

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

**APPLICATION NO. Y/K5/3**

<b><u>Applicant</u></b>	: Winland Strategies Limited represented by Townland Consultants Limited
<b><u>Site</u></b>	: 412 - 420 Castle Peak Road, Cheung Sha Wan, Kowloon
<b><u>Site Area</u></b>	: about 518.4m <sup>2</sup>
<b><u>Lease</u></b>	: New Kowloon Inland Lot Nos. 420 s.D RP, s.E RP, s.F RP, s.H RP and s.I RP  (a) governed by Government Lease dated 29.6.1932 (b) virtually unrestricted except for “Non-Offensive Trades” and “Rate and Range” clauses (c) an Offensive Trades Licence to permit 5 categories of offensive trades issued on 1.4.2021
<b><u>Plan</u></b>	: Approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/39
<b><u>Zoning</u></b>	: “Other Specified Uses” annotated “Hotel” (“OU(Hotel)”)  (a) maximum plot ratio (PR) of 12 (b) maximum building height (BH) of 84mPD, or the height of the existing building, whichever is the greater (c) minor relaxation clause for the PR/BH restrictions
<b><u>Proposed Amendments</u></b>	: To rezone the application site from “OU(Hotel)” to “Commercial(5)” (“C(5)”) and revise the BH restriction (BHR) from 84mPD to 100mPD

**1. The Proposal**

- 1.1 The applicant proposes to rezone the application site (the Site) from “OU(Hotel)” to “C(5)” under section 12A of the pre-amended Town Planning Ordinance (the Ordinance) to better reflect the existing commercial/office (C/O) development, to meet local demand for commercial facilities and to allow greater land use flexibility. It is proposed to adopt the same development restrictions of the current “C(5)” zone of a nearby C/O development to the southwest (**Plan Z-1**), i.e. maximum PR of 12, BH of 100mPD, or PR and/or BH of the existing building, whichever is the greater. The Notes and Schedule of Uses for the “C” zone, including “C(5)” sub-zone are at **Appendix II**.

- 1.2 The applicant proposes a notional scheme with a PR of 12 which is intended for illustrative purpose only (**Drawings Z-1 to Z-6**). The proposed development comprises a 25-storey C/O building (including 3 basement levels for carpark). The main entrance of the proposed development will be located at Cheung Wah Street (**Drawing Z-2**). The tentative completion year of the proposed development is 2030. The major development parameters of the existing building and the proposed notional scheme are set out as follows:

	<b>Existing C/O Building</b>	<b>Proposed Notional Scheme (for illustrative purpose)</b>
<b>Site Area</b>	about 518.4m <sup>2</sup>	
<b>(Proposed) Uses</b>	G/F – 3/F: Shops 4/F – 25/F: Office (refer to the Occupation Permit (OP) of the existing building issued on 17.9.1983)	B3/F – B1/F: Carpark and E&M G/F: Shop and Services/Eating Place and Loading/Unloading (L/UL) Spaces 1/F – 2/F: Shop and Services/Eating Place 3/F: Communal Podium Garden 4/F: E&M 5/F – 21/F: Office
<b>PR</b>	14.999	12
<b>Total Gross Floor Area (GFA)</b>	About 7,775.8m <sup>2</sup>	About 6,220.8m <sup>2</sup>
<b>Site Coverage (above 15m)</b>	53.58%	58.67%
<b>BH (Main Roof)</b>	83.49mPD	Not more than 100mPD
<b>No. of Storey(s)</b>	26 (no basement)	25 (including 3 basement levels)
<b>Floor-to-floor Height</b>	2.87m	4.025m
<b>Internal Transport Facilities</b>	None	- Private Car Parking Spaces: <del>38</del> 34 (including 1 accessible parking space) - Motorcycle Parking Spaces: 4 - L/UL Spaces: 3 (1 for Heavy Goods Vehicle and 2 for Light Goods Vehicle)

- 1.3 As the proposed rezoning will permit redevelopment of the existing building for commercial uses with PR of 12 or up to the PR of the existing building (i.e. 14.999), if claimed, relevant technical assessments including Traffic Impact Assessment (TIA) and Sewerage Impact Assessment (SIA) were submitted to demonstrate the technical viability of the proposed rezoning under both scenarios of PR/BH of 12/100mPD and 14.999/100mPD.

