

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

**APPLICATION NO. Y/ST/52**

- Applicant** : Hybonia Limited represented by KTA Planning Limited
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34  
(at the time of submission)
- Approved Sha Tin OZP No. S/ST/38  
(currently in force)
- Site** : Various Sha Tin Town Lots (STTL) and Lot 750 RP & Extension  
thereto in D.D. 176 and Adjoining Government Land (GL) and a piece  
of GL on Shan Mei Street, Fo Tan, Sha Tin, New Territories
- Site Area** : About 98,470m<sup>2</sup>  
(including GL of about 44,730m<sup>2</sup> or about 45.4% of the Site)
- Lease** : STTL 2, 3, 7-10, 17s.A, 17RP, 61-70  
Industrial or godown purposes or both, excluding offensive trade
- STTL 4  
Godown purposes for storage of dry and frozen goods
- STTL 6  
Electricity sub-station
- STTL 221  
Godown purposes
- Lot 750 RP and the Extension thereto in D.D.176  
Industrial purposes excluding any offensive trade  
(Special Waiver: Educational Institution for providing post-secondary  
educational courses and programmes in relation to the catering industry)
- Zonings** : “Industrial” (“I”)  
(at the time of submission)
- “I” (about 92.2% of the Site)  
“Government, Institution or Community” (“G/IC”)  
(about 7.8% of the Site)  
(currently in force)
- Proposed Amendments** : To rezone the application site from “I” to “Residential (Group E)”  
 (“R(E)”), “G/IC”, “Open Space” (“O”) and areas shown as ‘Road’

## 1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) located in the eastern part of Fo Tan Industrial Area (FTIA) (**Plan Z-1** and **Drawing Z-1**) from “T”<sup>1</sup> to “R(E)” (54%), “G/IC” (9.7%), “O” (5.3%) and areas shown as ‘Road’ (31%) to facilitate transformation of the industrial area into a residential area within the Site<sup>2</sup>. Detailed breakdown of the rezoning proposals is as below and shown in **Drawing Z-1**:

<b>Proposed Zonings</b>	<b>Locations</b>	<b>Site Area (m<sup>2</sup>)(%)</b>
“R(E)”	10 sites with 19 industrial buildings and an existing educational institution known as Tao Miao Institute in FTIA ( <b>Drawing Z-2a</b> )	53,163 (54%)
“G/IC”	(i) Fo Tan Substation (ii) Wo Liu Hang Public Toilet (PT) and Refuse Collection Point (RCP) (iii) Joint User Complex (JUC) on Shan Mei Street <sup>3</sup>	9,530 (9.7%) <sup>3</sup> [Total Site area for items (i) and (ii) is about 1,179m <sup>2</sup> .]
“O”	(i) Wo Liu Hang Playground (ii) Wo Liu Hang Rest Garden (iii) Shan Mei Street Children’s Playground	5,221 (5.3%)
Areas shown as ‘Road’	Existing roads within the Site	30,556 (31%)
<b>Total Site Area:</b>		About 98,470 (including GL about 44,730 or about 45.4%)

- 1.2 According to the applicant’s submission, sites occupied by industrial buildings in FTIA are proposed to be rezoned to “R(E)” (for open air development or building other than industrial or industrial-office building) under which ‘Flat’ and ‘House’ require planning permission from the Town Planning Board (the Board) and subject to a maximum domestic plot ratio (PR) of 5 and non-domestic PR of 0.5 (**Drawing Z-1**). ‘Social Welfare Facility’ (except those on the lowest three floors or in the purpose-designed non-residential portion of an existing building) also requires planning permission from the Board. Provided that the social welfare facilities are required by the Government, they may be disregarded from PR calculation. The maximum building height (BH) for the “R(E)” zone is restricted to 130mPD while two strips of land at STTL 4 and STTL 221 in alignment with grid street pattern, both

<sup>1</sup> The Site is zoned “T” (92.2%) and “G/IC” (7.8%) on the current OZP.

