (EA) (**Drawing A-16**). Moreover, the 3m setback fronting Wang Wo Tsai Street and 8m setback fronting Yeung Uk Road are proposed in order to increase the site permeability in accordance with the Air Ventilation Assessment – Expert Evaluation (AVA-EE) (**Drawing A-1**). To support the proposed development in phases, the submitted technical assessments including Road Noise Impact Assessment and Fixed Noise Impact Assessment have also demonstrated that the proposed residential development on Site A as the first phase would not be technically unacceptable while the existing industrial buildings on Sites B to D remain in-situ.

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

- (a) Application Form and supplementary information received (**Appendix I**)
on 19.4.2023 and 24.4.2023
- (b) Planning Statement (**Appendix Ia**)
- (c) Further Information (FI) 1 received on 24.7.2023* (**Appendix Ib**)
- (d) FI 2 received on 11.9.2023* (**Appendix Ic**)
- (e) FI 3 received on 6.10.2023* (**Appendix Id**)
- (f) FI 4 received on 10.11.2023* (**Appendix Ie**)
- (g) FI 5 received on 18.12.2023# (**Appendix If**)

**accepted but not exempted from publication and recounting requirement*

#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 detailed in **Appendices Ia to If**. They are broadly summarised as follows:

Conforms to the Planning Intention of “CDA(6)” Zone for Residential Redevelopment

- (a) The proposed development will redevelop the existing industrial buildings (IBs) at the application site into 4 residential buildings with provision of private open space and other supporting facilities such as clubhouse and carparking.

Proposed Minor Relaxation is in line with the Government Policy and Compatible with the Surroundings

- (b) The proposed minor relaxation of domestic PR from 5 to 6 is in line with the prevailing Government policy to allow a 20% increase in maximum domestic PR. The proposed relaxation will allow an additional domestic GFA of 4,532.2m² for 105 additional flats at the application site.
- (c) The surroundings of the application site have been undergoing a transformation from industrial to residential character and new residential developments have been approved and completed in the area. In terms of BH profile, the proposed BH restriction of 120mPD is considered appropriate with reference to the surrounding developments such as Sheung Chui Court, Indi Home and the comprehensive residential development proposal under approved application No. A/TW/527. As illustrated in the submitted Visual Impact Assessment (VIA) (**Drawings A-14 and A-15**), the proposed

development will be compatible with the surroundings and will not cause adverse visual impact.

Genuine Effort to Facilitate Early Implementation of the Proposed Development by Phased Development Approach

- (d) The applicant has put in a genuine effort for amalgamation of the application site and obtained the land ownership of the two lots at Site A (about 40% of the ownership of the application site). Whilst Lots 444 S.A and R.P and 464 in D.D. 443 are still under active use for industrial and/or storage uses and Lot 484 in D.D. 443 is being used for open storage cum carparking, there is no indication of redevelopment at the moment. With uncertain schedule in land acquisition of the remaining lots, it is considered reasonable to adopt phased development approach for timely redevelopment of “CDA(6)” zone.

Accommodation of MOSTE in Site A as Planning Gain

- (e) With an aim to providing a planning gain and meeting the needs of social welfare services in the Tsuen Wan District, the applicant has liaised with SWD for provision of an appropriate social welfare facility, i.e. MOSTE with NOFA of about 293m² at Site A.

Meeting Criteria for Consideration of Minor Relaxation of BH Restrictions

- (f) The applicant has put in a genuine effort in amalgamating two lots at the application site which will be redeveloped into a single residential building in Phase 1 for achieving better local improvement.
- (g) Voluntary building setback of about 3m from the lot boundary of Site A will be provided along Wang Wo Tsai Street (**Drawing A-1**). Layered tree planting strips will be provided at the setback areas to create a soft edge of the proposed development and reduce the visual mass. Various soft landscape treatment such as tree and shrub planting at private open space and podium will provide a more pleasant visual experience for pedestrians (**Drawings A-6 to A-12**). Benches will be provided outside the entrance of MOSTE at detailed design stage subject to agreement with SWD (**Drawing A-8**).
- (h) The landscape treatment along the application site boundary facing Wang Wo Tsai Street and Yeung Uk Road will reduce the visual mass and create a more pleasant pedestrian environment, whereas the landscape treatment along the public lane will compliment the greenery in the planned open space within the “O” zone to strengthen the overall landscape design of the application site (**Drawing A-6**). Sufficient building separations will be provided among the residential towers at the application site which will enhance visual and air permeability in the area when compared to the existing bulky IBs at the application site (**Drawing A-1**).

