

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

APPLICATION NO. Y/H9/6

- Applicant** : Hong Kong Housing Society (HKHS) represented by Townland Consultants Limited
- Plan** : Approved Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/18
- Application Site** : Shaukiwan Lots 170 S.A, 170 RP, 171, 172, 173, 174, 175 & 176, Shaukiwan Inland Lot (SIL) 794 and adjoining Government Land, A Kung Ngam Road, Shau Kei Wan, Hong Kong
- Site Area** : 4,602m² (about)
(including about 4,217m² of Government land (about 91.6% of the Site))
- Lease / Land Status** : (a) Shaukiwan Lots 170 S.A, 170 RP, 171, 172, 173, 174, 175 & 176
(i) Block Government Lease for a term of 999 years commencing on 1.1.1894
(ii) Virtually unrestricted lease with standard non-offensive trade restriction
(b) SIL 794
(i) Conditions of Re-grant No. 11520 dated 15.6.1981 for a term of 75 years commencing from 21.3.1979 (i.e. upto 20.3.2054) for non-industrial purposes
(ii) In the event of redevelopment, there are height restriction, GFA and site coverage and other development parameters to comply with.
(c) Government Land
- Zonings** : “Open Space” (“O”) (about 3,935m² / 85.5% of the Site)

“Residential (Group A)” (“R(A)”) (about 400 m² / 8.7% of the Site)
- maximum building height (BH) of 100mPD or the height of the existing building, whichever is the greater; and
- maximum domestic plot ratio (PR) of 8 for Class A site, 9 for Class B site and 10 for Class C site, or a maximum non-domestic PR of 15.

“Government, Institution or Community” (“G/IC”) (about 267m² / 5.8% of the Site)
- maximum BHs of 1 and 8 storeys, or the height of the existing building, whichever is the greater.
- Proposed Amendment** : To rezone the application site from “O”, “R(A)” and “G/IC” to “R(A)5”

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “O”, “R(A)” and “G/IC” to “R(A)5” on the approved Shau Kei Wan OZP No. S/H9/18 to enable a proposed public rental housing (PRH) development on the Site. According to the indicative development scheme submitted by the applicant, the proposed PRH will comprise a single block building with a total floor area of 30,383m², BH of 100mPD and 28 storeys including 3 storeys of lower ground for carpark and retail facilities. The proposed PRH will provide about 646 flats, a Child Care Centre (CCC) and a Boys’ Hostel, shop and services/eating place and public vehicle park, etc. A set of proposed schedule of uses for the proposed “R(A)5” zone has been submitted by the applicant (**Appendix II**) and uses including ‘Flat’, ‘Public Vehicle Park (excluding container vehicle)’, ‘Social Welfare Facility’, ‘Eating Place’ and ‘Shop and Services’ are always permitted on the proposed “R(A)5” zone. In addition, it is proposed that the “R(A)5” zone allows exemption of social welfare facilities (to be provided in line with the latest Government policy) from PR calculation and a BH restriction of 100mPD is proposed which is consistent with the adjoining “R(A)” zones.
- 1.2 The proposed development parameters of the indicative development scheme are as follows and the indicative floor plans and sectional drawings of the proposed PRH development are at **Drawings Z-1 to Z-9**.

Application Site Area	4,602m ² (about) (including about 4,217m ² of Government land)
Development Site Area	4,513m ² (about)
Total gross floor area (GFA)	30,383m ² (about)
<i>Domestic</i>	27,942m ² (about)
<i>Non-domestic</i>	2,441m ² (about)
Total PR*	6.73
- Domestic PR	6.19
- Non-domestic PR	0.54
Site Coverage (about)	49% (Below 15m) 29.7% (Above 15m)
Maximum BH	
- In mPD	100mPD
- No. of Storeys	28 (including 22 residential storeys, 2 GIC storeys, 1 storey for residential lobby and 3 lower ground floors)
No. of Block	1
No. of Units	646 (about)
Average Flat Size	43.25m ²
Estimated Population	1,862
Greenery Coverage	Minimum 902.6m ² (20% of development site area)
GIC Provision	2,000m ² (including a 100-place CCC and a 30-place Boys’ Hostel)
Open Space Provision	About 2,000m ² (open to the public)
Car Parking Spaces	
- Private Car	48
- Motorcycle	3
- Light Goods Vehicle and	2

Private Light Bus	
Loading/Unloading Spaces	
- for Residential Use	2
- for Retail Use [^]	2
Public Vehicle Park	25 (Private Car)
Floor Uses	
LG3/F	Non-domestic Uses (e.g. Shop & Services and Eating Place), Open Landscaped Area, Entrance from Miu Tung Street
LG2/F and LG1/F	Carpark, Electrical & Mechanical (E&M), Link Bridge to Shuttle Lift, Open Landscaped Area, Public Vehicle Park
G/F	Residential Lobby, Open/Covered Landscaped Area, Loading & Unloading, Covered Walkway to Ming Wah Dai Ha Redevelopment Phase 3, Link Bridge to Shuttle Lift, Entrance from A Kung Ngam Road
1/F & 2/F	GIC Facilities
3/F – 24/F	Residential Flats
Roof	Roof Garden

Notes:

* Calculated based on the Development Area

[^] One of the retail loading/unloading provision will also be shared with the CCC.

