

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/H10/14

<u>Applicant</u>	The Ebenezer School and Home for the Visually Impaired Limited represented by Masterplan Limited
<u>Plan</u>	Approved Pok Fu Lam Outline Zoning Plan (OZP) No. S/H10/19
<u>Application Site</u>	The Ebenezer School and Home for The Visually Impaired (the Ebenezer), 131 Pok Fu Lam Road, Pok Fu Lam, Hong Kong
<u>Site Area</u>	about 6,460m ²
<u>Lease</u>	Remaining Portion of Rural Building Lot No. 136 <ul style="list-style-type: none">- a right of way from Pok Fu Lam Road;- prohibition of offensive trades; and- requirement to form paths of 12 feet in width along the northern, western and southern boundaries of the lot.
<u>Zoning</u>	“Government, Institution or Community” (“G/IC”)
<u>Proposed Amendments</u>	To rezone the application site (the Site) to “Residential (Group C)7” (“R(C)7”) or “Comprehensive Development Area” (“CDA”)

1. The Proposal

- 1.1 The applicant, owner of the Site, submitted an application for amendment to the approved Pok Fu Lam OZP No. S/H10/19 to rezone the Site (**Plans Z-1 and Z-2**) from “G/IC” to either “R(C)7” or “CDA” for proposed residential development at the Site currently occupied mainly by the Ebenezer School (心光學校) (New Wing), Ebenezer School & Home for the Visually Impaired (心光盲人院暨學校) (Old Wing) and Old Age Home¹ (老人院) (currently vacant). The applicant has put forward two rezoning options as follows:

<u>Option A:</u> (Applicant's Preferred Option)	to rezone the Site to “R(C)7” subject to maximum plot ratio (PR) and building height (BH) of 1.9 and 151mPD respectively.
<u>Option B:</u>	to rezone the Site to “CDA” subject to maximum PR and BH of 1.9 and 151mPD respectively. Submission of section 16 planning application for Master Layout Plan would be required.

¹ The services previously provided within the Old Age Home building has been relocated to the Old Wing since 1995.

- 1.2 Proposed amendments to the Notes of OZP for “R(C)” zone under Option 1 and proposed Notes of Schedule of Uses for “CDA” zone under Option 2 are at **Appendices IIa** and **IIb** respectively. For Option A, ‘Flat’ and ‘House’ are Column 1 uses within the proposed “R(C)7” zone. For Option B, ‘Flat’ and ‘House’ are Column 2 uses and submission of Master Layout Plan to the Town Planning Board (the Board) is required within the proposed “CDA” zone.
- 1.3 Under the applicant’s indicative scheme (**Drawings Z-1 to Z-12**), the proposed residential development comprises 5 blocks of not more than 9 storeys (excluding one storey of basement) providing 83 flats with a maximum domestic GFA of 12,274m² (PR 1.9) and maximum BH of 151mPD. The major development parameters of the indicative scheme are set out as follows:

Site Area	about 6,460m ²
Domestic GFA	not more than 12,274m ²
Domestic PR	not more than 1.9
Domestic SC	not more than 33.33%
Maximum BH (Main Roof)	not more than 151mPD
No. of Blocks	5
No. of Domestic Storeys	not more than 9 storeys (excluding one storey of basement)
No. of Units	83
Average Unit Size	about 150m ²
Estimated No. of Residents	249
Private Open Space	not less than 250m ²
Recreational Facilities	not more than 614m ²
<u>Parking Provision</u>	
Private car	126
Visitor parking	5
Motor cycle	1
Loading/Unloading	5 (for medium/heavy goods vehicle)

- 1.4 Three previous rezoning applications submitted by the same applicant were rejected by the Metro Planning Committee (the Committee) of the Board. The latest previous application No. Y/H10/5 proposed to rezone the Site to “R(C)7” was rejected by the Committee on 15.4.2011. A comparison of the major development parameters of the current application, the existing development and the previous application No. Y/H10/5 is summarised as follows.