<sup>2</sup> The application was submitted under of the pre-amended Ordinance, the Town Planning Ordinance (the Ordinance) in force immediately before 1.9.2023.

<sup>3</sup> The site area includes the originally proposed site for a 24-classroom primary school on Shan Mei Street. As the site has been rezoned to “G/IC” subject to building height restriction of 140mPD to facilitate the committed JUC to be implemented by the Government, the applicant has revised the Master Layout Plan to reflect the committed JUC project (**Drawing Z-2b**). In this regard, the site area proposed to be rezoned to “G/IC” for Fo Tan Substation and Wo Liu Hang PT and RCP should be about 1,179m<sup>2</sup>.

with 15m in width (**Drawing Z-1** and **Plan Z-2b**), are restricted to 21mPD serving as building gaps to facilitate air ventilation. Minor relaxation of the PR and BH restrictions including those for the building gaps may be considered by the Board based on individual merits. The proposed set of Notes for the “R(E)” zone is at **Appendix IIa**.

- 1.3 The proposed “G/IC” zones are to reflect the existing Fo Tan Substation at the junction of Wo Shing Street and Wo Heung Street (about 648m<sup>2</sup>) and the Wo Liu Hang Road PT and RCP (about 531m<sup>2</sup>) at the junction of Wo Liu Hang Road and Wo Shui Street. The piece of GL on Shan Mei Street under “G/IC” zone is to reflect the committed JUC project. The existing Wo Liu Hang Playground and Wo Liu Hang Rest Garden on Wo Liu Hang Road (about 4,434m<sup>2</sup>), and San Mei Street Children’s Playground (about 792m<sup>2</sup>) are proposed to be rezoned to “O”. The existing road network within the Site is proposed to be rezoned to areas shown as ‘Road’ to reflect the as-built conditions.
- 1.4 The Applicant has submitted an indicative scheme for the proposed residential development under the “R(E)” zone supported by Master Layout Plan (MLP) (**Drawings Z-2a to Z-2d**), Landscape Master Plan (LMP) (**Drawings Z-3a to Z-3c**), Schematic Section Plans (**Drawings Z-4 to Z-5**) and Perspectives (**Drawings Z-6 to Z-10**). According to the indicative scheme, the Site north of Fo Tan Road (**Plans Z-2a to Z-2b**)(**Drawings Z-2a to Z-2d and Z-4 to Z-5**) comprises 24 residential towers of 24-34 residential storeys each over a one-storey podium with retail shop/government, institution or community (GIC) facilities, one storey of residential lobby and landscaped area on the first floor (1/F), and two levels of basement carpark<sup>4</sup> which will provide a total domestic gross floor area (GFA) of about 265,817m<sup>2</sup> and a non-domestic GFA of about 26,582m<sup>2</sup>. Premises-based GIC facilities of about 10,420m<sup>2</sup> (equivalent to about 5% of domestic GFA) are accommodated on G/F of 10 lots<sup>5</sup> including STTL 61 which is owned by the applicant. The scheme will provide about 4,706 residential units with an estimated population of about 13,650. Existing as-built facilities and the planned JUC on Shan Mei Street as mentioned in para. 1.3 are also shown on the MLP.
- 1.5 A three-phase implementation for the residential development is proposed by the applicant (**Drawing Z-11**) taking into account the land ownership pattern within the Site. (a) Phase One includes a residential block within the “R(E)” zone under STTL 61 currently occupied by an existing industrial building, namely Watson House, owned by the applicant (**Drawing Z-12**) with a target completion year of 2029; (b) Phase Two comprises seven residential towers situated at six sites under separate single ownership expected to be completed by 2031; (c) Phase Three covers the remaining proposed residential development consists of 16 residential towers on sites currently occupied by 13 existing industrial buildings under multiple ownership. Full completion of the proposed development is anticipated by 2034. According to the applicant, individual owner(s) of each industrial building would determine its own redevelopment timeframe based on their preference, needs and market demand.