- 1.3 Currently, the Site which is known as Shan Pin Terrace is largely vacant with vegetation (**Plans Z-2 to Z-3**). According to the applicant, it is the intention to revitalise the existing fenced off and underutilised site for PRH development integrated with a number of supporting community facilities. The indicative development scheme has been formulated taken into consideration of different urban design objectives including maximising accessibility, connectivity, walkability and site permeability as well as providing quality open spaces, while overcoming a number of existing site constraints including steep slope profile, single street frontage, mature/rare trees on site, etc. (**Drawing Z-17**).

Traffic Arrangement and Pedestrian Connections

- 1.4 According to the indicative development scheme, vehicular access to the Site will be via a run-in/run-out at A Kung Ngam Road directly connecting to the ground floor of the proposed building (**Drawings Z-1 and Z-5**). Vehicular access from Basel Road is not pursued to avoid traffic circulation and congestion within the built up areas of Shau Kei Wan.
- 1.5 In terms of pedestrian connections, 4 shuttle lifts and a link bridge at the area to the rear of Tin Hau Temple and a covered walkway near A Kung Ngam Road will be provided in order to allow barrier-free pedestrian connection from Miu Tung Street to the proposed development, A Kung Ngam Road and Phase 3 of Ming Wah Dai Ha Redevelopment on a 7 days x 24 hours basis (**Drawings Z-18 to Z-19**). The connection will also serve to fulfil the approval condition (i) under Application No. A/H9/78¹ regarding additional pedestrian access connecting Phase 3 of Ming Wah Dai Ha Redevelopment and the MTR Shau Kei Wan Station. The existing staircase at

¹ Application No. A/H9/78 for proposed comprehensive redevelopment of Ming Wah Dai Ha (including flats, shop and services and social welfare facilities) was approved by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 18.1.2019.

the end of Basel Road connecting A Kung Ngam Road will be re-provisioned by a landscape deck with universal access of various forms (including shuttle lifts, stairs and ramps) for the residents and general public on a 7 days x 24 hours basis (**Drawings Z-18 and Z-20**).

Conceptual Landscape Proposal and Tree Preservation Proposal

- 1.6 The landscape concept of the proposed PRH development is to form a cultural web that permeates into the surrounding urban fabric and to create site identity (**Drawing Z-15**). Two open spaces, namely Northern Garden and Southern Garden, are proposed (**Drawings Z-21 to Z-22**). The Northern Garden is made up of a series of landscaped platforms that connect Basel Road with A Kung Ngam Road for leisure enjoyment. The Southern Garden comprises a series of landscape decks, sitting out areas and outdoor plaza and is intended to become a major community space and activity node in the area (**Drawings Z-22 to Z-24**). An existing mature tree (i.e. T01) will be preserved in the garden (**Drawing Z-15**). It is considered that as the Southern Garden is in proximity to the Tin Hau Temple, the overall spatial arrangement of the garden is proposed to be integrated and likened to a traditional Chinese painting with overlapping landscape layers and use of rocks, bamboo screens and planting species echoing Chinese style, subject to detailed design. A roof garden will also be provided for sole use of the residents. A total of about 2,000m² of local open space (including Northern Garden and Southern Garden) will be provided for public enjoyment (**Drawing Z-16**).
- 1.7 According to the Conceptual Landscape Proposal, there are 114 existing trees on the Site, of which 113 trees are recommended for felling and 1 mature tree is recommended for preservation. There will be 50, 22 and 18 compensatory trees provided at the Southern Garden, Northern Garden and near the run-in/run-off of the Site respectively, resulting a compensation ratio of not less than 1:0.8.

Implementation Programme

- 1.8 It is anticipated that the completion year of the proposed PRH development is 2028 – 2029.
- 1.9 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 13.9.2021 (**Appendix I**)
 - (b) Supplementary Planning Statement (SPS) including Traffic Impact Assessment (TIA), Conceptual Landscape Proposal, Visual Impact Assessment (VIA), Environmental Assessment Study (EAS), Geotechnical Planning Review Report (GPRR), Sewerage Impact Assessment (SIA), Drainage Impact Assessment (DIA), Water Supply Impact Assessment (WSIA) and Air Ventilation Assessment (AVA)(in two volumes) (**Appendix Ia**)
 - (c) Further Information (FI) dated 10.11.2021 with responses to departmental and public comments as well as replacement pages of TIA, SIA, EAS, WSIA, VIA, AVA and Conceptual Landscape Proposal* (**Appendix Ib**)
 - (d) FI dated 1.12.2021 with responses to departmental comments and Water Quality Impact Assessment of the EAS* (**Appendix Ic**)

- (e) FI dated 12.1.2022 with responses to departmental and public comments as well as replacement pages of SPS, TIA, SIA, GPRR, EAS and Conceptual Landscape Proposal[#] (**Appendix Id**)
- (f) FI dated 21.2.2022 with responses to departmental comments and replacement pages of SIA, GPRR, Conceptual Landscape Proposal, EAS and TIA[#] (**Appendix Ie**)
- (g) FI dated 16.3.2022 with responses to departmental comments and supplementary information to justify the proposed tree treatment[#] (**Appendix If**)
** not exempted from publication and recounting requirements*
[#] exempted from publication and recounting requirements

1.10 On 18.2.2022, the Committee agreed to defer making a decision on the application for a period of two months, as requested by the applicant's representative, in order to allow sufficient time for the applicant to prepare FI to address departmental comments. The applicant subsequently submitted FIs on 21.2.2022 and 16.3.2022 and the application was scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SPS and FI at **Appendices Ia, Ib and Id**. They are summarised as follows:

In line with Government's Policy for Housing Supply

- (a) In line with recent Policy Addresses to increase public housing supply, the proposed PRH development would contribute to speeding up PRH production to meet the acute demand for public housing in Hong Kong, and facilitate the early allocation of PRH to low-income families. The current rezoning could also provide a decanting site for the redevelopment of HKHS' aged public rental estate.