Act as a Catalyst for Redevelopments in “CDA” Sites in the Surroundings

- (i) The application site is not subject to any planning application since the rezoning of “CDA(6)”. Approval of the proposed development will serve as a catalyst for further redevelopment of the application site and other “CDA” zones in the area. It will

contribute to early materialization of the planning intention for residential development as stipulated under the OZP.

Technically Feasible and Timely Implementation for Phased Development

- (j) Technical assessments have been conducted to demonstrate the technical feasibility of the proposed development at both interim stage (with only Site A redeveloped under Phase 1 and Sites B to D yet to be implemented) and final stage (with four phases completed for the residential redevelopment).

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

The applicant is one of the current land owners of the application site. In respect of the other current land owner(s), the applicant has 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 Board Guidelines (TPB PG-No. 31B) by posting site notice and giving notification. Detailed information would be deposited at the meeting for Members’ inspection. As for the remaining GL, the requirements as set out in TPB PG No. 31B are not applicable.

4 Town Planning Board Guidelines

- 4.1 According to the Town Planning Board Guidelines (TPB PG-No. 17A) for ‘Designation of “CDA” Zone and Monitoring the Progress of “CDA” Developments’, “CDA” zones 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; and
 - (e) ensure adequate as well as timely provision of GIC facilities for the development and where possible, to address the shortfall in the district.
- 4.2 According to the same TPB PG-No. 17A, 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 provisions 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

On 17.9.2010, the Board endorsed in-principle the findings and recommendations of the Area Assessments 2009 of Industrial Land in the Territory (the Area Assessments 2009) undertaken by the Planning Department (PlanD). The Area Assessments 2009 recommended rezoning the northern part of TWEIA mainly to “CDA” to facilitate comprehensive residential development with commercial facilities and open space provision. Subsequently, the draft Tsuen Wan OZP No. S/TW/27 incorporated the amendments to rezone the northern part of TWEIA from “Industrial” (“I”) to “CDA(2)”⁶, “CDA(3)”, “CDA(4)”, “CDA(5)”, “CDA(6)” (covering the application site), “Commercial (5)” (“C(5)”), “O” and areas shown as ‘Road’ and was approved on 4.10.2011. Since then, the “CDA(6)” zoning for the application site remains unchanged. During the CDA review for the years 2021/23, the MPC agreed on 5.5.2023 that more time should be allowed to observe the progress of the “CDA” developments.

6 Previous Application

There is no previous application at the application site.

7 Similar Applications

- 7.1 There are three similar applications for comprehensive residential development in the surrounding “CDA” zones. The details and locations of the three applications are summarised at **Appendix II** and shown at **Plan A-1**.
- 7.2 The “CDA(3)” zone is subject to three planning applications No. A/TW/452, 519 and 527 submitted by another applicant. The first application No. A/TW/452 for a proposed comprehensive residential development comprising 6 blocks with a total PR of not more than 5 and a maximum BH of 100mPD for the whole “CDA(3)” zone was approved with conditions on 16.1.2015.

⁶ The site zoned “CDA(2)” was developed as Sheung Chui Court and portion of Wang Wo Tsai Street Garden and rezoned as “R(A)19” and “O” respectively on the draft Tsuen Wan OZP No. A/TW/34 published on 26.2.2021.

- 7.3 The second application No. A/TW/519 for proposed amendments to the approved MLP including changes in layout and increase of flat number without relaxation of PR and BH restrictions was rejected by the Committee on 18.12.2020 on the grounds that the applicant failed to demonstrate that the proposed amendments to the approved MLP would not adversely affect the design merits of the approved MLP; and there was insufficient planning and design merits to support the proposed amendments to the approved MLP.
- 7.4 Subsequently, application No. A/TW/527 for proposed amendments to the approved MLP for proposed comprehensive residential (flat) and social welfare facility (a 100-ppl Child Care Centre (CCC)) with minor relaxation of PR restriction from 5 to 6.1 (+22%) and BH restriction from 100mPD to 120mPD (+20%). The proposed 100-ppl CCC has a GFA of about 1,007m² which is equivalent to PR of 0.1 based on the site area of about 11,318m². It was approved by the Committee on 24.12.2021 mainly on the grounds that the proposed minor relaxation of PR was in line with the prevailing government policy to increase domestic PR for housing supply; the increase in PR and BH was technically feasible and acceptable in local context and there were planning merits in the current proposal.