<sup>4</sup> Except for residential towers at STTLs 62 to 64 which are over 3-storey basement with retail shop and carpark.

<sup>5</sup> The 10 lots are STTLs 4, 17RP, 61 (the applicant’s lot) to 67 and 221.

1.6 Major development parameters of the indicative development proposal are summarized as follows:

<b>Major Development Parameters of the “R(E)” zone for proposed residential development (for indicative purpose only)</b>	<b>Proposed Residential Development Site Area (RDSA) [“R(E)” zone] (incl. all Phases)</b>	<b>Phase One Residential Development  (Applicant’s lot, STTL 61 only)</b>	<b>Phase Two Residential Development</b>	<b>Phase Three Residential Development</b>
<b>Site Area (m<sup>2</sup>)</b>	About 53,163	About 3,102	About 18,705	About 31,356
<b>Total PR</b> - Domestic PR - Non-domestic PR	Not more than 5.5 Not more than 5 Not more than 0.5			
<b>Total GFA (m<sup>2</sup>)</b>	Not more than 292,399	Not more than 17,061	Not more than 106,665	Not more than 175,334
- Domestic GFA <sup>[1]</sup>	Not more than 265,817	Not more than 15,510	Not more than 93,528	Not more than 156,780
- Non-domestic GFA <sup>[2]</sup>	Not more than 26,582 (shop and services/eating place only)	Not more than 1,551	Not more than 9,353	Not more than 15,678
<b>Site Coverage (SC)</b>	Not more than 18%			
<b>Maximum BH (mPD)</b>	Not more than 130			
- Main Roof	About 96 - 130	About 115	About 96 – 130	About 96 – 130
- Two 15m wide buildings gaps	--	--	21	--
<b>No. of Residential Tower</b>	24	1	7	16
<b>No. of Storeys</b> Residential Towers above ground	28 - 38	34	33 - 38	28 - 38
- Domestic	24 - 34	30	29 - 34	24 - 34
- Residential Lobby	1	1	1	1
- Retail Shop/ GIC facilities (G/F only at 10 lots)/ <sup>[2]</sup> Public Transport Interchange	1	1	1	1
Basement (Car park/ Retail)	2-3	2	2	2-3 <sup>[3]</sup>
<b>No. of Residential Unit</b>	About 4,706	About 300	About 1,793	About 2,613
<b>Average Flat Size (m<sup>2</sup>)</b>	About 56.5			

<b>Estimated Population</b> <sup>[4]</sup>	About 13,650	About 870	About 5,200	About 7,580
<b>Proposed GIC facilities (including social welfare facilities) (m<sup>2</sup>)</b> <sup>[2]</sup>	About 10,420	About 591	About 5,359	About 4,470
<b>Private Open Space (m<sup>2</sup>)</b>	Not less than 13,650			
<b>Green Provision (m<sup>2</sup>)</b>	Not less than 15,950			
<b>Proposed Public Transport Interchange (m<sup>2</sup>)</b>	About 4,210	--	About 1,160 (taxi stand and GMB stop)	About 3,050 (bus stop)
<b>Total no. of Parking Spaces</b>	1,730			
- Private Car Parking Spaces	1,329			
- Motorcycle Parking Spaces	80			
- Bicycle Parking Spaces	321			
<b>Total no. of Loading/Unloading (L/U) Bays</b>	66			
Goods Vehicle Spaces	66			
<b>Target Completion Year</b>	2029-2034	2029	2031	2034

[1] As proposed by the applicant, the floor space dedicated for Resident's clubhouse (not more than 5% of the domestic GFA) is exempted from the GFA/PR calculation.