Land Use/Zoning Compatibility

- (b) The Site is located near the old Shau Kei Wan town centre which is predominated by high density residential developments with retail and commercial uses. The proposed "R(A)5" zone reflects the intended high-density residential use of the Site and will allow for a development on the Site that is fully compatible with the residential land use and zoning character of its surroundings.
- (c) The Site is also highly accessible by public transportation. The excellent accessibility to public transportation and the connectivity to major road networks make the Site a suitable location for high-density residential development.

Development Intensity Compatible with those of Surrounding Developments

- (d) Considerations were given to the existing context of the surrounding area, the statutory planning context, as well as potential visual impact induced by the proposed rezoning while formulating the indicative development scheme. The proposed development intensity, in terms of BH and PR, are compatible with those of the

surrounding developments including the redevelopment of Ming Wah Dai Ha in the vicinity (**Drawings Z-10 to Z-14**).

Optimising the Development Potential of Unutilised Land Resources

- (e) The Site has been left idle and un-utilised for over 30 years. Rezoning the undeveloped site would realise the development potential of a sizable and valuable piece of land situated in a developed urban area available for much needed supply of affordable housing, associated open space for public enjoyment, GIC facilities, shops and services as well as eating place. Implementation of the indicative development scheme is an opportunity to inject new social and economic activities into the area, and thus generating local job opportunities and improving livelihoods.

Provision of GIC Facilities for the District

- (f) Implementation of the indicative development scheme would provide additional usable open space and GIC facilities which in turn enhances the livelihood of the locals living in the adjacent residential zones. The loss of land zoned “G/IC” (mainly currently occupied by a staircase with an area of about 267m²) within the Site will not affect existing or future GIC provision in the district as the proposed PRH development will provide a 100-place CCC and a 30-place boys’ hostel.

Provision of Public Vehicle Park to meet Local Demand

- (g) The current car parking provision in old Shau Kei Wan town centre is inadequate. Rampant illegal parking has been observed along Shau Kei Wan Main Street East and Basel Road as a result of a strong demand for car parking space and limited parking spaces available in the area. The rezoning will address the strong demand for car parking space by allowing the provision of a public vehicle park within the proposed PRH development at the Site.

Improving Pedestrian Connectivity within the Neighbourhood

- (h) Upon development of the Site, convenient pedestrian connections between various frequently visited points of interest in the neighbourhood will be established and the pedestrian accessibility of the area would be greatly improved. Direct access between Basel Road and A Kung Ngam Road, between Ming Wah Dai Ha and Basel Road, and from A Kung Ngam Road and Ming Wah Dai Ha to MTR Shau Kei Wan Station will be provided (**Drawings Z-18 to Z-20**).

Enhancing Street-level Vibrancy of the Area

- (i) Retail use along Shan Pin Terrace will foster a safe and comfortable pedestrian environment, and provide additional activity space and point of interest at street-level. This in turn creates a vibrant streetscape environment in the area to enhance the pedestrian experience at the street-level (**Drawing Z-25**).

No Adverse Impact to the Surrounding Areas

- (j) There is no technical constraint that would hinder implementation of the development scheme at the Site. The proposed PRH development would not generate adverse impact to the surrounding areas, in terms of traffic, environmental, infrastructural,

visual, landscape, air ventilation and geotechnical aspects.

Responses to Public Comments

- (k) In responses to the public comments received, the applicant stated that:
- (i) the vehicular accesses are provided at A Kung Ngam Road to avoid traffic congestion at Shau Kei Wan Main Street East and the TIA showed that the nearby junctions will have adequate design capacity to cater for the development traffic in the design year;
 - (ii) the proposed development will help realise the open space function of the Site by providing well-designed and barrier-free open space that can be used and enjoyed by future residents as well as the local residents; the large and mature tree (i.e. T01) is proposed to be retained and preserved;
 - (iii) the applicant has endeavoured to incorporate and maximise the social welfare facility provision at the Site; provision of retail facilities will foster a vibrant streetscape;
 - (iv) the proposed development has complied with the relevant requirements on natural lighting and air ventilation;
 - (v) the VIA concluded that the potential visual impact to the surroundings is negligible;
 - (vi) the proposed development would comply with the Sustainable Building Design Guidelines (SBDG) and design efforts have been made to optimise the separating distance between the proposed residential tower and the adjoining buildings;
 - (vii) the proposed development intensity is considered compatible with those of the surrounding context;
 - (viii) precautionary measures will be adopted during the construction stage to ensure that the adjacent Tin Hau Temple will not be adversely impacted;
 - (ix) more direct/convenient pedestrian access between A Kung Ngam Road and MTR Shau Kei Wan Station will be provided under the proposed development;
 - (x) findings of technical assessments indicated that no insurmountable impact to the existing infrastructure will be generated as a result of the proposed development;
 - (xi) HKHS has been exploring suitable sites for housing development and the Site, amid residential developments, is one of those sites which HKHS considers suitable for housing development; and
 - (xii) in view of the situation of COVID-19, HKHS considered that it was not appropriate to consult the Eastern District Council. HKHS considered that public consultation would be conducted through the process for rezoning application and the applicant has explained the proposed development to the public via public media.