- 1.4 The applicant has put forth a number of urban design and landscape proposals in the notional scheme for promoting visual interest and pedestrian comfort, including 1.1m to 7.1m setbacks above the podium from the site boundaries, a 1.5m-wide canopy on the ground level facing Castle Peak Road and Cheung Wah Street, provision of a communal podium garden on 3/F for workers, as well as landscape treatments on G/F and 3/F (**Drawings Z-2 to Z-6**).
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 14.8.2023 (Appendix I)
  - (b) Supplementary Planning Statement (SPS) with Visual Impact Assessment (VIA), TIA and SIA (Appendix Ia) @
  - (c) Further Information (FI) 1 received on 24.10.2023 \* (Appendix Ib) @
  - (d) Further Information (FI) 2 received on 23.11.2023 # (Appendix Ic) @
  - (e) Further Information (FI) 3 received on 5.1.2024 \* (Appendix Id) @
- Remarks:  
 \* exempted from publication and recounting requirements  
 # not exempted from publication and recounting requirements  
 @ In hard copy and separately sent to Members. The submission is available for public inspection at the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin.
- 1.6 On 10.11.2023, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

## 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 to Id**. They can be summarised as follows:

### In Line with the Government's Policy Initiatives

- (i) The rezoning application is fully in line with the Government's policy initiatives to provide steady and adequate supply of commercial floor space for further strengthening Hong Kong's position as a leading international financial centre and promoting the competitiveness of our economy with reference to the 2022 Policy Address and Hong Kong 2030+. The application will ensure the long-term planning intention of the Site for the provision of commercial facilities to address such demand.

### Compatibility with the Surrounding Land Uses

- (ii) The Site has been occupied by a commercial building since 1983 and has long been accepted by the neighbourhood without any apparent compatibility issues. It is unlikely that the continuation of commercial use at the Site in the long term will degrade the area.

- (iii) The proposed commercial development would be well integrated with the immediate neighbourhood comprised of residential and commercial uses. The retail/dining component at the podium level would not lead to any interface issue and would cater for the local needs. The introduction of office use at the Site will add vitality to the neighbourhood in the daytime.

#### Appropriate Zoning to Meet Changing Needs

- (iv) Although the Site was rezoned to “OU(Hotel)” in 2010, it remains as a commercial development and no conversion works for hotel use has been carried out. As the Site is not close to any major tourist attractions, airport/cross-border transport facilities or conference/exhibition venues, hotel use is considered not suitable for the Site.
- (v) As the current “OU(Hotel)” zone is too restrictive in adapting to current and future market and community changes, confining the Site for hotel development may result in planning blight. The proposed “C(5)” zone would allow greater land use flexibility and permit redevelopment up to the PR of the existing building. It would also allow for ‘Hotel’ use in future should there be changes in market demand and/or planning circumstances.

#### BHR Deemed Acceptable and Compatible

- (vi) Under the development scenario up to the existing PR of 14.999, the proposed BHR of 100mPD is technically feasible with a floor-to-floor height of 3.325m, which is in line with the market standard of Grade B offices and can meet the necessary functional requirements. The proposed BHR is in line with the surrounding BHRs which are predominantly 100mPD, and the recommendation for the Site and its surrounding area (i.e. BH of 100 to 120mPD) in the Expert Evaluation on Air Ventilation Assessment (AVA-EE) for the Cheung Sha Wan area in 2010. Thus, the proposed BHR of 100mPD is considered appropriate and no adverse visual and air ventilation impact is anticipated.

#### No Adverse Technical Impacts

- (vii) As demonstrated in the TIA and SIA, the proposed development will not pose adverse traffic and sewerage impacts to the surrounding area. The assessment results show that a proposed C/O building based on a maximum permissible PR of 14.999 is feasible.

### **3. 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.

### **4. Background**

- 4.1 The Site was zoned “Commercial/Residential” (“C/R”) with no development restrictions in the previous versions of the Cheung Sha Wan OZPs since 1971.