Development Parameters	Existing	Previous Application No. Y/H10/5 (a)	Current Application No. Y/H10/14 (b)	Difference (b) – (a)
PR	1.9	1.9	1.9	Same
Maximum BH	151mPD	151mPD	151mPD	Same
No. of Storeys	1-6 storeys	6 storeys over 1 storey of podium	9 storeys over 1 storey of basement	+3

- 1.5 In the meeting on 15.4.2011 for previous application No. Y/H10/5, while Members generally had no objection to proposed low-rise, low-density

residential development on the Site, and considered that the proposed development intensity and BH should not exceed those of the existing school buildings, they raised concerns on the continuous provision of educational and social welfare services to the visually impaired. In response to such concerns, the applicant has identified a site in Tung Chung for relocation of the Ebenezer (vide record of Agreement for Exchange (the Agreement) registered in the Land Registry in October 2021). According to the applicant, the Ebenezer will remain in operation on the Site until it can be relocated to the new site in Tung Chung as the completion of the Agreement is conditional upon the fulfilment of conditions, such as completion of a GIC Development in Tung Chung including the construction and handing over of the new school and facilities to the Ebenezer. The details of the GIC Development in Tung Chung are set out in the Agreement which comprises all the social welfare facilities² currently provided at the Site. In addition, the applicant proposed that the capacity of Care and Attention Homes for the Elderly will be increased from 45 to 60 places.

- 1.6 The reprovisioned site in Tung Chung falls within an area zoned “G/IC” on the approved Tung Chung Valley OZP No. S/I-TCV/2 and held under New Grant No. 2734 restricted to agriculture uses. Application for in-situ land exchange³ for school, education and day & night care centre is being processed by the District Lands Officer/Islands, Lands Department (DLO/Islands, LandsD) and submission of revised general building plan to the Buildings Department addressing departmental comments is under preparation. The target commencement of construction and completion of the new premises for Ebenezer in Tung Chung are 2023 and 2025 respectively. The tentative completion of the proposed residential development at the Site is 2027 at the earliest.
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 25.11.2021 **(Appendix I)**
 - (b) Supplementary Information received on 26.11.2021 **(Appendix Ia)**
providing clarifications on development parameters and
replacement pages for the application form and SPS
 - (c) Supplementary Planning Statement (SPS) enclosing
Traffic Impact Assessment (TIA), Environmental
Assessment (EA), Sewerage Impact Assessment (SIA),
Drainage Impact Assessment (DIA), Geotechnical
Planning Review Report (GPRR), Tree Preservation
Proposal (TPP), Landscape Master Plan (LMP) and
Visual Impact Assessment (VIA) **(Appendix Ib⁴)**

² The facilities currently provided at the Site mainly comprise Ebenezer School with boarding facilities, Care and Attention Home for the Elderly and Ebenezer Child Care Centre, etc.

³ According to the applicant, in-situ land exchange application was submitted to DLO/Islands, LandsD in June 2018 and the new lease to permit the use of the new site at Tung Chung would be executed in 2023.

⁴ A consolidated report was submitted by the applicant on 28.4.2022 (**Appendix Ib**) that supersedes the previous submissions of SPS and FI1 to FI3, thus items as listed from (c) to (f) above are not attached in this paper.

- (d) Further Information (FI)1 received on 7.2.2022 providing responses to departmental comments (RtoC), revised TIA and SIA, replacement pages of various technical assessments and land registers for the Site and relocation site *
 - (e) FI2 received on 7.4.2022 providing RtoC #
 - (f) FI3 received on 22.4.2022 providing RtoC #
 - (g) Consolidated report received on 28.4.2022 containing SPS, finalised technical assessments and consolidated RtoC #
 - (h) FI4 received on 27.4.2022 providing clarification on the Agreement #
- (Appendix Ib⁴)
- (Appendix Ic)

Remarks:

* not exempted from publication and recounting requirements

exempted from publication and recounting requirements

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SPS at **Appendix Ib**. They are summarised as follows:

Relocation of the Ebenezer

- (a) the existing school buildings were built over 60 years ago, and the existing facilities and services offered by the Ebenezer are in an urgent need of upgrade. However, due to the constraints of the Site, much-needed improvements are only achievable at a larger, more accessible and suitable site;
- (b) a reprovisioned site in Tung Chung has been firmly identified, and in-situ land exchange and general building plan have been submitted to ensure implementation of the new school for Ebenezer. The new campus would provide full range of facilities that the Ebenezer requires to provide services to the various groups of visually impaired persons. It is envisaged that the new building will be available in 2025;
- (c) the relocation process would provide Ebenezer a source of funding for pioneering projects and services for the future with an objective to provide improved services to the visually impaired in long term basis;

Compatible Use

- (d) the Site is surrounded by low to medium-rise and low to medium-density residential developments, namely the Royalton I and II, Radcliffe, Dor Fook Mansion and Jessville located opposite the Site. The current proposal for low-rise and low-density residential use will therefore be compatible with the surrounding developments and uses. The Committee previously considered a residential use at the Site to be acceptable under application No. Y/H10/5;