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

3.1 The applicant is the sole “current land owner” of the private land within the Site.

Detailed information would be deposited at the meeting for Members' inspection.

- 3.2 The "owner's consent/notification" requirement as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB-PG No.31A) is not applicable on the Government land portion.

4. Background

- 4.1 The Site falls largely within an area zoned "Residential" on the first Shau Kei Wan OZP No. LH 9/31 gazetted in 1967 with the southern and northern portions zoned "O" and "G/IC" respectively. Since then, the portion of "G/IC" zones have remained unchanged.
- 4.2 The "Residential" zone was subsequently rezoned to "Commercial/Residential" ("C/R") and "O" (for a minor part at the southern portion of the Site) on the OZP No. LH 9/38 in 1978. Majority of the "C/R" zone within the Site was then rezoned to "O" on the OZP No. S/H9/2 gazetted in 1989 to form a larger planned open space together with the existing "O" zone at the southern portion of the Site while the remaining portion of the "C/R" zone within the Site was rezoned to "R(A)" on the OZP No. S/H9/13 in 2004.
- 4.3 In 2008, BH restrictions were imposed in the "R(A)" and "G/IC" zones within the Site.

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Application

There is no similar rezoning request/rezoning application in the vicinity of the Site on the Shau Kei Wan OZP.

7. The Site and Its Surrounding Areas (Plans Z-1 and Z-2, aerial photo on Plan Z-3 and site photos on Plans Z-4 to Z-8)

7.1 The Site is:

- (a) located at the eastern fringe of Shau Kei Wan area;
- (b) a stepped site with slopes and is the former squatter area of Shan Pin Terrace;
- (c) currently vacant and partly fenced with the southern and eastern portions covered by vegetation with trees;
- (d) partly paved in the central and northern portions; and

- (e) connected to A Kung Ngam Road via a staircase at the northern portion.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate east of the Site is A Kung Ngam Road. To the further east is the former Lyemun Barracks Compound, which is now used as Lei Yue Mun Park and Holiday Village and the Hong Kong Museum of Coastal Defence;
- (b) to the immediate south is Ming Wah Dai Ha which is a public housing estate of the HKHS. It is undergoing redevelopment in phases and is the subject of a planning application No. A/H9/78 for proposed comprehensive redevelopment of Ming Wah Dai Ha (including flats, shop and services and social welfare facilities) approved by the Committee of the Board on 18.1.2019;
- (c) to the west is a residential neighbourhood along Shau Kei Wan Main Street East with a mix of some old low-rise tenement buildings and some medium to high-rise residential buildings. Commercial uses can be commonly found on lower floors. To the immediate southwest is Miu Tung Street and Tin Hau Temple which is a Grade 2 historic building; and
- (d) to the north is Basel Road, Shaukeiwan Government Primary School, Shaukeiwan Tsung Tsin School and Church as well as some village houses.

8. **Planning Intentions**

- 8.1 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.2 The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.3 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community 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 on the application are summarised as follows:

Policy Perspective

- 9.1.1 Comments of the Secretary for Transport and Housing (STH):

STH has granted in-principle policy support for the HKHS to construct a

PRH development at the Site.

Land Administration

9.1.2 Comments of District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

- (a) the Site involves (i) Shaukiwan Lots 170 S.A, 170 RP, 171, 172, 173, 174, 175 & 176 and Shaukiwan Inland Lot 794 (SIL 794); (ii) adjoining Government lands; (iii) public staircase HF 165 under the management of Transport Department (TD); and (iv) various existing slopes under different maintenance parties. Shaukiwan Lots 170 to 176 are held under a Block Government Lease for a term of 999 years commencing on 1.1.1894 and the Block Government Lease is virtually unrestricted lease with standard non-offensive trade restriction. SIL 794 is held under Conditions of Re-grant (C/R) Number 11520 dated 15.6.1981 for a term of 75 years commencing from 21.3.1979 (i.e. up to 20.3.2054) for non-industrial purposes. Under the Special Conditions (13) of the C/R governing SIL 794, in the event of redevelopment, there are height restriction, GFA and site coverage and other development parameters to comply with;
- (b) his comments on the application, the SPS and the FI dated 10.11.2021 (**Appendix Ib**) are as follows:
 - (i) in the event the application is accepted or partially accepted by the Board with a set of clear development parameters (including but not limited to the proposed user, GFA, and car parking provisions, as appropriate) defined/firmed up and the land owner may submit request for streamlined processing of in-situ land exchange application (including the granting of any Government land), for the proposed scheme. Depending on the circumstances of each case, LandsD at its sole and absolute discretion may, upon receipt of such valid request and subject to payment of the administrative fee(s) (including fee payable to the Legal Advisory and Conveyance Office, if required) by the land owner, commence the streamlined processing of the land exchange application on a without prejudice and non-committal basis while Planning Department (PlanD) is taking forward the relevant OZP amendment; and
 - (ii) the land owner is reminded that once the accepted or partially accepted proposal is reflected in the OZP and approved under s.9 of the Town Planning Ordinance, a formal application for land exchange by land owner or LandsD is still required. Every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord subject to policy support from the relevant bureau and there is no guarantee that the land exchange application will eventually be approved by LandsD. If the application for land exchange is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute

discretion, including payment of premium and administrative fee(s); and

(c) his detailed comments are at **Appendix III**.

