

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/988

<u>Applicant</u>	: Koon Ngai Company Limited represented by Townland Consultants Limited
<u>Site</u>	: No. 2 Yuen Shun Circuit, Yuen Chau Kok, Sha Tin
<u>Site Area</u>	: 4,915m ² (about)
<u>Lease</u>	: Sha Tin Town Lot (STTL) 275 and governed by New Grant No.11919; (a) restricted to industrial or godown or both; (b) no building or buildings shall be erected on the lot except a factory or factories or a godown or godowns or both, ancillary offices and such canteen and other welfare facilities for workmen employed on the lot and quarters for watchmen caretakers
<u>Plan</u>	: Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/35 (currently in force) Approved Sha Tin OZP No. S/ST/34 (at the time of submission)
<u>Zoning</u>	: “Industrial (Group 1)” (“I(1)”)
<u>Application</u>	: Proposed Office, Eating Place (Canteen only) and Shop and Services

1. The Proposal

- 1.1 The applicant seeks planning permission to redevelop an existing 5-storey industrial building (i.e. Koon Wah Building) at the application site (the Site) into a commercial development with office, eating place (canteen) and shop and services uses within the “I(1)” zone (**Plan A-1**). According to the Notes of the OZP, ‘Shop and Services (ground floor only)’ and ‘Office’ are Column 2 uses requiring planning permission from the Town Planning Board (the Board), while ‘Eating Place (Canteen only)’ is always permitted within the “I(1)” zone. There are no restriction on maximum plot ratio nor building height specified for the “I(1)” zone.
- 1.2 According to the applicant, the proposed development is a 25-storey commercial building comprising 2 levels of basement carpark, a 2-storey podium with shop and services on G/F and office/canteen on 1/F and an office tower above the

podium. Key development parameters of the proposed development are as follows:

Site Area	About 4,915m ²
Site Coverage (below 15m) (above 15m)	93% 45%
Total Non-domestic gross floor area (GFA) <i>Office</i> <i>Shop and Services</i>	About 46,692.5m ² <i>About 43,870m² (including eating place (canteen) with GFA not more than 2,775m²)</i> <i>About 2,822.5m²</i>
Plot Ratio (PR)	9.5
Number of Storeys	25 (including 2 levels of basement and 2 levels of podium)
Building Height (BH) (at main roof)	About 111.5mPD (About 106m in absolute height)
Parking Space Private Car Motorcycle	250 26
Loading/unloading Bay Heavy Goods Vehicle Light Goods Vehicle	9 19

- 1.3 The section plan and floor plans of the proposed development submitted by the applicant are at **Drawings A-1 to A-7**. Detailed proposed uses of different floors are as follows:

Floor	Proposed Uses
B1/F and B2/F	Carpark, Loading/Unloading Bays
G/F	Lobby, Shop and Services, Loading/Unloading Bays
1/F	Office/Canteen, Podium Garden
2/F - 25/F (4/F, 14/F and 24/F omitted)	Office

- 1.4 In support of the application, traffic impact assessment (TIA) and visual impact assessment (VIA) have been submitted to demonstrate no adverse impacts arising from the redevelopment proposal. Photomontages and artistic drawings of the proposed development are at **Drawings A-8 to A-18**.
- 1.5 The Site is subject to a previous application No. A/ST/886 for wholesale conversion of the subject industrial building for shop and services, office, training centre and eating place uses which was approved with conditions by the Committee on 23.10.2015. Details of the previous application are set out in paragraph 6 below.
- 1.6 In support of the application, the applicant has submitted the following:
- (a) Application Form received on 2.9.2020 (Appendix I)
 - (b) Further Information (FI) received on 29.12.2021 providing (Appendix Ia)
a Consolidated Report with revised Traffic Impact

Assessment (TIA) and revised Visual Impact Assessment (VIA)
(exempted from publication and recounting requirements)

[Supplementary Planning Statement and FIs received on 18.12.2020, 7.4.2021, 27.7.2021, 30.8.2021, 24.11.2021 and 9.12.2021 were superseded and not attached]