The first set of General Building Plans of the existing 26-storey C/O building on the Site (i.e. Kincheng Commercial Centre) with a PR of 14.999 (with GFA of 7,775.78m<sup>2</sup>) and BH of 83.49mPD, was approved by the Building Authority (BA) on 6.12.1980. On 6.3.1981, to reflect the predominantly residential character of the area, all “C/R” sites (including the Site) were rezoned to “Residential (Group A)” (“R(A)”) <sup>1</sup>.

- 4.2 In 2008, the same applicant submitted a section 12A planning application (No. Y/K5/1) for rezoning the Site from “R(A)” to “OU(Hotel)” with a maximum non-domestic PR restriction of 12 and BHR of the existing building (i.e. 84mPD) to facilitate an in-situ conversion of the building into hotel use, which was partially agreed on 15.8.2008 by the Committee (see paragraph 5 below for details). In 2010, the zoning of the Site was amended to the current “OU(Hotel)” zone under the previous draft Cheung Sha Wan OZP No. S/K5/32 accordingly. Under the Notes of the OZP for “OU(Hotel)” zone, there is no provision for the claim of the existing PR, and it is stipulated that back-of-house (BOH) facilities shall be included in the PR calculation.

## 5. Previous Application

The Site is the subject of a previous s.12A planning application (No. Y/K5/1) submitted by the same applicant on 29.5.2008 for amendment to the draft Cheung Sha Wan OZP No. S/K5/30 by rezoning the Site from “R(A)” to “OU(Hotel)” with a maximum non-domestic PR restriction of 12 (excluding BOH facilities) and the BHR of the existing building to facilitate an in-situ conversion of the existing C/O building into hotel use. The proposed rezoning was partially agreed by the Committee on 15.8.2008 subject to amendments to the proposed Notes for ensuring adequate statutory planning control on the proposed conversion of the existing building into a hotel. The Committee considered that the BH of the existing building should be stipulated as the permitted maximum BH of the zone with a provision to allow for minor relaxation of the BHR upon s.16 application to the Board, and that the PR restriction of 12 should include BOH facilities.

## 6. Similar Application

There is no similar application for rezoning “OU(Hotel)” sites to “C” within the Cheung Sha Wan OZP area.

## 7. The Site and Its Surrounding Areas (Plans Z-1 to Z-5 and photos on Plans Z-6 to Z-7)

### 7.1 The Site is:

<sup>1</sup> When the Site was rezoned to “R(A)” in 1981, there were no development restrictions stipulated on the draft Cheung Sha Wan OZP No. LK5/32C. On 24.12.1993, the draft Cheung Sha Wan OZP No. S/K5/9 was gazetted, under which the PR restrictions for “R(A)” zone, i.e. (i) for sites with an area of not less than 400m<sup>2</sup>, maximum PR shall be 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic; and (ii) maximum PR shall be 9.0 for a non-domestic building, as recommended under the “Review of Building Density and Height Restrictions in Kowloon and New Kowloon” were firstly incorporated.

- (a) situated at the junction of Cheung Wah Street and Castle Peak Road (**Plans Z-1 and Z-2**); and
- (b) occupied by the 26-storey C/O building, which has recently undergone renovation and is currently available for leasing out according to the applicant.

7.2 The surrounding areas of the Site have the following characteristics:

- (a) the Site is located amid a residential neighbourhood zoned mainly “R(A)8” with BHRs of 100/120mPD<sup>2</sup> mixed with government, institution and community (GIC) and commercial developments. The existing residential developments in the area are mainly mid to high-rise buildings with commercial/retail uses on the lower floors (**Plans Z-1 and Z-3 to Z-5**);
- (b) the Site is surrounded by a commercial development, namely Chou Chong Commercial Building completed in 1978 to its immediate west; a residential development namely Wing Ning Building to its immediate north; and two high-rise residential developments, namely Heya Delight and Heya Crystal, to its immediate east/southeast, which are all zoned “R(A)8” (**Plans Z-2 and Z-3**);
- (c) to its further south are the old tenement buildings to be redeveloped under the Kim Shin Lane/Fuk Wa Street Development Project of the Urban Renewal Authority (URA) with a proposed BH of 120mPD, the Cheung Wah Street/ Cheung Sha Wan Road site under the URA’s Development Scheme Plan for residential development with a proposed BHR of 140mPD, as well as two commercial buildings namely China Shipbuilding Tower (zoned “C(5)”) and Lai Sun Commercial Centre (zoned “C(3)”) with a BHR of 100mPD (**Plans Z-4 and Z-5**);
- (d) to its further north across Po On Road and Wing Hong Street are a public housing estate (i.e. So Uk Estate) with varying BHRs ranging from 80mPD to 135mPD, and the Caritas Medical Centre with BHRs of 90mPD to 116mPD respectively. To its further west is the Cheung Sha Wan Industrial/Business Area with a BHR of 130mPD (**Plans Z-1, Z-4 and Z-5**); and
- (e) easily accessible by various modes of public transport with MTR Cheung Sha Wan Station at about 420m to the southeast of the Site (**Plan Z-1**).