Traffic Aspect

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

no objection to the application and no comment on the TIA.

9.1.4 Comments of the Commissioner of Police (C of P):

from regional traffic police perspective, he has no comment on the application at this stage. It is advised that the proposal should not cause adverse traffic impact to the local community.

Environmental Aspect

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

no objection to the application from environmental planning perspective and no comment on the EAS.

Sewerage and Drainage Aspects

9.1.6 Comments of the DEP:

no comment on the SIA.

9.1.7 Comments of the Chief Engineer/Hong Kong and Islands, Drainage Services Department (CE/HK&I, DSD):

SIA

- (a) no comment on the SIA;
- (b) the applicant should note that the Environmental Protection Department is the planning authority of sewerage infrastructure and they should be consulted on the sewerage aspect of the proposed development;

DIA

- (c) no comment on the DIA; and
- (d) detailed design arrangement (in particular, most stormwater should be diverted to the 750mm drain in Miu Tung Street as mentioned in the DIA should be further elaborated) should be submitted in later stage for comment.

Geotechnical Aspect

9.1.8 Comments of the Head of the GEO, CEDD (H(GEO), CEDD):

- (a) the Site is overlooked by steep hillsides with past instability records in the vicinity, and meets the 'Alert Criteria' for a natural terrain hazard study (NTHS)(i.e. where there is ground outside the Site but in the same catchment that is at an angular elevation of more than 20° from the Site and there is ground sloping at more than 15° within 50m upslope of the Site); and
- (b) it is noted in the FI (**Appendix Ie**) that the applicant has committed to undertake a NTHS and therefore he has no adverse geotechnical comment on the application. The applicant is reminded that the Site is overlooked by steep natural terrain, a NTHS is required at a later stage of the project and necessary hazard mitigation works (if any) shall be provided as part of the proposed development.

Urban Design, Visual, Architectural and Air Ventilation Aspects

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

- (a) the applicant has put forth the following major design merits:
 - (i) respecting the context with integrated landscape design including provision of open space, pedestrian circulation routes and setback/opening up of the building frontages along Shan Pin Terrace to enhance the overall pedestrian connectivity with the surrounding areas, street vibrancy, legibility and place making;
 - (ii) setbacks from the north at ground floor (at 21.9mPD with about 6m headroom) and from the southern boundary as well as a 20m wide ground floor opening in the middle of the Site (at 21.9mPD with about 6m headroom) to enhance air ventilation; and
 - (iii) compliance with the SBDG with details to be provided at detailed design stage;

Urban Design and Visual

- (b) the proposed public housing development with a BH of 100mPD, which is identical to the BH restriction of the adjoining residential developments, would generally maintain the stepped height profile of the area ascending towards the hillside. According to the VIA conducted by the applicant, the resultant visual impact from the major viewing points (VPs) ranges from negligible to slightly adverse;
- (c) notwithstanding the above, a major portion of the Site falls within the "O" zone which is generally accepted as spatial and visual relief in densely built-up urban areas. It is also noted that efforts have been made by the applicant to provide various design merits with a view to enhancing the overall pedestrian connectivity with the surrounding areas, street vibrancy, legibility and place making as well as air ventilation, which are considered as positive attributes conducive to a

better environment from the urban design perspective;

Air Ventilation

- (d) an AVA – Initial Study using computational fluid dynamics has been conducted for the Baseline Scheme (OZP Compliant Scheme which is an open space) and the Proposed Scheme;
- (e) the Proposed Scheme has incorporated some air ventilation measures including: (a) 23m-wide building setback from the southern boundary, (b) openings of 20m-wide and 6m headroom at ground floor of residential towers (+21.9mPD); and (c) a 10m setback of residential tower from the northern boundary at ground floor with headroom of 10-14m (**Drawing Z-26**); and
- (f) according to the simulation results, the Local Averaged Velocity Ratio under both annual and summer conditions are similar for the Baseline and Proposed Schemes which indicates that the overall ventilation performance of both schemes for the surrounding areas is similar. In general, no significant air ventilation impact is anticipated.

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

- (a) based on the information provided, he has the following comments from architectural and visual impact point of view.
 - (i) no comment from architectural and visual impact point of view;
 - (ii) it is noted that some of the residential block's facade area are facing west, solar control devices should be considered to reduce solar heat gain and avoid glare as far as practicable; and
 - (iii) for the proposed public open space on the Site, the applicant is encouraged to create a pedestrian-friendly environment by providing barrier-free access/facilities, adequate shading devices, more seating areas and greening/planters, etc. to enhance public enjoyment; and
- (b) based on the 'responses-to-comments' table provided in the FI dated 10.11.2021 (**Appendix Ib**), it is noted that his comments regarding solar control devices, barrier-free and pedestrian-friendly facilities (such as shading facilities and seating) and requirements in Practice Note for Authorised Persons and Registered Structural Engineers (PNAP) APP-152 will be addressed by the applicant in detailed design stage. He would have no further comment from architectural and visual point of view at this stage.