Compatible Development Intensity and Design Considerations

- (e) in accordance with the development intensity previously discussed in the application No. Y/H10/5, the Committee generally had no objection to low-rise and low-density residential development (on the basis that the proposed development intensity and BH would not exceed those of the existing buildings), a maximum PR of 1.9 and maximum BH of 151mPD are now proposed which are the same as the existing PR of the Ebenezer;
- (f) the proposed PR and BH are the same as the existing school buildings to ensure that the public views from Pok Fu Land Road, amenity, as well as the existing character of the area are preserved and enhanced. Therefore, there will not be any significant adverse visual impact on the residential developments to the immediate east of the Site;
- (g) various other design considerations have been undertaken to minimise any visual impacts. The proposed blocks are set back from the Pok Fu Lam Road. The setback and the retained BH provide a more spacious relationship with the surrounding area. The proposed scheme will also achieve a greenery coverage of 20%;

Technically Acceptable

- (h) the technical assessments have shown that the proposal will not result in any significant adverse impacts on the surroundings and where relevant, future residents on traffic, air quality, noise, sewerage, drainage, geotechnical, tree, landscape and visual aspects; and

No Shortage of GIC Provision

- (i) the adjacent training centre, i.e. Ebenezer New Hope School (心光恩望學校), located to the immediate south-east of the Site, will continue to provide services for the visually impaired. With reference to MPC Paper No.11/19 (considered by the Committee on 6.9.2019), which relates to the most recent amendments to the Pok Fu Lam OZP, it was stated that there is no shortfall on major GIC facilities in the area. Therefore, it is not anticipated that the proposed rezoning will lead to a shortage of GIC facilities in the area.

3. Background

- 3.1 The Site has been occupied by the Ebenezer providing educational and social welfare services to the visually impaired since 1930s, and was zoned “G/IC” since the publication of the first Pok Fu Lam OZP No. S/H10/1 in 1986.

First Two Previous Applications (Application Nos. Y/H10/1 and Y/H10/4)

- 3.2 The Site is the subject of three previous rezoning application Nos. Y/H10/1, Y/H10/4 and Y/H10/5 submitted by the same applicant to rezone the Site to “R(C)”. The first two applications proposed a PR of 3 and were rejected by the Committee on 24.8.2007 and 18.4.2008 respectively. The maximum BH in application Nos. Y/H10/1 and Y/H10/4 were 244.8mPD and 224mPD

respectively. The reasons of rejection were mainly on the grounds of excessive development intensity, not in line with the planning intention, adverse traffic, visual and noise impacts, and no strong justifications to merit the proposed rezoning.

Latest Previous Application (Application No. Y/H10/5)

- 3.3 The latest previous application No. Y/H10/5 proposed to rezone the Site to “R(C)7” with PR of 2.1 and maximum BH of 151mPD (Option A) or 191mPD (Option B).
- 3.4 The application was first considered by the Committee on 19.6.2009. Members generally had no objection to low-rise, low-density residential development on the Site since there was no shortage of “G/IC” land in the Southern District and the residential use was not incompatible with the surrounding areas. The details of the proposal could be further considered on the basis that the proposed development intensity and BH would not exceed those of the existing school buildings (i.e. PR 1.9 and maximum BH of 151mPD). While Members were sympathetic with the need of the Ebenezer for a new school, some Members expressed concern that once the Site was rezoned for residential use, there was no mechanism to ensure that the services currently provided to the visually impaired would not be interrupted, as the lease of the Site is virtually unrestricted and lease modification would not be required for residential development. After deliberation, the Committee decided to defer a decision on the application pending whether there is any possible mechanism to ensure that a continuous provision of school and social facilities for the visually impaired and adequate planning control on the redevelopment proposal could be maintained.
- 3.5 In response to Members’ concerns on development intensity and BH as well as the control mechanism to ensure that a continuous provision of school services could be maintained, the applicant submitted FI including a revised indicative scheme with a maximum PR, BH and SC of 1.9, 151mPD and 40% respectively and a draft set of Notes⁵ for proposed “R(C)7” zone for the Site with a view to ensuring continuous provision of existing facilities until the new facilities and services become available.
- 3.6 On 15.4.2011, the application was further considered by the Committee. While having no objection to rezoning the Site for residential use, it was considered that the proposed set of Notes for the “R(C)7” zone was unacceptable as it would put an unnecessary burden on the Committee to guarantee the continuous provision of services to the visually impaired in considering a planning application. The Committee considered that the Site could be rezoned to “CDA” as residential use with the revised development intensity was acceptable and it would also facilitate the relocation of the Ebenezer to a new site with improved facilities, and decided not to agree to the application for rezoning the Site to “R(C)7”. A copy of the MPC Paper No. Y/H10/5D is at **Appendix IVa** and the minutes is at **Appendix IVb**.