## 8. Planning Intentions

- 8.1 The planning intention of the “OU(Hotel)” zone is intended primarily for hotel development. It is to facilitate the in-situ conversion of an existing C/O building to hotel use.

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<sup>2</sup> According to the Notes of the OZP, a maximum building height restriction of 120mPD would be permitted for sites with an area of 400m<sup>2</sup> or more.

- 8.2 The planning intention of the “C” zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as a district commercial/shopping centre. The areas under this zoning are major employment nodes.

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

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

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) no comment on the rezoning proposal from land lease points of view; and
- (b) the Site falls within New Kowloon Inland Lot Nos. 420 s.D RP, s.E RP, s.F RP, s.H RP and s.I RP (the Lots) which are governed by Government Lease dated 29.6.1932. The Lots are virtually unrestricted except for “Non-Offensive Trades” and “Rate and Range” clauses. An Offensive Trades Licence to permit 5 categories of offensive trades was issued for the Lots on 1.4.2021.

### **Tourism Aspect**

- 9.1.2 Comments of the Commissioner for Tourism (C for Tourism):

- (a) he has no objection to the application; and
- (b) to promote the development of tourism in Hong Kong, he generally supports development of hotels, new attractions and other tourism-related facilities which will enhance Hong Kong’s overall attractiveness as a premier tourist destination. Following full resumption of normal travel between Hong Kong and the rest of the world since February 2023, the tourism industry has been heading towards recovery. The number of overnight visitor arrivals reached 1.8 million in July 2023, returning to 77% of the level in July 2019 and 73% of the level in July 2018. In anticipation of continuous recovery of inbound tourism with time, it is expected that there will be increasing demand for hotels, new attractions and other tourism-related facilities. That said, it is noted that there may be other demands for land in Hong Kong.

### **Traffic**

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

no comment on the TIA of the application.

### **Environmental**

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

- (a) no objection to the application as insurmountable environmental impact arising from the proposed development is not anticipated;
- (b) the sewerage works shall be implemented to the satisfaction of the Drainage Services Department (DSD); and
- (c) detailed comments are at **Appendix III**.

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

- (a) no comment on the application; and
- (b) the SIA for the subject application needs to meet the full satisfaction of the Environmental Protection Department as the planning authority of sewerage infrastructure.

### **Building Matters**

#### 9.1.6 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) no in-principle objection to the application subject to the following comments:
  - (i) all building works are subject to compliance with the Buildings Ordinance (BO). Detailed comments under the BO on individual sites for private developments such as permissible PR, site coverage, means of escape, emergency vehicular access, private streets and/or access roads, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the building plan submission stage;
  - (ii) it appears that there are party structure(s) within the Site. The applicant should be reminded that such party structure(s) should be included in site coverage and GFA calculations under the Building (Planning) Regulations 20 and 23(3)(a); and
- (b) according to the approved building plan dated 3.11.1981, the existing PR is 14,999. The occupation permit was issued on 17.9.1983.

### **Fire Safety**

#### 9.1.7 Comments of the Director of Fire Services (D of FS):

- (a) no comment on the application; and



- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. In addition, the arrangement of EVA shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD.