- 1.7 Upon requests by the applicant, the Committee agreed to defer making a decision on the application each for two months on 23.10.2020, 5.2.2021, 28.5.2021 and 24.9.2021 respectively to allow more time for the applicant to prepare FI in support of the application. With the FI submitted on 24.11.2021, the application is 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 supplementary planning statement at **Appendix Ia**. They can be summarised as follows:

- (a) the proposed redevelopment is in line with the Government's policy and strategic planning including the industrial revitalization strategy announced in the 2018 Policy Address encouraging redevelopment of industrial buildings (IBs) constructed before 1987; the "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" regarding efficient use of urban land and revitalization of existing industrial spaces; Chapters 5 and 9 of the Hong Kong Planning Standards and Guidelines (HKPSG) in terms of the Site's suitability for the proposed development and the removal of undesirable industrial/residential (I/R) interface in order to minimize environmental nuisance to adjoining residential developments;
- (b) apart from (a) above, according to the report on 2020 Area Assessments of Industrial Land in the Territory (2020 Area Assessments), Siu Lek Yuen Industrial Area (SLYIA) is recommended to be rezoned to "Residential (Group E)" ("R(E)") to facilitate phasing out of existing industrial uses through redevelopment (or conversion) for residential use. The proposed commercial development would therefore be entirely compatible with future planning context of the area;
- (c) the proposed redevelopment meets the criteria set out in the "Town Planning Board Guidelines for use/development within "I" zone" including no suitable alternative spaces for office/other commercial uses in the area which could serve such demand of the large residential population living in the vicinity of the Site; highly accessible to public transport facilities in view of its close proximity to the MTR City One Station; alleviating undesirable I/R interface as the proposed redevelopment could serve a buffer between SLYIA and the high-density residential developments; and adequate provision of internal transport facilities, such as parking spaces and loading/unloading bays;
- (d) the proposed redevelopment would provide retail space to meet such demand arising from the nearby residential and industrial developments. Previous planning approvals for office and shop and services uses at the Site also demonstrate the

demand for additional commercial floor area in the area. The Site is located within a 2-minute walking distance from the MTR City One Station which could render the Site suitable for providing a higher concentration of jobs under the concept of “transit oriented development”;

- (e) the proposed development is not incompatible with the surrounding areas which is predominated by commercial and industrial/office developments such as ALVA Hotel, Goldlion Holdings Centre, Town Health Technology Centre, Evergain Building and Citimark. Besides, the proposed maximum BH is comparable with that of two residential clusters to its west, including Prima Villa and Yu Chui Court and to its east (i.e. Shek Mun Estate) ranging from 110mPD to 140mPD. The proposed PR of 9.5 also falls within the range of recommended permissible PR for business use in new towns under HKPSG. Moreover, the proposed PR has taken into account that the Site is in close proximity to a railway station and no adverse traffic and visual impact arising from the proposed development is anticipated;
- (f) the VIA and TIA submitted by the applicant have demonstrated that the proposed redevelopment is acceptable in terms of visual impact and would not cause adverse traffic impact to the surrounding road networks. Regarding the concern of possible air ventilation impact, the Site does not fall within any major wind corridor and the proposed development would be in compliance with relevant requirements on building separation and building setback specified in the Sustainable Building Design Guidelines (SBDG). The applicant would also follow relevant procedures and requirements to minimize any noise and other environmental impacts during construction stage and explore the use of anti-glare window/façade during detailed design stage to reduce heat and light reflection by glass curtain wall. Sufficient separation between the proposed development and nearby residential developments would be maintained to avoid privacy concerns;
- (g) the proposed redevelopment would be in conformity to SBDG by providing an overall minimum 20% greenery coverage. Also, podium garden would be provided on 1/F for the enjoyment of future occupants. It is expected that the proposed redevelopment would revitalize the image of SLYIA and improve the quality of urban space of the area; and
- (h) a number of planning applications for proposed office, shop and services, eating place and hotel uses within the SLYIA were approved by the Board. Approval of the current application would not set an undesirable precedent.