⁵ Under the proposed draft Notes for “R(C)7” zone, ‘Flat’ and ‘House’ are Column 2 uses which requires planning permission. It was also stated that the Board may not approve a residential development until such time as it is confirmed that continuous provision of educational and social welfare service for the visually impaired is assured.

- 3.7 Since the Committee agreed to rezone the Site to “CDA” in 2011 as mentioned in paragraph 3.6 above, there was no progress on the identification of relocation site by the applicant. Hence, when considering various proposed amendments to the Pok Fu Lam OZP in 2017, the Committee agreed that as there is no imminent need for the relocation of the concerned services in the Ebenezer and it was appropriate to retain the Site as “G/IC” zone. Should there be any relocation plan, the applicant may submit a fresh planning application for residential use at the Site.

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

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

5. Previous Applications

The Site is the subject of three previous rezoning application Nos. Y/H10/1, Y/H10/4 and Y/H10/5 submitted by the same applicant to rezone the Site to “R(C)” and as summarised in paragraphs 3.2 to 3.6 above and at **Appendix III**.

6. Similar Application

There is no similar application for amendment to OZP from “G/IC” to “R(C)7” or “CDA” within the Pok Fu Lam OZP.

7. The Site and Its Surrounding Areas (Plans Z-1 to Z-3 and Site Photos on Plans Z-4 to Z-6)

7.1 The Site:

- (a) is currently occupied by a 6 storeys buildings providing educational and social welfare services for the visually impaired (i.e. Old Wing and New Wing), a vacant 4 storeys building (i.e. Old Age Home) and a single storey carport; and
- (b) abuts Pok Fu Lam Road (about 138mPD).

7.2 The surrounding areas have the following characteristics:

- (a) to the north and northeast across Pok Fu Lam Road are various medium-rise residential developments including Royalton and Royalton II (216mPD), Radcliffe (216mPD), Dor Fook Mansion (182mPD) and Jessville Tower (227mPD);
- (b) to the immediate south is the Ebenezer New Hope School (141mPD). Further south is vegetated slope (vacant government land) zoned “Residential (Group C)6” which restricts future developments to a maximum BH of 137mPD;

- (c) to the immediate north-west is an area zoned “Green Belt” (“GB”) on the OZP which is the site of proposed academic buildings for Faculty of Medicine of the University of Hong Kong (HKUMed)⁶ (ranging from 123mPD to 164mPD);
- (d) to the further north and north-west are major GIC facilities including Block T of Queen Mary Hospital (231mPD) across Pok Fu Lam Road, and clusters of HKU facilities along Sassoon Road and Caritas Wu Cheng-chung Secondary School (115mPD); and
- (e) to its immediate southwest and south is vegetated slope within “GB” zone.

8. Planning Intention

The planning intention of the “G/IC” zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

9. Comments from Relevant Government Bureaux/Departments

- 9.1 The following Government bureaux/departments have been consulted and their views are summarised as follows:

Relocation of the Ebenezer

9.1.1 Comments of the Secretary for Education (S for Education):

as far as Ebenezer School and Ebenezer New Hope School are concerned and from the special education perspective, the Education Bureau (EDB) has no in-principle objection to the said school sponsoring body (SSB)-initiated relocation of the two special schools subject to the SSB’s observation of the following conditions:

- (a) the EDB will not provide any school site for relocation of the two special schools. The SSB should be prepared to bear the full responsibility of the proposed relocation, including but not limited to building cost, removal cost, furniture and equipment cost of standard and above-standard provisions;
- (b) the prior consent of the EDB will be required for any building/installation works that will cause an increase in the EDB’s recurrent subsidies to the two special schools, e.g. works leading to an increase in the boarding capacity, number of special rooms and

⁶ The Committee of the Board agreed the s.12A application for the extension of HKUMed on 26.11.2021.

facilities of the schools;

- (c) the SSB should consult parents, students, staff and concerned groups on the proposed school relocation; and
- (d) the SSB should inform the EDB of its planned usage of the sales proceeds, which the EDB thinks should be used for the benefits of students with visual impairment or the visual impairment community in general.