Landscape Aspect

9.1.11 Comments of the CTP/UD&L, PlanD:

- (a) with reference to the aerial photo of 2021, the Site is situated in an area of residential urban fringe landscape character surrounded by existing residential developments such as comprehensive redevelopment of Ming Wah Dai Ha at its south and abundant vegetated in “GB” zone at its east separated by A Kung Ngam Road. The proposed development is considered not entirely incompatible with the surrounding environment of the Site;
- (b) having reviewed the FI (**Appendix If**), detailed justifications have been provided regarding the proposed removal of T40 with DBH over 1m. It is noted that the tree if retained will be surrounded by building structures, poor tree health and structural conditions, and that transplanting is not viable. Impact on T40 arising from the proposed development is anticipated. The applicant has proposed landscape mitigation measures to mitigate the landscape impact arising from the proposed development; and
- (c) the applicant is advised that approval of the application under the Town Planning Ordinance does not imply approval of the tree preservation/removal scheme and tree works under the Lease. The applicant is reminded to seek comments and approval from the relevant authority(ies) on the proposed tree works and compensatory planting proposal.

Building Aspect

9.1.12 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):

- (a) as the proposed PR does not exceed the limits as specified in the First Schedule of the Building (Planning) Regulations (B(P)R), he has no objection in principle to the application;
- (b) for the proposed CCC, the applicant’s attention is drawn to PNAP APP-43;
- (c) detailed comments on compliance with the Buildings Ordinance will be made at building plan submission stage; and
- (d) his detailed comments are at **Appendix III**.

Fire Safety Aspect

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

- (a) no objection in principle to the application subject to water supplies for firefighting and fire services installations being provided to the satisfaction of D of FS;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;

- (c) furthermore, the emergency vehicular access (EVA) provision in the proposed development shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the B(P)R 41D which is administered by the BD. Also, the EVA provision of the nearby buildings shall not be affected by the proposed works; and
- (d) nevertheless, shall the proposed works affect any licensed premises in the area, such as petrol filling station or dangerous goods store, the applicant should make separate enquiry to his department to ensure work feasibility.

Others

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

- (a) no adverse comment on the HKHS' submission from welfare perspective; and
- (b) he welcomes HKHS' inclusion in its proposal regarding a 30-place Boys' Hostel in the development project and placing the hostel at 1/F or 2/F of the building block. He considers the proposed floor area about 2,000m² can accommodate the 30-place Boys' Hostel (net operating floor area of 460m²) and the proposed access with a width of 10m can meet the operational needs of the hostel.

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

- (a) no specific comment on the application given that no leisure venue and amenity area under the jurisdiction of Eastern District Leisure Services Office (EDLSO) is identified to be affected;
- (b) he does not have any plan to develop the concerned "O" zone under the OZP at this juncture;
- (c) some trees on unleased and unallocated land (next to Tin Hau Temple) are currently maintained by Leisure and Cultural Services Department (LCSD). It is noted from Appendix 5 in the SPS, 113 out of 114 trees are proposed to be felled to facilitate the proposed development. The applicant is reminded to make every possible measure to preserve and protect the existing trees from being adversely affected by the development through careful and proper planning, design, implementation of protective measures and site monitoring in all stages of the project from feasibility to post-construction maintenance. Should tree is inevitably affected, the applicant should submit a full set of Tree Preservation and Removal Proposal with sound justification for the proposed removal of each tree to LandsD for consideration and approval in accordance with Development Bureau Technical Circular (Works) No. 4/2020 - Tree Preservation;
- (d) it is noted that the compensatory tree ratio of 1:1 ratio cannot be achieved. The applicant is advised to further explore the planting

opportunities to enhance the greenery effect and quality of the environment as far as possible; and

- (e) he reserves his comment from tree preservation and maintenance perspective under the ambit of LCSD until the full set of Tree Preservation and Removal Proposal is available in accordance with Development Bureau Technical Circular (Works) No. 4/2020 - Tree Preservation.

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

- (a) it is noted that the Tin Hau Temple (No. 53 Shau Kei Wan Main Street East, Shau Kei Wan), a Grade 2 historic building, is in close vicinity to the Site. AMO has no adverse comment on the application provided that the works arising from the proposed PRH development, if approved by the Board, will not cause any adverse impacts on the Grade 2 building;
- (b) the applicant is advised to provide to AMO the details of the works arising from the proposed PRH development which may possibly affect the Tin Hau Temple, when available. AMO's comment from heritage conservation perspective on the works will be offered upon receipt from the applicant, or if applicable, from respective departments under the current internal monitoring mechanism for protecting graded historic buildings. Besides, if the project, or any works arising from the project, is classified as a capital works project, the project proponent is reminded to observe Development Bureau Technical Circular (Works) No. 6/2009 for procedures and requirements necessary under the Heritage Impact Assessment (HIA) mechanism for assessing the heritage impact arising from the project, particularly the submission of HIA checklist during preparation of Technical Feasibility Statement in the Project Inception Stage; and
- (c) the applicant is required to inform AMO immediately when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance (Cap. 53) are discovered in the course of works.