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. Town Planning Board Guidelines

The ‘Town Planning Board Guidelines for Use/Development within “I” Zone’ (TPB PG-No. 25D) is relevant to this application. The following main planning criteria are relevant in the consideration of a proposed office development:

- (a) any proposal for the development of office building should demonstrate that there is a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area, and there are no suitable alternative sites to accommodate the proposed office building in the vicinity;
- (b) the location of the proposed office building should be easily accessible to public transport facilities, in particular railway stations, to minimize the potential traffic generation;
- (c) favourable consideration may be given to proposed office development on sites within the part of an industrial area requiring renewal or restructuring, and the proposed development will induce significant improvement to the general amenity and environment of the area, or will alleviate existing interface problems by providing an environmental buffer between existing industrial and residential or other environmentally sensitive uses, such as school and community facilities; and
- (d) there should be an adequate provision of parking and loading/unloading facilities within the site in accordance with HKPSG and to the satisfaction of the Transport Department.

5. **Background**

Transformation of SLYIA

- 5.1 Since the promulgation of new policy measures to encourage redevelopment and wholesale conversion of IBs in 2010, there are five planning applications (No. A/ST/802, 847, 886, 889 and 982) covering five IBs for wholesale conversion for office, shop and services, eating place, training centre, art studio, and design and development centre uses etc. within the same “I(1)” zones approved by the Committee between 2013 and 2021. These applications were approved mainly on consideration that the proposals were in line with the policy of optimising the use of IBs; the proposed uses were not incompatible with the surrounding land uses and would not cause significant adverse impacts; and the approval would be for the lifetime of the buildings only. Location of these sites are shown on **Plan A-2**. Approval of these applications have demonstrated that SLYIA is undergoing transformation into an area with non-polluting commercial uses in recent years.

2020 Area Assessments

- 5.2 On 19.11.2021, the Board noted two rezoning proposals, one for SYLIA and one for Sheung Shui Areas 4 and 30, involving industrial land arising from the recommendations of 2020 Area Assessments. Although there is still strong demand for industrial space in the territory, some specific areas are actively undergoing land use transformation and urban renewal. In considering rezoning of land zoned “T” for alternative purposes in meeting changing needs of the society and optimization of the use of land resources, a cautious and incremental approach taking into account local transformation, surrounding planning context and appropriate zoning have been adopted. The two rezoning proposals are to reflect the latest development and facilitate transformation of the areas.

- 5.3 The rezoning proposal recommending to rezone SLYIA from “I(1)” to “R(E)” is intended for phasing out the existing industrial uses through redevelopment (or conversion) for residential use on the considerations that SLYIA is under active transformation to commercial uses and its surrounding areas comprise mainly residential neighbourhoods well-served by public transport including the MTR City One Station. In addition, the existing hotel site is recommended to be rezoned to “Commercial” (“C”) to reflect the existing use. The rezoning proposals will provide a planning incentive to facilitate land-use transformation through putting the private land into optimal uses prescribed by the proposed zonings, and PlanD would take forward the rezoning proposals upon completion of relevant assessments.

6. Previous Application

The Site is the subject of a previous application No. A/ST/886 submitted by the same applicant for proposed wholesale conversion of the existing IB for shop and services, office, training centre and eating place uses which was approved with conditions by the Committee on 23.10.2015 on the considerations that the approval would be for the lifetime of the existing building only and would not jeopardize the long term planning intention of the Site for general industrial uses to meeting the future demand; the proposal was in line with TPB PG-No. 25D; and the proposal would not cause any significant adverse traffic, environmental, fire safety, visual and landscape impacts to the surrounding areas. The special waiver under the lease to permit the use of the approved application No. A/ST/886 was granted in 2017. Pursuant to the waiver letter, all building works required for wholesale conversion should be completed within 3 years from the granting of special waiver (i.e. by 22.3.2020) whilst the District Lands Officer/Shi Tin, Lands Department (DLO/ST, LandsD) has granted extension of time for completion of the building works until 22.3.2022. The planning permission is still valid. Details of the application are summarized in **Appendix II**.