9.1.2 Comments of the Secretary for Food and Health:

HKU has no academic development plan at the Site as suggested by the public comments. In fact, the Site is considered inadequate to accommodate the teaching and learning requirements set out by HKU for their medium-term healthcare teaching facilities projects.

9.1.3 Comments of the Director of Social Welfare (D of SW):

with support from Labour and Welfare Bureau, the Social Welfare Department (SWD) has no objection in principle for the rezoning application of the Ebenezer at the Site, provided that:

- (a) the Ebenezer will continue to operate Care and Attention Home for the Aged Blind (C&A/AB), Residential Special Child Care Centre (RSCCC) and Special Child Care Centre (SCCC) without disruption and without reducing the number of service places subvented by the SWD as specified in the Funding and Service Agreement and as long as it does not entail/ imply financial or other forms of support from the Government or other public funding schemes as a result of the relocation;
- (b) there shall not be any liability on the SWD, including but not limited to the costs of project development, demolition, building and fitting-out works, furniture and equipment, and removal, etc.;
- (c) SWD would have to review the schedules of accommodation (SoA) and planning for the SWD-subvented units to be relocated, based on existing or prevailing service, statutory or licensing requirements, excluding the central administration office which does not have any recognised subvented area. Prior consent from SWD on any building/ installation work that may have implication on the SoA and service provision for SCCC (day and residential) and C&A/AB is required;
- (d) the Ebenezer should obtain the agreement of all the affected service users/families for the relocation and redevelopment proposal and formulate a suitable relocation plan to ensure smooth transition in consultation with SWD and provide necessary assistance to the affected service users/families to help them to adapt to the new environment and minimise any adverse impact to them arising from

relocation;

- (e) the Ebenezer should ensure that the proposed new site at Tung Chung would be easily accessible by public transport;
- (f) the Ebenezer should provide agreement/supporting document(s) from the Hildesheim Mission to the Blind, the land grantee of the Pok Fu Lam Site, to the proposed in-situ land exchange in Tung Chung; and
- (g) the Ebenezer should provide approval from LandsD and/or other Government bureaux/departments concerned to signify the official agreement to the proposed in-situ land exchange and the proposed development at the site in Tung Chung.

Land Administration

9.1.4 Comments of the DLO/Hong Kong West and South, LandsD:

- (a) the Site falls within the Remaining Portion of Rural Building Lot No. 136 (the Lot) and within Pokfulam Moratorium. The lease governing the Lot is a virtually unrestricted one subject to a right of way from Pok Fu Lam Road, prohibition of offensive trades, and requirement to form paths of 12 feet in width along the northern, western and southern boundaries of the lot; and
- (b) the proposed residential use under the subject application does not contravene the lease conditions governing the Site. If the proposal is approved by the Board and subject to the compliance of the lease covenants as stated in paragraph above, the applicant is not required to seek lease modification from LandsD to implement the proposed residential use.

9.1.5 Comments of the DLO/Islands, LandsD:

the relocation site at Tung Chung comprises Lot No. 2991 s.C and Lot No. 2991 s.E in D.D. 1, Tung Chung. According to available information, the relocation site is held under New Grant No. 2734 and restricted to agricultural purposes. Development on the relocation site without the Government's approval is in breach of the said New Grant. The owner of the relocation site has submitted an application for in-situ land exchange for the purpose of developing school, education and day and night care centre. The in-situ land exchange application is being processed by DLO/Islands, LandsD in consultation with the concerned bureau and departments. However, there is no guarantee that the in-situ land exchange application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the in-situ land exchange application is approved, it would be subject to such terms and conditions as the Government shall deem fit to impose, including amongst other things, charging of premium and administrative fee.

Transport Aspect

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

noted that the applicant will further examine the feasibility of the provision of a bus layby in the detailed design stage, he has no objection to the application from traffic engineering point of view.

Heritage Conservation Aspect

9.1.7 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (AMO):

no objection in-principle to the application as the applicant will consider to preserve some parts of the buildings and/or some fabric with historic value. If such preservation is proven infeasible with reasons, the applicant will preserve the three post-1950 buildings by records through photographic and video recording as well as 3D scanning, both to the interiors and exteriors of the buildings, and their setting. A copy of such recording should be provided to the AMO for record purpose and future uses.