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

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

#### **Urban Design and Visual Impact**

- (a) no comment on the application;
- (b) according to the submitted VIA, the visual impact from the selected viewpoints (VPs) ranges from “negligible to slightly adverse” to “slightly adverse”. Given the surrounding context and the intended building height profile in the surrounding area, and as illustrated in the photomontages of the VIA (**Drawings Z-7 to Z-9**), the proposed “C(5)” with a maximum BH of 100mPD is considered not incompatible with the surrounding area and is unlikely to bring about significant adverse impact to the visual character of the townscape;
- (c) detailed comments are at **Appendix III**;

#### **Air Ventilation**

- (d) with reference to the AVA-EE for Cheung Sha Wan Area (2010), the Site does not fall within any major wind corridor and the proposal does not fall within the criteria for AVA under the Joint Housing, Planning and Lands Bureau and Environment, Transport and Works Bureau Technical Circular on AVA No. 1/06. Significant adverse impact on the surrounding pedestrian wind environment is not anticipated;

#### **Landscape**

- (e) no comment on the application from landscape planning perspective;
- (f) according to the aerial photo of 2022, the Site is situated in an area of industrial urban landscape character predominated by industrial buildings and industrial/commercial buildings. The Site is currently occupied by an existing C/O building without any landscape resources; and
- (g) the applicant is reminded that approval of the application under section 12A of the Ordinance does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or

under the lease. The site coverage of greenery calculation should be submitted separately to BD for approval.

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

no comment from architectural and visual impact point of view, noting that the BHR of 100mPD is permitted for the developments around the Site.

**Other Aspect**

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

- (a) no comment on the application;
- (b) the submission of Quantitative Risk Assessment report is not a mandatory requirement for this case, and the applicant is reminded to liaise with the Hong Kong and China Gas Company Limited (Towngas) in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site; and
- (c) detailed comments are at **Appendix III**.

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

- (a) Project Manager (South), Civil Engineering and Development Department (PM(S), CEDD);
- (b) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Commissioner of Police (C of P);
- (e) Director of Food and Environmental Hygiene (DFEH); and
- (f) District Officer (Sham Shui Po), Home Affairs Department (DO(SSP), HAD).

**10. Public Comments Received During Statutory Publication Period**

10.1 On 14.8.2023 and 23.11.2023, the application and FI were published for public inspection. During the statutory public inspection periods, four public comments were received, including one objecting comment (**Appendix IVa**) from an individual and three comments expressing views (**Appendix IVb**) from a company of the adjoining building, a member of the Sham Shui Po West Area Committee and Towngas.

10.2 The grounds of objection and views are summarised as follows:

- (i) the proposal would not bring any community benefit or planning gain;

- (ii) there are concerns on security/privacy issue arising from the close proximity of the proposed commercial development to the adjoining residential/commercial developments; and
- (iii) as the Site is in close vicinity to an immediate pressure gas pipeline at Cheung Wah Street, the applicant was suggested to conduct a Quantitative Risk Assessment if required, and should consult Towngas during design and construction stages.

## **11. Planning Considerations and Assessments**

- 11.1 The applicant proposes to rezone the Site from “OU(Hotel)” to “C(5)” with a maximum PR of 12 and BH of 100mPD to better reflect the existing C/O development, to meet local demand for commercial facilities and to allow greater land use flexibility. The applicant also proposes to adopt the same PR restriction of the current “C(5)” zone for another nearby C/O development, which would permit redevelopment of the subject existing building for commercial uses up to PR of 12 or the PR of the existing building (i.e. 14.999). The applicant has submitted a notional scheme for the proposed 25-storey commercial development with a PR of 12 for office, eating place and shop and services uses, as well as TIA and SIA to demonstrate the technical feasibility of redevelopment up to the existing PR of 14.999.

### Planning Intention

- 11.2 The Site is occupied by an existing C/O building completed in 1983, which was rezoned from “R(A)” to “OU(Hotel)” for hotel use only in 2010 to take forward the Committee’s decision of the previous application (No. Y/K5/1) submitted by the same applicant as mentioned in paragraphs 4.2 and 5 above. The applicant advises that the hotel use has not been pursued since then and is considered no longer suitable nor financially viable for the Site in view of the latest market trends. As such, it is considered not unreasonable to rezone the Site to “C” to provide more flexibility by allowing a wider variety of commercial uses (including hotel use) to meet market demand and/or local needs.
- 11.3 Besides, as the originally proposed hotel scheme has not been implemented by the applicant, the rezoning application will not result in any actual loss of guestroom supply or tourism-related facilities, and C for Tourism has no objection to the application.