7. Similar Application

A similar application No. A/ST/843 for proposed hotel development within the same “I(1)” zone was approved with conditions by the Committee on 21.3.2014 on the grounds that the proposed hotel was not incompatible with other development in SLYIA and in line with Government’s tourism policy of optimising land use to meet visitors’ demand, and the proposed development would not cause adverse impacts to surrounding areas. Details of the application are summarized in **Appendix III** and the location of the site is shown on **Plan A-2**.

8. The Site and Its Surrounding Areas (Plans A-1 to A-2 and site photos on **Plans A-3a to A-3b**)

8.1 The Site is:

- (a) located at the western fringe of SLYIA and bounded by Yuen Shun Circuit to the north, Yuen On Street to the east, Ngau Pei Sha Street Playground to the southeast and Ngau Pei Sha Street to the west;
- (b) being occupied by a 5-storey IB with occupation permit granted in 1987;

- (c) mainly occupied by godowns and non-industrial uses with existing GFA of about 17,129m². Detailed existing uses of different floors are as follows:

Floor	Existing Uses
G/F	Entrance Lobby, Motor Vehicle Workshop / Showroom, Shop and Services and Eating Place
1/F	Motor Vehicle Repair Workshop, Godown, Carparking Spaces and Loading and Unloading Bays
2/F	Godown, Office, Training Centre, Shop and Services
3/F	Godown, Office
4/F	Office / Landscape Roof

8.2 The surrounding areas have the following characteristics:

- (a) high-rise residential developments within “Residential (Group A)” (“R(A)”) zone, including Prima Villa and Yu Chui Court, and a public transport terminus underneath Yu Chui Shopping Centre located to its west across Ngau Pei Sha Street and City One Shatin located to its further north. The MTR City One Station is located to its northwest (about 110m);
- (b) KMB Sha Tin Bus Depot and Siu Lek Yuen Fire Station are located to its east and north respectively;
- (c) an office building, namely Citimark, is located at about 130m to its further southeast in “C” zone; and
- (d) Shek Mun Business Area, about 10.8 ha of land zoned “Other Specified Uses” annotated “Business”, is located about 300m to the north of SLYIA across Siu Lek Yuen Nullah.

9. **Planning Intention**

The planning intention of the “I(1)” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.

10. **Comments from Relevant Government Departments**

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

Supply of Industrial Land

10.1.1 Comments of the Director-General of Trade and Industry (DG of TI):

- (a) given that the SLYIA, including the Site, is proposed to be rezoned from “I(1)” to “R(E)” taking into account local transformation,

surrounding planning context and appropriate zoning, he has no comment on the application; and

- (b) while the proposed development would result in a further shortfall of industrial land, measures to address the shortfall of industrial land in short, medium and long term are recommended in the 2020 Area Assessments.

Land Administration

10.1.2 Comments of the District Lands Officer/Shi Tin, Lands Department (DLO/ST, LandsD):

- (a) the Site is located at 2-4 Yuen Shun Circuit, namely STTL 275 (the Lot) which is governed by Conditions of Sale under New Grant No. 11919 dated 18.4.1985 (New Grant). Pursuant to the New Grant, the Lot is restricted to industrial or godown purposes or both, excluding offensive trade;
- (b) the Lot is currently subject to a special waiver granted on 23.3.2017 to permit the use of the Lot for any one or more of the uses specified in “Schedule A” (i.e. Eating Place, Office, Shop and Services and Training Centre) for a term commencing from the date of the waiver and expiring upon (i) the demolition of the existing building, (ii) 30.6.2047, or (iii) upon the early termination of the New Grant, whichever shall be the earlier. Pursuant to the waiver letter, all building works required for wholesale conversion shall be completed within 3 years from the date of the granting of special waiver (i.e. by 22.3.2020). His office has granted extension of time for completion of the building works until 22.3.2022;
- (c) in view of the redevelopment proposal (i.e. demolishing the existing building and rebuilding a new commercial cum office building) within the Site, the aforesaid waiver would be terminated. Upon expiry of the said special waiver, the Lot shall be subject to the original uses under the New Grant; and
- (d) should the application be approved by the Board, an application for land exchange will only be considered upon receipt of formal application to LandsD but there is no guarantee that the land exchange application will be approved. Such application will be considered by LandsD acting in the capacity as landlord at its sole discretion. If such application is approved, it will be subject to such terms and conditions, including among others the payment of administrative fee and premium, as may be imposed by LandsD.