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

- (a) no particular comment on the application at this stage; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising, supervising and conducting any activity near the underground cable or overhead line under the application should approach the electricity supplier for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under

the Regulation when carrying out works in the vicinity of the electricity supply lines.

District Officer's Views

9.1.18 Comments of the District Officer (Eastern), Home Affairs Department (DO(E), HAD):

- (a) no comment on the application; and
- (b) it is learnt that the public had been invited for comments on the proposed development as a mandatory procedure of the application. As the proposed development is of significant scale, residents and local stakeholders may have concerns on various issues. The applicant should ensure views from the public, residents and local stakeholders have been taken into consideration and followed up as appropriate.

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

- (a) Secretary for Development (SDEV);
- (b) Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Director of Food and Environmental Hygiene (DFEH); and
- (e) Project Manager (South), CEDD (PM(S), CEDD).

10. Public Comments Received During Statutory Publication Periods

10.1 The application and the FIs were published for public inspection. During the first three weeks of the statutory public inspection periods ended on 15.10.2021, 10.12.2021 and 31.12.2021 respectively, a total of 36 public comments were received. Out of the public comments, 35 public comments were submitted by individuals and the remaining comment (providing views) was submitted by a member of the Eastern District Council (EDC).

10.2 There are 33 comments objecting to the application (samples at **Appendix IVa**) and 3 comments providing views (including one EDC member) on the application (**Appendix IVb**). A full set of public comments received on the application is deposited at the Board Secretariat for Members' inspection and reference. The major views of the public comments are summarised as follows:

Objecting comments

- (a) the proposed development will lead to an increase in population in the area, making the area become denser. The area along A Kung Ngam Road and Shau Kei Wan Main Street East has already been overcrowded with buildings but there are insufficient open space and greenery in the area.
- (b) the massing of the proposed development is excessive and is too close to the adjacent existing residential developments. It will block the views of existing residential developments and lead to 'wall effect'. It will also have adverse

impact on landscape, air ventilation, natural light penetration and noise aspects on the surrounding areas. The scale of development should be reduced so as to reduce impact to nearby residents.

- (c) the proposed development will worsen the pedestrian and vehicular traffic conditions along Shau Kei Wan Main Street East.
- (d) the air pollution problem at Shau Kei Wan Main Street East due to exhaust from restaurants and Tin Hau Temple will be worsened.
- (e) instead of using the Site for residential development, the Site should be developed as sitting-out area for the elderly to cope with the aging population in the Eastern District and outdoor recreational facilities serving the nearby residents.
- (f) there are other more suitable sites in the area for residential development.
- (g) the consultation period for the application is too short.

Providing views

- (h) there is a large tree within the Site which has been here for decades and it should be preserved. There is also a Tin Hau Temple near the Site. How can the Government ensure the construction works of the proposed development would not affect and damage them? Some papaya trees are located within the Site and whether they will be preserved.
- (i) the area near Miu Tung Street should be preserved as open space for nearby residents and not be used for shops.
- (j) there should be lifts for public to access the uphill area.
- (k) there are storm water and sewage flowing back from the drainage pipes and sewers at Miu Tung Street.
- (l) Pak Ling Manson near the Site is of low development intensity. To facilitate better planning in the urban renewal process of the area, resumption of the building may be considered.

11. Planning Considerations and Assessments

- 11.1 The applicant proposes to rezone the Site from “O”, “R(A)” and “G/IC” to “R(A)5” to facilitate a proposed PRH development on the Site. According to the indicative development scheme submitted by the applicant, the proposed PRH development comprises a single block providing about 646 flats, GIC facilities including a CCC and a Boys’ Hostel, shop and services/eating place and public vehicle park, etc. with a total floor area of 30,383m², BH of 100mPD and 28 storeys including 3 storeys of lower ground levels. Under the proposed “R(A)5” zone, ‘Flat’, ‘Public Vehicle Park (excluding container vehicle)’, ‘Social Welfare Facility’, ‘Eating Place’ and ‘Shop and Services’ uses are always permitted and it is proposed to allow exemption of social welfare facilities from PR calculation and a BH restriction of 100mPD.

- 11.2 According to the applicant, the proposed PRH development will provide a number of planning and design merits, including increase in public housing supply by optimising the development potential of unutilised land resources; provision of a decanting site for the redevelopment of HKHS' aged public rental estate; enhancement of pedestrian connectivity among Miu Tung Street, A Kung Ngam Road, Basel Street, Ming Wah Dai Ha and MTR Shau Kei Wan Station with barrier-free access and landscaped environment; provision of GIC facilities serving the district; and provision of public vehicle park to meet the local parking demand in the neighbouring areas.

Policy Support

- 11.3 As stated in the 2020 Policy Address, it would be imperative for the Government to increase land supply and develop land resources for housing development in a resolute and persistent manner to meet the keen housing demands of the public and to prevent the acute problem of land shortage from emerging again. STH has granted in-principle policy support for the HKHS to construct a PRH development at the Site.

Planning Intention

- 11.4 The Site mainly zoned "O" is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. The Site is currently vacant and of sloping terrain. DLCS states that he does not have any plan/programme to develop the concerned "O" site under the OZP at this juncture. Despite the proposed rezoning would lead to a loss in area of "O" zone, the proposed residential development will provide about 2,000m² publicly accessible open space and will facilitate the early provision of open space serving the residents and the public. The applicant would also apply the "place-making" approach which is an integrated strategy for planning, design, implementation, management and community engagement to create quality public spaces for the enjoyment of the people and improvement of the pedestrian environment. While there is a loss in area of planned open space area, in accordance with the HKPSG's requirements, there is no deficit of planned open space provision in both Shau Kei Wan area and the Eastern District even the Site is rezoned to "R(A)5".