8 **The Site and Its Surrounding Areas (Plans A-1 to A-5)**

- 8.1 The application site is composed of five industrial lots in D.D. 443, namely Lots 458 and 488 (Site A) in the northeast and Lot 444 (Site B) in the northwest, Lot 484 (Site C) in the southwest and Lot 464 (Site D) in the southeast, and their current site conditions are as follows (**Plan A-2**):

Lot Nos. in D.D. 443	Site A (458 and 488)	Site B (444 (incl. SA&RP))	Site C (484)	Site D (464)
Building Name	Harrington Building Block A and Block B	Leahander Centre	Open storage cum carparking	Tung Cheong Industrial Building
Building Age	Block A: 50 Block B: 48	27	-	52
No. of Storeys	Block A & Block B:14	20	-	11
Land Ownership	Single (<i>owned by the applicant</i>)	Single	Single	Single
Existing Uses	Workshop, warehouse and ancillary office	Warehouse and ancillary office	Open Storage and carparking	Warehouse and ancillary office

- 8.2 The surrounding areas have the following characteristics:

- (a) to the north across Wang Wo Tsai Street is Wang Wo Tsai Street Garden and Sheung Chui Court (about 117mPD) under “R(A)19” zone⁷;
- (b) to the east and west are “CDA(4)” and “CDA(5)” zones currently occupied by IBs ranging from 22mPD to 101mPD;
- (c) to the immediate south and the further south across Yeung Uk Road are a temporary petrol filling station (PFS) with an enclosed car repairing workshop zoned “O”⁸ with lease term expiring in 2025 and IBs in TWEIA respectively; and
- (d) to the southwest across Yeung Uk Road are “C(2)”, “C(3)” and “C(4)” zones with existing service apartments (about 165 to 205mPD) with retail shops and eating places at lower floors. And to the further southwest across Ma Tau Pa Road is Plaza 88 with commercial, retail and eating places uses at lower floors under “Other Specified Uses” annotated “Commercial and Residential Development” zone.

9 Planning Intention

- 9.1 The “CDA(6)” zone is intended for comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities, 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, visual impact, air ventilation and other constraints.
- 9.2 As stated in 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;

⁷ Two applications (Nos. A/TW/440 and 451) for comprehensive residential development for the Home Ownership Scheme were approved by the Committee in 2012 and 2013 when it was previously zoned “CDA(2)”. The latest application No. A/TW/451 with minor relaxation of PR and BH restrictions, and the incorporation of a Day Care Centre for the Elderly was approved on 16.8.2013 mainly on the grounds that it had planning merits of providing additional HOS flats and there would be no adverse impacts.

⁸ Currently, LCSD has no development programme of the “O” zone.

- (e) accommodating building design to address specific site constraints in achieving the permissible PR 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.

10 Comments from Relevant Government Departments

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

Land Administration

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

- (a) the application site comprises 5 private lots namely Lot Nos. 444 (including S.A and RP), 458, 464, 484 and 488 in D.D. 443, and GL comprising a public lane under the Highways Department (HyD)'s maintenance and also a strip of GL which is held as the Yellow Area of Tsuen Wan Town Lot No (TWTL) 408;
- (b) the proposed development contravenes the existing lease conditions. If the planning approval is given by the Board, the owner(s) of respective lots will need to apply to LandsD for lease modification/ land exchange for implementation of the proposed development on each lot respectively. He must emphasize that the proposal will only be considered upon his receipt of the valid application from the owner(s) of respective lots. There is no guarantee that the application, if received by LandsD will be approved and his office reserves comment on such. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it will be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of premium and administrative fee;
- (c) no application for lease modification/land exchange for the current proposal at Sites A to D has been received by his office;
- (d) the applicant is the current sole registered owner of Site A. There is no information as to whether other owners of the application site will implement the proposed residential developments under the subject planning application;
- (e) his office reserves comment on the proposed schematic design which will only be examined in detail during building plan submission stage upon completion of lease modification/land exchange. There is no guarantee that the schematic design as presently proposed in the subject application

if reflected in future building plan submission(s) will be acceptable under lease; and

- (f) the figures including the site area in the subject application have not been checked by survey and subject to verification which will be addressed when handling the lease modification/land exchange application.