Urban Design and Visual Aspects

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

- (a) the Pok Fu Lam area is generally hilly, sloping from the east towards the sea in the west. The Site is surrounded by medium-rise to high-rise GIC developments and low-rise to medium-rise residential developments with mixed BHs, interspersed with stretches of natural vegetated slopes. As claimed by the applicant, the proposed PR of 1.9 and BH of 151mPD are in line with the development intensity and BH of the existing school buildings on the Site. While there is no increase in the existing BH, the proposal would generally maintain the stepped BH profile descending towards the seaside; and
- (b) notwithstanding, the Site is elongated in configuration adjacent to Pok Fu Lam Road. The linear disposition of building blocks exhibits a continuous frontage along the road. In this connection, it is noted that effort has been made by the applicant to incorporate various design features including setback from Pok Fu Lam Road, variation in block disposition and orientation, articulation of block façade and landscape treatment, etc. into the proposed development to reduce the perceivable building mass (**Drawing Z-6**). Compared with the existing school buildings on Site with similar linear disposition of building blocks close to Pok Fu Lam Road, it is likely that the current scheme would reduce the existing visual and spatial containment to a certain extent.

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

it is noted that the proposed indicative scheme comprise five residential blocks with BH of 151mPD, which is similar to the BH of the existing school buildings. In this regard, they have no comments from architectural and visual point of view.

Landscape Aspect

9.1.10 Comments of CTP/UD&L, PlanD:

- (a) based on aerial photo of 2021, majority of the Site is situated in an area of residential urban fringe landscape character, with western portion in settled valleys landscape character surrounded by residential developments and road to its east, and vegetated slope to its west. The proposed residential development involved 5 building blocks of not more than 9 storeys in height, and open space provision meeting the Hong Kong Planning Standards and Guidelines (HKPSG) requirements is proposed; the development under this application is considered not entirely incompatible with its surrounding environment from landscape planning perspective; and
- (b) with reference to TPP submitted by the applicant, among the approximate 128 surveyed existing trees, 40 nos. of them will be affected by the development, 8 nos. are proposed to be transplanted and remaining (i.e. 32) are proposed to be removed. The affected trees are of common species and no Old Valuable Tree nor rare/protected species are found. 37 nos. of new trees in heavy standard size are proposed within the Site to mitigate the loss of existing trees arising from the development; and
- (c) the applicant is advised that, approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Tree removal applications should be submitted direct to relevant authority(ies) for approval.

Environmental and Sewerage Aspects

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

- (a) the Site is elongated in shape abutting Pok Pu Lam Road which is a Primary Distributor Road and hence the future development is expected to be subject to potential traffic noise impact and air quality impact by vehicular emissions from the said road. Implementation of suitable design and measures will be required to satisfy the relevant requirements under the HKPSG. As such, support can only be given for the proposed “R(C)7” zone if there is a mechanism to ensure proper design and measures will be implemented for the development; and

- (b) regarding the SIA, the sewage flow from the student hostel at High West in Catchment E (461.2m³/day) should be incorporated into the assessment to demonstrate whether there is any adverse impact brought about on the public sewerage and to identify any needed mitigation measures.

Building Aspect

9.1.12 Comments of the Chief Building Surveyor/Hong Kong West, Buildings Department:

- (a) no objection to the application. GFA concession for aboveground or underground car parks should be in compliance with the requirements under PNAP APP-2. Attention should be drawn in particular to the determination of underground carpark at paragraph 3 of Appendix C to PNAP APP-2; and
- (b) in exempting or disregarding GFA for green/amenity features and non-mandatory/non-essential plant rooms and services under PNAP APP-151, it is a pre-requisite to comply with the sustainable building design guidelines as stipulated in PNAP APP-152. Building separation, building setback and site coverage of greenery should be demonstrated on the building plans for approval.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Highway Engineer/Hong Kong, Highways Department;
- (c) Chief Engineer/Railway Development 2-2, Railway Development Office, HyD;
- (d) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (e) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD);
- (f) Project Manager (South), CEDD;
- (g) Director of Leisure and Cultural Services;
- (h) Director of Electrical and Mechanical Services;
- (i) Director of Fire Services;
- (j) Commissioner of Police; and
- (k) District Officer (South), Home Affairs Department.

10. Public Comments Receiving During Statutory Publication Periods

- 10.1 During the statutory public inspection periods, a total of 144 public comments were received, including 135 supporting, seven opposing and two providing views. A full set of public comments received on the application is deposited at the Secretariat of the Board for Members' inspection and reference.