Traffic

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

- (a) having reviewed the revised TIA and supplementary information provided under FIs, he has no comment on the application from traffic engineering viewpoint;
- (b) based on the applicant's submissions, the provision of 26 motorcycle parking spaces and 28 loading/unloading bays meet the requirements set out in the HKPSG. While the provision of 250 private car parking spaces only accounts for about 97% of the high-end requirements specified in the HKPSG, such provision falling within 5% design flexibility is considered acceptable. It is expected that the proposed redevelopment would not aggravate illegal parking problem; and
- (c) the submitted TIA has demonstrated that performance of key junctions would be operating satisfactorily during peak hours in design year 2028 and change in the railway patronage capacity would be insignificant. The submitted TIA concludes that the proposed development would not induce adverse traffic impact to nearby road networks. He considers the submitted TIA is in order.

Environmental

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

- (a) office developments are normally provided with central air conditioning system and the applicant should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact;
- (b) since the nature of use of the Site has changed significantly which may result in changes of sewage generation, should the application be approved by the Board, approval conditions are recommended requiring the submission of a sewerage impact assessment (SIA) and the implementation of the sewerage works identified in the SIA;
- (c) as the application would involve demolition of existing IB for redevelopment, approval condition requiring the submission of land contamination assessment and implementation of remediation measures identified therein prior to the commencement of development at the Site should be imposed;
- (d) the applicant is advised to minimize the generation of C&D materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements

and prevailing guidelines on proper waste management for the proposed development; and

- (e) regarding the concerns on construction noise impact raised in public comments, it is noted that the applicant has committed to follow standard procedures and requirements from EPD to minimize noise and environmental impacts during construction stage. Besides, construction noise is subject to regulatory control under Noise Control Ordinance (Cap 400). Insurmountable noise impact during construction is not anticipated with the proper implementation of pollution control measures.

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

- (a) he has no adverse comment on the application;
- (b) he concurs with DEP's view to impose approval conditions regarding submission of SIA and implementation of upgrading of existing sewerage system, as suggested in the approved SIA, due to change in proposed land use; and
- (c) the implementation of any upgrading/diversion of existing sewerage system, if found necessary in the SIA, should be carried out by the applicant at his own expense.

Urban Design and Landscape

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

- (a) the Site is sandwiched between an existing industrial clusters zoned "I(1)" in the east and high-rise residential developments zoned "R(A)" in the west. According to the applicant, the proposed development, which serves as a buffer between the existing industrial and residential developments, would remove the existing I/R interface issue. The surrounding areas mainly comprise a mix of low to medium GIC facilities, medium to high-rise IBs and high-rise residential developments. Having reviewed the submitted VIA, photomontages and the artistic drawings (**Drawings A-8 to A-18**), she has no adverse comments on the application from urban design point of view;
- (b) the application does not fall under the categories set out in the Joint HPLB-ETWB Technical Circular No. 1/06 on Air Ventilation Assessments (AVA), and adverse air ventilation impact is not anticipated; and
- (c) the Site falls within "I(1)" zone, which is a non-landscape sensitive zoning and no significant landscape impact arising from the proposed development is anticipated.

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

noting that the applicant claims to maintain sufficient separation between the proposed development and the nearby residential towers and to explore the use of anti-glare windows/façade during detailed design stage to avoid heat and light reflection generated by glass curtain wall, he has no comments from architectural and visual impact point of view.