[2] As proposed by the applicant, GIC facilities for social welfare use at the G/F of STTLs 4, 17RP, 61 to 67 and 221 are exempted from the GFA calculation. Under the applicant's proposal, areas of 8,230m<sup>2</sup> have been reserved to accommodate social welfare facilities (SWFs) requested by the Social Welfare Department (SWD), which include a Neighbourhood Elderly Centre, a 150-place Residential Care Home for the Elderly, a 50-place Hostel for Moderately Mentally Handicapped person, a 80-place Integrated Vocational Rehabilitation Services Centre, a 50-place Day Activity Centre, a 50-place Hostel for Severely Mentally Handicapped Persons, One team of HCS for Frail Elderly Persons (4-team size non-kitchen based), with an additional reserved GFA of about 2,190m<sup>2</sup> subject to advice by SWD.

[3] For residential towers at STTLs 62 to 64, the retail shop is located on the first storey of the 3-storey basement.

[4] Calculated based on an average household size of 2.9 person per flat.

1.7 The Applicant proposes an elevated landscaped deck for the residential development to be linked up by covered walkways and footbridges as major movement corridor between Fo Tan Mass Transit Railway Station (Fo Tan MTR Station) and Tsung Tau Ha Road (**Drawings Z-2a, Z-3a and Z-13**), relevant details are to be stated in the proposed Explanatory Statement (ES) for the "R(E)" zone of the OZP (**Appendix IIb**). The pedestrian footbridge system with dedicated covered walkway for public use connecting Fo Tan MTR Station and the proposed development (**Drawings Z-2c and Z-3a to Z-5**) will gradually be implemented in Phase Three upon acquisition of the remaining lots under multiple ownership. Moreover, the ES sets out building setbacks of various widths from lot boundaries abutting the streets in the area bounded by Fo Tan Road, Tsung Tau Ha Road, Shek Lau Tung Street, Wo

Shing Street, Wo Liu Hang Street, Wo Shui Street, Wo Heung Street and Au Pui Wan Street, to facilitate future road widening and/or street-level enhancement upon redevelopment to a residential neighbourhood within the Site (**Drawing Z-14**). The proposed building setbacks are detailed at paragraph 1.10.

- 1.8 Taking into consideration of the implications of the proposed residential development in industrial area, on top of the phased implementation mechanism as mentioned in paragraph 1.5 above, the applicant proposes an interim rezoning arrangement to facilitate transformation of the east FTIA, by redevelopment of industrial buildings under single ownership in Phases One and Two (e.g. STTL 61, the applicant's lot, i.e. Watson House) and rezoning these areas to "R(E)" first, followed by redevelopment of the remaining private lots in multiple ownership in Phase Three (**Drawing Z-15**). The applicant suggests such arrangement would properly address industrial/residential (I/R) interface issue and advance the delivery of housing units. No implementation timetable of the above interim rezoning arrangement is provided under the application.
- 1.9 In support of the application, the applicant has submitted Traffic Impact Assessment (TIA), Environmental Assessment (EA), Visual Impact Assessment (VIA), Air Ventilation Assessment - Expert Evaluation (AVA-EE), Landscape Design Proposal (LDP), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA) and Water Supply Impact Assessment (WSIA).