Social Welfare

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

- (a) there is a great demand for services of MOSTE to address the increasing social and rehabilitation needs of elders residing in the private RCHEs, contract RCHEs, self-financing RCHEs, self-financing Nursing Homes and Day Care Units (DCUs) attached to RCHEs. There are a total eight teams of MOSTE covering the entire Hong Kong, with one team in each service cluster. MOSTE (NTW1 Cluster) is responsible for serving the Tsuen Wan and Kwai Tsing districts. Currently, the service operator of MOSTE in NTW1 cluster is operating at private premises rented at market price. After regularisation of MOSTE, it is considered necessary to set up an office at welfare premises in the long run. Given the application site's convenient location and good public transport network, relocation of the existing MOSTE from the rented private premises to the proposed development is considered suitable to save rental expenditure and facilitate effective service delivery;
- (b) the required IFA of 440m² and NOFA of 293m² has been reserved for the MOSTE;
- (c) CCC was previously proposed by the applicant. However, given the limited intake population of the proposed development and other planned CCCs in the vicinity with more desirable accessibility to serve the demand of the whole district, the proposed CCC is not supported;
- (d) for social welfare facilities, where the developers are required to build government-designated welfare facilities in the private residential projects, the premises will be taken over by the government as a government accommodation after completion, and for non-governmental organizations to operate welfare services. SWD will, in accordance with the prevailing mechanism, make appropriate arrangements with the Development Bureau and LandsD on reimbursement of construction costs for welfare facilities to developers; and
- (e) should the application be approved, the following condition is recommended:

the provision of a social welfare facility, as proposed by the applicant, to the satisfaction of DSW or of the Board.

Traffic

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

no objection in-principle from traffic engineering perspective subject to the following approval condition:

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.

Environment

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

- (a) with the implementation of recommended noise mitigation measures including podia building, building setback, acoustic window (baffle type) and enhanced acoustic balcony (baffle type) to mitigate road traffic noise; and vertical acoustic fins to mitigate fixed noise source impact (**Drawing A-16**), the proposed development will comply with the Hong Kong Planning Standard and Guidelines (HKPSG) road traffic noise planning standard and will not be subject to adverse fixed noise impact;
- (b) considering air quality, given the primarily residential nature of the proposed development and that major sources of emissions are traffic in the surroundings, any potential adverse air quality impact on air sensitive uses of the proposed development could be mitigated subject to recommended mitigation measure from the applicant such as locating all air-sensitive uses either outside of any exceedance zones identified through EA or locating them above certain height;
- (c) regarding the existing PFS, although the current term of the PFS will expire in 2025, the revised EA has conducted a review and arrived the view that the future occupants would not be subject to adverse industrial noise impact and no operational odour nuisance nor air quality impact even if the PFS is still in operation at the time the development is occupied;
- (d) the revised SIA has concluded no adverse sewerage impact; and
- (e) should the application be approved by the Board, the following condition is recommended:

the submission of an updated EA and the implementation of the mitigation measures identified therein to the satisfaction of the DEP or of the Board.

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

- (a) no comment on the application; and
- (b) should the application be approved by the Board, the following condition is recommended:

the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Board.

Urban Design, Air Ventilation and Landscape

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

Urban Design and Visual

- (a) the applicant proposes various design measures as stated in paragraphs 1.4 and 1.5 above (**Drawing A-1 and A-6**);
- (b) the applicant states that the proposed development will comply with SBDG and undertakes that enhancement with its own development site boundary along the public lane will be explored as far as practicable at the detailed design stage, such as artistic painting and colour treatment at the podium façade (**Drawing A-13**). These measures may promote visual interest and pedestrian comfort;
- (c) Given the site context as detailed in paragraph 8.2 above (**Plan A-2**) and the photomontages of VIA, the proposed development with a BH of 120mPD would unlikely induce any significant adverse visual impact on the surrounding areas;