Building

10.1.8 Comments of the Chief Building Surveyor/New Territories East (2) & Rail, Buildings Department (CBS/NTE(2)&Rail, BD):

- (a) he has no in-principle objection to the application; and
- (b) his detailed comments under the Buildings Ordinance are at **Appendix IV**.

Licensing

10.1.9 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) the applicant should obtain a suitable food business licence from the Food and Environmental Hygiene Department (FEHD) if the “eating place” is to be opened for use by members of public; and
- (b) his detailed comments on the application are at **Appendix IV**.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the emergency vehicular access (EVA) provision in the Site shall comply with the standards as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Building 2011”, which is administered by BD.

Water Supply

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

- (a) he has no in-principle objection to the application from water supply planning perspective; and
- (b) should the application be approved, the applicant is required to carry out a water supply impact assessment to address the adequacy of existing water supply connections in satisfying the demand for the proposed uses, and the associated connection works, as may be required.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Project Manager (North), Civil Engineering and Development Department; and
- (c) District Officer (Sha Tin), Home Affairs Department.

11. Public Comments Received During Statutory Publication Period (Appendix V)

During the statutory public inspection periods, all 147 public comments received objected to the application. Among which, one was submitted by a then Sha Tin District Council (STDC) member enclosed with results of a survey of 434 individuals (87.3% of the interviewees object to the application and 12.7% support the application); one submitted by the Owners' Committee of Prima Villa with 92 signatures; and 77 were submitted by individuals in a standard letter format. The remaining public comments were submitted by individuals. The full set of public comments have been deposited at the meeting for Members' inspection. Samples of the public comments are attached at **Appendix V**. Their objecting views are summarized as follows:

- (a) the redevelopment proposal is not in line with the planning intention of the "I(1)" zone;
- (b) the proposed development is not compatible with surrounding industrial and residential developments. The proposed BH of about 111.5mPD (or 23 storeys above ground level) would permanently change the low-rise character of SLYIA and create adverse visual and air ventilation impacts to nearby residential developments (e.g. Prima Villa). Also, the proposed development may cause privacy concerns to residents of Prima Villa due to relatively short distance between the proposed development and Prima Villa;
- (c) the applicant fails to demonstrate the need for additional commercial floor space in this area in view of the vast supply of commercial/office spaces in the Shek Mun Business Area to its north;

- (d) in view of the limited capacity of local road networks and the operation of nearby bus depot, the redevelopment proposal, which would generate significant vehicular and pedestrian traffic flow, would cause traffic congestion and overstrain the capacity of MTR City One Station. Besides, illegal parking are often found in the SLYIA, it is expected that the proposed development would aggravate the current situation;
- (e) as the subject IB does not generate noise and air pollutions, there is no undesirable I/R interface issue and no strong justifications to support the redevelopment proposal. Approval of the application would set a precedent for similar applications which would create aggregate impacts on nearby residential community. In addition, redevelopment of the existing IB would generate noise pollution to surrounding areas; and
- (f) the proposed development would attract significant number of working population. As the Site is located next to a residential neighbourhood, there are insufficient supporting facilities (e.g. eating places) to support the proposed development. Besides, adoption of glass façade in the proposed development and night-time operation of offices would generate glare impact/light pollution affecting nearby residents.