#### Traffic Aspect

- 1.10 According to the TIA submitted by the applicant, the proposed development will be served by the existing critical 24 road junctions and 31 road links in the Fo Tan area (**Drawing Z-16**). Upon full completion of the proposed development, seven junctions will be overloaded and junction improvement works<sup>6</sup> for Fo Tan Road/Tai Chung Kiu Road/Shu Tin Road (Junction A), Fo Tan Road/Yuen Wo Road (Junction B), Fo Tan Road/Lok King Street (Junction D), Fo Tan Road/Min Fong Street/Shan Mei Street (Junction E) and Au Pui Wan Street/Min Fong Street (Junction K) are proposed by the applicant (**Drawings Z-17a to Z-17e**). Meanwhile, building setbacks from lot boundaries mainly along Au Pui Wan Street, Wo Shing Street, Wo Heung Street, Wo Shui Street, Wo Liu Hang Street and Min Fong Street ranging from 1.4m to 9m are proposed (**Drawing Z-14**) and stipulated under the ES of the OZP (**Appendix IIb**) to facilitate future road widening (from existing one-way traffic circulation system inside FTIA to 4-lane-two-way traffic circulation for enhancement of internal circulation within the Site to be implemented under or beyond Phase Three subject to future design) and street-level enhancement.
- 1.11 As regards the increased demand of public transport services arising from the population intake, increase in Green Mini Bus services in Phase Two and Phase Three during peak hours is recommended. To address Transport Department's possible concern on the passengers generated from the proposed development may have adverse impact on the existing popular routing, two Public Transport Interchanges (PTIs) located on the G/F of STTL 4 (with taxi stand and GMB stop) and STTLs 62, 63 and 64 (for bus stop) are proposed (**Drawings Z-18a to Z-18b**). Provision of lay-bys on road, cycle track and a bicycle park at STTL 4 adjacent to Fo Tan MTR

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<sup>6</sup> Further junction improvement works for Junctions A, D and E will be undertaken after the implementation of junction improvement measures proposed under a public housing project south of Wong Chuk Yeung Street in which the proposed housing site has been zoned "Residential (Group A)8" under Sha Tin OZP No. S/ST/38.

Station are also proposed under the TIA to cater for the demand of on-street pick-up/drop-off and L/U activities and for addressing public needs (**Drawing Z-14**).

- 1.12 Noting the deficiency of parking spaces for private vehicles in the Fo Tan area, a high-end parking provision as per the latest Hong Kong Planning Standards and Guidelines (HKPSG) requirements is proposed. The TIA concludes that the proposed development would not induce significant traffic impact with the proposed mitigation measures and is feasible from traffic engineering point of view.

#### Environmental Aspect

- 1.13 The EA submitted by the applicant recommends that the proposed development would not induce adverse construction noise, road traffic noise, railway noise and fixed noise, subject to implementation of effective mitigation measures such as acoustic window (baffle type) and noise barrier. No adverse cumulative air quality impact induced by chimney emissions and vehicular emissions from open roads is expected with implementation of mitigation measures including the implementation of dust control practices as stipulated in the Air Pollution Control (Construction Dust) Regulation and inclusion of proper contracts clauses for dust minimization in the works contract during construction stage. Air quality impact is not expected during operation phase and no mitigation measures are required. There is no environmental impact arising from water quality, waste management and land contamination by implementing proposed mitigation measures, good site practices and compliance with relevant Ordinances. The applicant suggests that further land contamination assessment on individual lots and inaccessible area, and further remediation assessments if contamination exists shall be submitted to the Environmental Protection Department prior to site redevelopment.

#### Sewerage, Drainage and Water Supply Aspects

- 1.14 According to the SIA, the sewage generated from the proposed development will be directed to a proposed Manhole (FTMH-01) through a proposed 225mm slimmed concrete sewer. The SIA concludes that there is adequate capacity in the existing sewerage system to support the proposed development with implementation of sewers upgrading works in Phase Two and Phase Three.
- 1.15 The DIA and WSIA submitted by the applicant suggest that adverse drainage and water supply impacts induced by the proposed development are not anticipated.

#### Visual, Air Ventilation and Landscape Aspects

- 1.16 According to the VIA submitted by the applicant, the development intensity of the proposed development with a maximum BH of 130mPD has been devised to create a harmonious built form and will not bring substantial change to the visual character and composition of the area. The proposed development is considered compatible with the surrounding environment. With adoption of sensible design measures including stepped BH profile in a district scale<sup>7</sup>, adequate separations between proposed residential towers, provision of two 15m-wide building gaps and a continuous landscaped deck atop the proposed pedestrian footbridges, the current built environment in FTIA will be improved (**Drawings Z-3a to Z-3c, Z-19 to Z-28**).

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<sup>7</sup> BH of the proposed residential towers ranges from 28 to 38 storeys (96 to 130mPD).