Land Use Compatibility and Visual Aspect

- 11.5 The Site is located at the eastern fringe of Shau Kei Wan area which is predominated by high density residential developments with retail and commercial uses. The proposed "R(A)5" and the proposed public housing development are not incompatible with the surrounding areas. The proposed "R(A)5" has similar PR restriction with that of the "R(A)" zones nearby and the proposed BH restriction of 100mPD is identical to that of the adjacent residential zones along Shau Kei Wan Main Street East and at Ming Wah Dai Ha.
- 11.6 CTP/UD&L, PlanD considers that the proposed PRH development with a BH of 100mPD is not entirely incompatible with the surrounding environment of the Site and would generally maintain the stepped height profile of the area ascending towards the hillside. CA/CMD2, ArchSD has no comment on the application from

the architectural and visual impact point of view.

Pedestrian Connectivity

- 11.7 The Site is located between A Kung Ngam Road and Miu Tung Street and Shau Kei Wan Main Street East, which has a level difference of approximate 16.7m. The applicant proposes to promote the pedestrian connectivity of the Site with the surrounding developments through the provision of both horizontal and vertical barrier-free connections, including provision of a lift tower and a link bridge connecting Miu Tung Street to the proposed development, A Kung Ngam Road and Phase 3 of Ming Wah Dai Ha Redevelopment and the MTR Shau Kei Wan Station. The proposed linkages on a 7 days x 24 hours basis would offer a more direct and convenient route for the public to gain access from A Kung Ngam Road to Shau Kei Wan main areas. The improved pedestrian connectivity in the area brought about by the proposed development is a planning gain providing quality living environment and benefits to the local residents.

Technical Considerations

- 11.8 The applicant has submitted various technical assessments including TIA, Conceptual Landscape Proposal, VIA, EAS, GPRR, SIA, DIA, WSIA and AVA in support the rezoning application. C for T has no objection to the application and no comment on the TIA submitted. DEP has no objection to the application from environmental planning perspective and no comment on the EAS and SIA submitted. CE/HK&I, DSD, H(GEO) of CEDD, CTP/UD&L of PlanD and CE/C of WSD have no adverse comment on the application and the SIA, DIA, GPRR, Conceptual Landscape Proposal, VIA, AVA and WSIA submitted.
- 11.9 Other concerned departments including CBS/HKE&H of BD, D of FS, D of SW, ES (A&M) of AMO and DEMS have no objection to the application from buildings, fire safety, welfare, heritage conservation and electrical/mechanical safety perspectives.

Public Comments

- 11.10 There are 36 public comments received, of which 33 comments objecting to the application whereas 3 comments providing views on the application. The assessment and the applicant's responses to the public comments in paragraphs 11.1 to 11.8 and paragraph 2(k) above respectively are relevant. Regarding the concern about the duration of the consultation period, the application has been published for public comments in accordance with the Town Planning Ordinance.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no in-principle objection to the rezoning application.
- 12.2 Should the Committee decide to agree or partially agree to the subject application, the relevant proposed amendments to the approved Shau Kei Wan OZP No. S/H9/18 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Town Planning Ordinance.

12.3 Alternatively, should the Committee decide not to agree to the proposed amendments, the following reason is suggested for Members' reference:

There is no strong reason to rezone the "O" site for residential development.

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 to 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	Application Form received on 13.9.2021
Appendix Ia	SPS including TIA, Conceptual Landscape Proposal, VIA, EAS, GPRR, SIA, DIA, WSIA and AVA(in two volumes)
Appendix Ib	FI dated 10.11.2021
Appendix Ic	FI dated 1.12.2021
Appendix Id	FI dated 12.1.2022
Appendix Ie	FI dated 21.2.2022
Appendix If	FI dated 16.3.2022
Appendix II	Proposed Schedule of Uses for the Proposed "R(A)5" Zone submitted by the applicant
Appendix III	Detailed Departmental Comments
Appendices IVa and IVb	Public Comments
Drawings Z-1 to Z-7	Floor Plans of Indicative Development Scheme
Drawings Z-8 to Z-9	Sectional Plans of Indicative Development Scheme
Drawings Z-10 to Z-14	Photomontages
Drawing Z-15	Landscape Master Plan
Drawing Z-16	Open Space Provision Diagram
Drawing Z-17	Site Constraint Plan
Drawing Z-18	Site Accessibility/Connectivity/Walkability/Permeability Plan
Drawing Z-19	Barrier Free Access Route between Ming Wah Dai Ha Phase 3 Redevelopment and Shau Kei Wan MTR Station
Drawing Z-20	Proposed Pedestrian Access Routes
Drawings Z-21 to Z-22	Landscape Design Diagram
Drawings Z-23 to Z-24	Photomontages on Southern Garden
Drawing Z-25	Artist Impression of Shan Pin Terrace
Drawing Z-26	Air Ventilation Mitigation Measures
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo

Plans Z-4 to Z-8

Site Photos

**PLANNING DEPARTMENT
MAY 2022**