12. Planning Considerations and Assessments

- 12.1 The application is for redevelopment of the existing 5-storey IB (namely Koon Wah Building) at the Site zoned “I(1)” on the OZP into a 25-storey commercial development providing office, eating place (canteen only) and shop and services uses. The redevelopment proposal is not in line with the planning intention of the “I(1)” zone, which is to reserve land primarily for general industrial uses to ensure adequate supply of industrial floor space to meet demand from production-oriented industries. However, according to the recommendations of 2020 Area Assessments, SLYIA is recommended to be rezoned from “I(1)” to “R(E)” to provide a planning incentive to facilitate land-use transformation into optimal uses. In view of the above, the proposed commercial development at the Site is considered generally in line with the intention to phase out existing industrial uses and could facilitate the transformation of SLYIA into an area with non-polluting uses. DG of TI has no comment on the application given that SLYIA, including the Site, is proposed to be rezoned from “I(1)” to “R(E)” taking into account local transformation, surrounding planning context and appropriate zoning.
- 12.2 The Site is located at the western fringe of SLYIA, which is characterized by a mixed use of IBs, GIC facilities and open space. Some of these IBs have already obtained planning approvals for wholesale conversion for various commercial uses. A commercial development, namely Citimark within the “C” zone, is located to the further southeast. Also, high-rise and high-density residential developments including Prima Villa, Yu Chui Court and City One Shatin are located to the west across Ngau Pei Sha Street and further north across Chap Wai Kon Street and MTR Tuen Ma Line. The proposed commercial development at the Site is considered not incompatible with the surrounding land uses. In terms of building height, building heights of nearby developments over 100mPD are commonly found with a maximum BH of 142mPD in SLYIA (**Plan A-2**). The proposed BH of 111.5mPD

is considered comparable with other developments in the vicinity. In terms of PR, the proposed PR of 9.5 is in line with the maximum permissible PR for business use in New Town area as stipulated in the HKPSG¹. The proposed development intensity is considered acceptable in the area. In this regard, CTP/UD&L has no adverse comment on the application from urban design and air ventilation perspectives.

- 12.3 The application generally meets the criteria set out in the TPB PG-No. 25D on use/development within “I” zone in that the Site is easily accessible to public transport facilities including the MTR City One Station and a number of bus routes on surrounding major roads, and C for T considers that the proposed parking and loading/unloading provisions acceptable. Within the same “I(1)” zone, a number of planning applications for wholesale conversion of existing IBs for various commercial uses have been approved by the Committee between 2013 and 2021 demonstrating that there is a market need for such uses in the area. Given that SLYIA is under active transformation to non-polluting uses and the proposed commercial development together with Ngau Pei Sha Street Playground and Citimark would form a buffer area separating existing IBs in SLYIA and residential developments to its west, favourable consideration could be given to the current application.
- 12.4 Other relevant departments consulted, including C for T, DEP, D of FS, CE/MN of DSD and CE/C of WSD, have no objection to or no adverse comment on the application. Significant adverse traffic, environmental, fire safety, drainage, sewerage and water supplies impacts on surrounding areas are not envisaged. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 13.2 below.
- 12.5 The Site is the subject of a previous application No. A/ST/886 for wholesale conversion of the subject IB for various commercial uses approved by the Committee in 2015. Approval of the current application would encourage on-going transformation of SLYIA and is in line with the Board’s previous decision.
- 12.6 Regarding the public comments objecting to the application as detailed in paragraph 11 above, comments of government departments and the planning assessments above are relevant. As for the concerns of lacking supporting facilities, there are some shopping centres (e.g. Yu Chui Shopping Centre and Fortune City One) located in the vicinity of the Site, and the eating place (canteen only) and shop and services uses within the proposed development could serve such demand.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, Planning Department has no objection to the application.

¹ According to Chapter 5 of the HKPSG, the maximum permissible PR for business use in new town and other new development areas is 9.5, having regard to local conditions (e.g. height and density restrictions), capacity of approach roads and infrastructure provision etc.

- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 14.1.2026, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) in relation to approval condition (b) above, the implementation of sewerage upgrading/connection works identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission of land contamination assessment and implementation of the remediation measures identified therein prior to the commencement of development at the site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (e) the submission of a water supply impact assessment and the implementation of connection works to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and
- (f) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. **Attachments**

Appendix I	Application form received on 2.9.2020
Appendix Ia	FI received on 29.12.2021
Appendix II	Previous Application
Appendix III	Similar Application
Appendix IV	Detailed Departmental Comments
Appendix V	Sample of Public Comments
Appendix VI	Recommended Advisory Clauses
Drawing A-1	Section Plan
Drawings A-2 to A-7	Floor Plans
Drawings A-8 to A-16	Photomontages
Drawings A-17 to A-18	Artistic Drawings
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to A-3b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2022**