Air Ventilation

- (d) AVA-EE has demonstrated the ventilation performance under the baseline (existing conditions) and proposed schemes. Air ventilation measures such as about 3m-wide building setback from the northeastern site boundaries fronting Wang Wo Tsai Street at Sites A and B and about 8m-wide building setback from the southwestern site boundary fronting Yeung Uk Road at Sites C and D have been incorporated in the proposed scheme to facilitate wind penetration and circulation. Significant adverse impact on the surrounding pedestrian wind environment is not anticipated;

Landscape

- (e) according to the aerial photo of 2022, the application site is situated in an area of industrial urban landscape character comprising of IBs, residential building named Sheung Chui Court, Wang Wo Tsai Street Garden and PFS. The application site is currently occupied by IBs. The proposed development is considered not incompatible with the landscape setting in proximity;
- (f) landscape provisions such as tree and shrub planting in the setback areas along Wang Wo Tsai Street, garden and outdoor seating space are proposed on G/F whilst communal garden with swimming pool, children's play area

and a resident's farm are proposed on 1/F to enhance the landscape quality of the proposed development in Site A;

- (g) the applicant is reminded that approval of the application under Section 16 of the Ordinance does not imply approval of tree works such as felling/transplanting or pruning under lease. Applications on tree works should be submitted direct to relevant authorities/Government departments for approval where appropriate. Also, approval of the Section 16 application under the Ordinance does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to BD for approval; and
- (h) should the application be approved by the Board, the following approval condition is recommended:

the submission and implementation of a revised LMP to the satisfaction of the Director of Planning or of the Board.

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

it is noted that the proposed BH of 120mPD is lower than that of the surrounding buildings, i.e. Indi Home (about 203.5mPD), H Cube (about 165.4mPD) and Goodman Global Gateway (about 157.7mPD), which seems compatible with the surrounding setting. Therefore, he has no comment from architectural and visual impact point of view.

Building Matters

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

no objection to the application under the BO subject to the following:

- (a) the proposed PR and SC should not exceed the permissible limits under First Schedule of Building (Planning) Regulations. The backlane on GL is excluded from site area calculation and the proposed social welfare facility should be included in the GFA and SC calculations unless exempted;
- (b) for the phased development, each phase shall be self-sustainable and comply with the prevailing requirements under BO and allied regulations and Code of Practices on its own, e.g. means of escape, means of access, emergency vehicle access, sustainable building design requirements, etc; and
- (c) other detailed comments are provided at **Appendix III**.

Fire Safety

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

- (a) no objection in principle to the application; and
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

Others

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

- (a) no comment on the application;
- (b) according to HKPSG, about 61.5 hectares of open space should be provided in Tsuen Wan for its population. Currently, there are around 87 hectares of open space in Tsuen Wan district provided by the Leisure and Cultural Services Department and the Housing Department. In this regard, there is no implementation proposal for proposed open space at TWTL 408 at present;
- (c) besides HKPSG, LCSD would consider a number of factors in planning of leisure facilities in Tsuen Wan such as developments of the district, population growth, utilisation rate of the facilities, comments of District Council and Area Committees, priorities of the projects, etc.; and
- (d) other advisory comments are provided at **Appendix III**.

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

- (a) no objection to the application; and
- (b) other detailed comments on the existing water mains and provision of water supply are provided at **Appendix III**.

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

- (a) Chief Highway Engineer/New Territories West (CHE/NTW), HyD;
- (b) Commissioner of Police (C of P);
- (c) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (d) Director of Food and Environmental Hygiene; and
- (e) District Officer (Tsuen Wan), Home Affairs Department.

11 Public Comments Received During Statutory Publication Period

- 11.1 During the statutory public inspection periods, eight public comments (**Appendix IV**) from individuals were received, including four supporting comments, one comment expressing views and three objecting comment.
- 11.2 The four comments supported the application mainly on the ground that the proposed development would increase housing supply and provide social welfare facilities.
- 11.3 The grounds of objection and views are summarised as follows:
 - (i) the proposed development might have adverse impacts on air ventilation and traffic, provision of car parking spaces, industrial/residential (I/R) interface issue and wall effect; and
 - (ii) the proposed social welfare facility was insufficient.

12 Planning Considerations and Assessment

- 12.1 The application is for the proposed comprehensive residential and social welfare facility development at the application site with minor relaxation of PR restriction from 5 to 6.1 (+1.1 or +22%) and BH restriction from 100mPD to 120mPD (+20mPD or +20%). The proposed development will comprise 4 residential blocks of 33 storeys with domestic PR of 6 and non-domestic PR of 0.1 for a MOSTE, which will provide a total of 629 flats to accommodate about 1,762 persons. The proposed development will be implemented in four phases including Site A as the first phase (Phase 1) and the remaining Phases 2a to 2c at a later stage subject to land acquisition (**Drawing A-1**).