### Land Use Compatibility

- 11.4 The Site is located amid a residential neighbourhood zoned mainly “R(A)8”, which is mixed with commercial developments including those in the “C(3)” and “C(5)” zones and GIC facilities to the southwest. The existing residential developments in the area are mainly mid to high-rise buildings with commercial/retail uses on the lower floors. To its immediate west is a commercial building, i.e. Chou Chong Commercial Building, within the “R(A)8” zone. The old tenement buildings at Kim Shin Lane to the southwest are the subject of a redevelopment project by the URA for a proposed composite

residential/ commercial development. The continual use of the Site for commercial purpose is considered not incompatible with the surrounding areas.

### Proposed PR and BH

- 11.5 The existing C/O building on the Site was erected in 1983 with a PR of 14.999 and BH of 83.49mPD, while the proposed development is also a C/O building with a PR of 12 and BH of not more than 100mPD under the notional scheme. As the applicant may claim the PR of the existing building, the applicant advises that the proposed BHR of 100mPD will also be sufficient to accommodate the existing PR of 14.999, by slightly increasing the tower footprint with a larger site coverage of 61.77% as compared with 58.67% under the notional scheme and adopting a floor-to-floor height of 3.325m instead of 4.025m. Technical assessments, including VIA, TIA and SIA, have been submitted to demonstrate the technical feasibility of the proposal. In view of the BHRs of the surrounding “R(A)8” zone, i.e. 100/120mPD, the proposed BHR of 100mPD is considered not unacceptable. CTP/UD&L of PlanD also advised that the proposed “C(5)” zone with BHR of 100mPD is not incompatible with the surrounding area and is unlikely to bring about significant adverse impact to the visual character of the townscape. CA/ASC of ArchSD has no comment from architectural and visual impact point of view. Besides, in view of the development scale of the existing building on the Site, the proposed PR restriction, i.e. maximum PR of 12 and to allow the claim of PR of the existing building, is considered not unacceptable and is in line with those of the nearby “C” sub-zones.
- 11.6 The TIA and SIA have also demonstrated the technical feasibility of the proposed rezoning under both scenarios of PR 12 and PR 14.999. According to the findings of these assessments, no adverse impacts are anticipated in terms of traffic and sewerage aspects should the commercial building be redeveloped to a PR up to 14.999. Relevant Government departments, including C for T, DEP and CE/MS of DSD have no adverse comment on/objection to the application.

### Public Comments

- 11.7 Regarding the public comments received, the departmental comments in paragraph 9 and planning assessments above are relevant. The applicant will follow all relevant statutory regulations and practice notes during the implementation of the proposed redevelopment.

## **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, the Planning Department has no in-principle objection to the application.
- 12.2 Should the Committee decide to agree/partially agree to the application, the relevant proposed amendments to the Cheung Sha Wan OZP, together with the revised Notes and explanatory statement, will be submitted to the Committee for agreement prior to its gazetting under the Ordinance.

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

the applicant fails to provide strong justifications for rezoning the Site from "OU(Hotel)" to "C(5)" for commercial development with the proposed PR and BH restrictions.

### **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 to partially agree/not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

### **14. Attachments**

<b>Appendix I</b>	Application Form received on 14.8.2023
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	FI 1 received on 24.10.2023
<b>Appendix Ic</b>	FI 2 received on 23.11.2023
<b>Appendix Id</b>	FI 3 received on 5.1.2024
<b>Appendix II</b>	Extracts of the Notes of the OZP for "C" zone
<b>Appendix III</b>	Detailed Comments from Government Departments
<b>Appendices IVa to IVb</b>	Public Comments
<b>Drawings Z-1 to Z-5</b>	Notional Floor Plans
<b>Drawing Z-6</b>	Notional Section
<b>Drawings Z-7 to Z-9</b>	Photomontages
<b>Plan Z-1</b>	Location Plan
<b>Plan Z-2</b>	Site Plan
<b>Plan Z-3</b>	Aerial Photo
<b>Plan Z-4</b>	Existing Building Heights in the Surroundings
<b>Plan Z-5</b>	Existing PRs and Land Uses in the Surroundings
<b>Plans Z-6 to Z-7</b>	Site Photos

**PLANNING DEPARTMENT  
FEBRUARY 2024**