10.2 The supporting comments (samples at **Appendix Va**) were submitted by Ebenezer New Hope School, Ebenezer School and individuals. Their major views are summarised as follows:

- (a) the existing school is old with limited capacity. There is a need for the school to relocate and provide new, improved and modern facilities as well as a more comfortable and suitable living and learning environment to the visually impaired;
- (b) the rezoning proposal will provide the necessary financial support to enable the relocation and development of new school;
- (c) the proposed residential development is compatible with nearby residential uses, can increase the housing supply to address housing needs, and optimise land efficiency;
- (d) the intensity of the proposed development is considered appropriate as the proposed buildings are at similar height of the existing school buildings. The setback of the proposed buildings together with the proposed green wall along the Pok Fu Lam Road will improve the roadside amenity; and
- (e) technical feasible in various aspects and the proposal would not lead to a shortage of GIC facilities.

10.3 The opposing comments (samples at **Appendix Vb**) were submitted by individuals. Their major views are summarised as follows:

- (a) the proposed development will cause adverse traffic impact, worsen the congestion on Pok Fu Lam Road and affect the ambulance to/from Queen Mary Hospital, and longer time for boarding/alighting by bus passengers;
- (b) the BH of proposed development is higher than the existing school and would cause adverse traffic noise impact to residents on opposite side of Pok Fu Lam Road;
- (c) the Site is intended for GIC uses and should be used for extension of HKUMed; and
- (d) proposed residential development would change the character of the local context.

10.4 The submissions providing views, mainly on traffic matters such as proposed widening of existing footpath and carriageway of Pok Fu Lam Road, and expressed concern on the proposed ingress/egress to the Site, were submitted by a Southern District Council Member and an individual (**Appendix Vc**).

11. Planning Considerations and Assessments

11.1 The application is to rezone the Site from “G/IC” to either “R(C)7” (Option A)

or “CDA” (Option B) for proposed residential development at the Site currently occupied by the Ebenezer. Both options are subject to the same maximum PR and BH restrictions of 1.9 and 151mPD while submission of section 16 planning application for Master Layout Plan would be required under Option B.

Land Use and Development Intensity

- 11.2 From land use perspective, there are some low to medium-rise residential developments located above Pok Fu Lam Road near the Site (**Plan Z-2**), including Royalton and Royalton II (BH of 216mPD) to its northeast, and Radcliffe (BH of 216mPD) to its east. The proposed residential development is considered not incompatible with the surrounding land uses.
- 11.3 As mentioned in paragraph 3.4 above, when the Committee considered the previous application No. Y/H10/5, Members generally had no objection to proposed low-rise, low-density residential development on the Site, and considered that the proposed development intensity and BH should not exceed those of the existing school buildings (i.e. PR and BH of 1.9 and 151mPD). The proposed maximum PR and BH of 1.9 and 151mPD in the two options in the current application are the same with existing school buildings.

Relocation of the Ebenezer

- 11.4 To address the Committee’s concern on the continuous provision of the concerned educational and social welfare services without interruption as raised in the previous application No. Y/H10/5, the applicant has identified a relocation site in Tung Chung to accommodate all the services currently located within the Site. The capacity of Care and Attention Homes for the Elderly will be increased at the Tung Chung site. The applicant proposed that the educational and social welfare services of the Ebenezer would remain in operation on the Site until it can be relocated to the new site in Tung Chung in 2025. The Ebenezer School and the New Hope School had submitted supportive comments as mentioned in paragraph 10.2 above. S for Education and D of SW have no objection to the application.
- 11.5 The applicant has submitted information on the relocation site under current application. According to the Agreement as mentioned in paragraph 1.5 above, a GIC development will be constructed in the Tung Chung relocation site and to be used by the Ebenezer for the visually impaired persons (i.e. Ebenezer School and New Hope School) and related welfare facilities. Ebenezer shall apply for all relevant licenses to operate the schools and welfare facilities after the issuance of Occupation Permit for the GIC Development in Tung Chung. According to DLO/Islands, LandsD, the in-situ land exchange application is being processed in consultation with the concerned bureau and departments. The applicant also supplemented that submission of revised general building plan addressing departmental comments is under preparation. It is considered that efforts and endeavour of the applicant in providing continuous educational and social welfare services for the visually impaired in Tung Chung has been demonstrated.