Planning Intention

- 12.2 The application site falls within an area zoned “CDA(6)” on the OZP, which is intended for proposed comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities, open space and other supporting facilities. The proposed comprehensive residential and social welfare facility (MOSTE) development is generally in line with the planning intention of the “CDA(6)” zone. Although no commercial facility is proposed at the application site, there are already various retail, service trade and eating place provisions in the surrounding areas to the north and west of Sha Tsui Road and Luen Yan Street respectively.
- 12.3 There is a great demand for services of MOSTE to address the increasing social and rehabilitation needs of elderly residing. Given the convenient location and good public transport network of the application site, DSW considers that relocation of the existing MOSTE from the rented private premises to the proposed development is suitable to facilitate effective service delivery in a cost effective way. The proposed MOSTE of 455m² GFA occupying about 4% of the domestic GFA of Site A is considered appropriate and in line with the planning intention. The provision of MOSTE of PR 0.1 which is comparable to that of the proposed CCC under the similar approved application No. A/TW/527. Relevant approval condition is suggested as

set out in paragraph 13.2(g) below to ensure adequate provision of the social welfare facility.

Minor Relaxation of PR

- 12.4 The applicant proposes to relax the PR restriction of 5 to 6.1 for the whole “CDA(6)” site which includes a 20% increase of the maximum domestic PR for the whole site from 5 to 6, as well as an additional PR of 0.1 for accommodating the proposed MOSTE at Site A (PR of 0.24 based on the area of Site A only). The proposed increase in domestic PR is in line with 2014 Policy Address, which stated that except for the north of Hong Kong Island and Kowloon Peninsula, which are more densely populated, it is feasible to generally increase the maximum domestic PR currently permitted for the other “density zones” in the Hong Kong by around 20% as appropriate.
- 12.5 In support of the application, the applicant submitted TIA, EA and DSIA to demonstrate that the proposed amendment with an increase in the PR of the whole “CDA(6)” site from 5 to 6.1 (+1.1 or 22%) will not create adverse traffic, environmental and infrastructural impacts on the surrounding areas. In this regard, C for T, DEP and CE/MS of DSD have no objection to the application subject to the imposition of approval conditions as set out in paragraphs 13.2(d) to (f) below. Other relevant Government departments consulted including D of FS, C of P, CE/C of WSD and CHE/NTW of HyD have no objection to/adverse comment on the application. Hence, the proposed 20% relaxation of domestic PR and the inclusion of non-domestic PR of 0.1 for the proposed MOSTE are also confirmed to be technical feasible and the overall increase in PR is considered not unacceptable.

Minor Relaxation of BH

- 12.6 To provide incentive for developments/redevelopments with design merits/planning gains, the Explanatory Statement of the OZP has set out the relevant criteria for consideration of minor relaxation of BH. Under the current application, voluntary building setbacks ranging from 3m to 10m along the application site boundary abutting Wang Wo Tsai Street and Yeung Uk Road and building separation of 15m between residential towers at Sites A and B are proposed (**Drawings A-1 and A-3**). Continuous planting strips along the application site boundary abutting Yeung Uk Road and Wang Wo Tsai Street and along the public lane are proposed to enhance the landscape quality of the proposed development and to strengthen the comprehensiveness of the landscape design concept for the application site (**Drawings A-6 to A-12**). The applicant has also conducted AVA-EE which concludes that there is no adverse impact arising from the proposed minor relaxation of BH. CTP/UD&L of PlanD opines that the above measures will promote visual interest and pedestrian comfort and has no adverse comments on the AVA-EE. Given the above, it is considered that the proposed development generally meets the criteria for considering application for minor relaxation of BH restriction as mentioned in paragraphs 9.2(c) and (d) above. To accommodate the proposed 22% increase of PR and the proposed buildings setbacks and separations, the proposed 20% increase of BH from 100mPD to 120mPD is considered not unacceptable.
- 12.7 The application site is surrounded by existing IBs with BH ranging from 22mPD to 101mPD in “CDA” zones, Sheung Chui Court with BH ranging from about 92mPD to

117mPD in “R(A)19” zone and service apartments with BHs ranging from about 165mPD to 208mPD in “C” zones (**Plan A-2**). Given the site context and demonstrated by photomontages of the submitted revised VIA (**Drawings A-14 and A-15**), CTP/UD&L of PlanD opines that the proposed BH of 120mPD would unlikely induce any significant adverse visual impact on the surrounding areas. CA/ASC of ArchSD also has no comment on this aspect.