Technical Aspects

- 11.6 According to the TIA submitted by the applicant, the additional traffic generated from the proposed development would not be significant and would not result in adverse traffic impact on the surrounding road network. C for T has no objection to the application from traffic engineering perspective. The applicant has also submitted other technical assessments including DIA, GPRR, VIA, TPP and LMP. The relevant Government departments have no objection to/no adverse comments on the application.
- 11.7 DEP advised that the future residential development may subject to potential traffic noise impact and air quality impact by vehicular emissions from the Pok Fu Lam Road, and can only lend support for the proposed “R(C)7” zone if there is a mechanism to ensure proper design and measures would be implemented for the development to satisfy the relevant requirements under the HKPSG. For SIA, the applicant should demonstrate whether there is any adverse impact brought about on the public sewerage and to identify any needed mitigation measures as mentioned in paragraph 9.1.11(b) above.

Development Control Mechanism

- 11.8 According to Town Planning Board Guidelines for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB PG-No. 17A) promulgated in April 2016, the key objective of “CDA” zone is to facilitate urban restructuring and to phase out incompatible development and non-conforming uses. “CDA” will only be designated where there is no better alternative zoning mechanism to achieve the desired planning objectives specified in the TPB PG-No. 17A.
- 11.9 The decision of rezoning the Site to “CDA” made in 2011 was mainly intended to facilitate the relocation of the Ebenezer to a new site with improved facilities while at the same time without interrupting the existing services provided as mentioned in paragraph 3.6 above. For the current application, as all technical aspects except environmental issues have been addressed and accepted by the concerned departments, and the applicant has made reasonable steps to address the concerns from previous application by providing relocation plan and demonstrated making reasonable progress, it is therefore considered not necessary to adopt the mechanism of “CDA” zone to facilitate the relocation of the Ebenezer, and the proposed “R(C)7” is considered a better alternative for the Site.
- 11.10 Regarding environmental issues as mentioned in paragraph 11.7 above, as the lease of the Site is virtually unrestricted and lease modification would not be required for the proposed residential development, the implementation of proper design and measures to satisfy the relevant requirements under HKPSG in terms of air quality and traffic noise, and further assessment for SIA cannot be assured through lease. To address these technical matters, it is recommended that a requirement for submission of layout plan through planning application under section 16 of the Ordinance for the future residential development be included in the Notes of the “R(C)7” should the Board agree to rezone the Site to “R(C)7”.

Provision of GIC in Pok Fu Lam

- 11.11 The Site has been occupied by the Ebenezer providing services to the visually impaired since 1930s and zoned “G/IC” since the publication of first Pok Fu Lam OZP No. S/H10/1 in 1986 to reflect the existing GIC uses. As the services provided in the Ebenezer is targeted as specific sector of the population in the territory, and a relocation site has been identified, the rezoning the Site to facilitate residential development will not result in significant change in the provision of comparable GIC facilities in the territory. The provision of various GIC facilities in the Pok Fu Lam area is considered sufficient in accordance with the HKPSG.

Public Comments

- 11.12 The supporting public comments are noted. Regarding the opposing public comments and submissions providing views received as mentioned in paragraphs 10.3 and 10.4 above, the planning assessments in paragraphs 11.2 to 11.11 above and departmental comments in paragraph 9 above are also relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no in-principle objection to proposed “R(C)7” zone and recommends the Committee to partially agree to the application to rezone the application site to “R(C)7” with requirement of submission of layout plan to address the concerns of relevant department(s) on environmental aspects.
- 12.2 Should the Committee decide to agree or partially agree to the application, details of the amendments to the approved Pok Fu Lam OZP No. S/H10/19 would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance.
- 12.3 There is no strong reason to recommend not to agree to the rezoning application for residential development at the application site.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree or partially agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14. Attachments

Appendix I

Appendix Ia

Application form received on 25.11.2021

Supplementary Information received on 26.11.2021

Appendix Ib	Consolidated Report
Appendix Ic	FI4 received on 27.4.2022
Appendix IIa	Proposed Amendments to the Notes for “R(C)” zone
Appendix IIb	Proposed Notes for “CDA” zone
Appendix III	Previous section 12A rezoning applications
Appendix IVa	MPC Paper No. Y/H10/5D (paper only, without attachments)
Appendix IVb	Extract of the minutes of the MPC meeting on 15.4.2011
Appendices Va to Vc	Public comments
Drawing Z-1	Layout Plan
Drawing Z-2	Floor Plan – G/F & B3/F
Drawings Z-3 and Z-4	Section Plans
Drawing Z-5	Landscape Master Plan
Drawing Z-6	Urban Design Considerations
Drawings Z-7 to Z-12	Photomontages
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4 to Z-6	Site Photos

**PLANNING DEPARTMENT
MAY 2022**