Other Technical Aspects

- 12.8 There is an existing PFS (i.e. TWTL 408) zoned “O” located to the immediate south of the application site which is sandwiched between Sites C and D. DLCS has advised that currently there is no implementation programme for the proposed open space at TWTL 408. In this regard, the EA has conducted a review and concluded that the future occupants will not be subject to adverse industrial noise impact, odour nuisances nor air quality impacts even if the PFS is still in operation at the time the development is occupied. DEP and D of FS have no objection to the application from environmental and fire safety perspectives.

Phased Development Approach

- 12.9 The applicant has successfully amalgamated two lots at Site A over the years which is about 40% of the ownership of the application site. Whilst the IBs at Sites B and D are still in active use for industrial and/or storage use and Site C is being used for open storage cum carparking, Sites B to D have no redevelopment intention at present. The applicant proposes to implement the proposed comprehensive development in four phases for the respective sites. According to the MLP, the four sites would be self-contained in terms of layout design and provision of open space and GIC, transport and other infrastructural facilities. While Site A will be implemented as the first phase, the rest of the application site will be developed at a later stage under Phases 2a to 2c, their development potential would not be absorbed by Site A as demonstrated by the technical assessments submitted. The remaining two IBs in Sites B and D will not result in any I/R interface problem. This is in line with the TPB-PG. No. 17A in respect of the allowance for phased development (paragraph 4.2 above refers).

Similar Application

- 12.10 The similar application No. A/TW/527 for proposed comprehensive residential and social welfare facility with minor relaxation from 5 to 6.1 (+22%) and BH from 100mPD to 120mPD (+20%) was approved by the Committee on 24.12.2021. Approval of the current application is generally in line with the Committee’s previous decision.

Public Comments

- 12.11 With regard to the public comments concerning the air ventilation, social welfare facilities and I/R interface aspects, the planning assessment above and departmental comments in paragraph 10 are relevant.

13 Planning Department's Views

- 13.1 Based on the assessment made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.12.2027, 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 also 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 (g) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission of an implementation programme including a phasing plan of the proposed development to the Director of Planning or of the Town Planning Board;
- (c) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) 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;
- (e) the submission of an updated Environmental Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (g) the provision of social welfare facility, as proposed by the applicant, to the satisfaction of the Director of Social Welfare or of the Town Planning Board.

Advisory clauses

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

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

the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed comprehensive development with minor relaxation of plot ratio and building height restrictions of the application site.

14 Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15 Attachments

Appendix I	Application Form and Supplementary Information received on 19.4.2023 and 24.4.2023
Appendix Ia	Planning Statement
Appendix Ib	FI 1 received on 24.7.2023
Appendix Ic	FI 2 received on 11.9.2023
Appendix Id	FI 3 received on 6.10.2023
Appendix Ie	FI 4 received on 10.11.2023
Appendix If	FI 5 received on 18.12.2023
Appendix II	Similar applications
Appendix III	Public comments received during the statutory publication periods
Appendix IV	Detailed departmental comments
Appendix V	Recommended advisory clauses
Drawing A-1	Master Layout Plan
Drawing A-2	Section of Site A
Drawing A-3	Section of Sites A and B
Drawing A-4	G/F Plan of Site A
Drawing A-5	1/F Plan of Site A
Drawing A-6	LMP (Application Site)
Drawing A-7	LMP (Site A)
Drawing A-8	LMP (G/F of Site A)
Drawing A-9	LMP (1/F of Site A)
Drawing A-10	LMP (Refuge floor/Sky Garden of Site A)
Drawings A-11 to A-12	Landscape Section (Site A)
Drawing A-13	Artist's Impressions
Drawings A-14 to A-15	Photomontages from VIA
Drawing A-16	Proposed noise mitigation measures
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-4	Site Photos
Plan A-5	Pedestrian Access Network in Tsuen Wan