- 1.17 The AVA-EE proposes good design features including reduced SC of residential towers, increased building separation and provision of two 15m-wide building gaps with BH of 21mPD (**Drawing Z-28**). The AVA-EE concludes that the proposed development would not induce significant impact on the pedestrian wind environment in the downwind areas.
- 1.18 According to the LDP, there are a total of 165 existing trees within the Site mainly located around Wo Liu Hang Playground, San Mei Street Basketball Court, San Mei Street Children's Playground, and at the western end of Shek Lau Tung Street (**Drawing Z-29**). 60 trees will be affected by the committed JUC development at the proposed "G/IC" zone on Shan Mei Street and one dead tree situated next to Wo Liu Hang Road PT (**Drawing Z-29**) is expected to be removed by relevant government departments. Planting of a minimum 60 new standard trees with 45-75mm Diameter at Breast Height at individual lots is proposed (**Drawing Z-30**). Under the landscape proposal, concept of "Green Spine" design will be applied to an elevated walkway system connecting the Site and adjoining Fo Tan MTR Station and supported by multiple landscaped features including landscape water features, community farm, recreation facilities and communal gardens, amenity planting and peripheral buffer planting at 1/F podium level (**Drawings Z-2a, Z-2c, Z-3a and Z-13**). With the provision of a continuous landscaped deck atop a single-level podium connected by footbridges linking up development sites on the 1/F and continuous shop frontage on the G/F, the proposed development will shape the new identity of East Fo Tan as a quality residential neighbourhood. Not less than 13,650m<sup>2</sup> of communal open space as required under HKPSG (**Drawing Z-13**) and not less than 15,950m<sup>2</sup> of a total greenery area (a minimum of 30% of greenery) would be achieved.
- 1.19 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 2.11.2021 (**Appendix I**)
  - (b) Consolidated Supporting Planning Statement (SPS) with (**Appendix Ia**)  
Supplementary Information received on 5.12.2024<sup>8</sup> and 6.12.2024
- 1.20 Upon request by the applicant, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months on 26.8.2022 and 13.1.2023.

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application which are detailed in the SPS (**Appendix Ia**), are summarised below:

- (a) the current rezoning proposal is in line with the Government's policy of increasing housing supply to optimize land resources. Rezoning exercises have been actively undertaking following the publication of the 2014 Policy Address. Upon completion of "Report on Area Assessments of Industrial Land in the Territory" in 2009, five

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<sup>8</sup> A total of 14 previous further information (FI) submissions (received on 18.1.2022, 22.3.2022, 2.6.2022, 27.10.2022, 3.3.2023, 5.5.2023, 24.7.2023, 26.9.2023, 4.12.2023, 15&20.2.2024, 26.4.2024, 9&11.7.2024, 27.9.2024 and 9.10.2024) were received in response to departmental comments with relevant technical assessments, of which all were accepted and not exempted from recounting requirement. The consolidated SPS in **Appendix Ia** supersedes the original SPS and all FIs and hence they are not attached to this paper.



potential sites within the “I” zone in Fo Tan are identified for provision of residential, comprehensive and business uses by mean of rezoning exercise. Up to 2021, three sites in Fo Tan have been rezoned from “I” zone to allow residential uses;

- (b) the current application proposing to rezone the Site from “I” could provide about 4,706 units which could contribute to the short-to-medium term housing supply. With the genuine intention of the applicant to redevelop Watson House at STTL 61 in Phase One for residential development with expected completion in 2029, it would foster housing supply in a much shorter time frame;
- (c) the Site is located in proximity to a number of existing medium-to-high density residential development with BHs ranging from 124mPD to 204mPD and a gradually expanding residential areas at the fringe of FTIA. The proposed development with a maximum BH of not more than 130mPD are considered compatible with the surroundings and wider context of Fo Tan. Industrial operations will be gradually phased out upon implementation of the proposed development;
- (d) the proposal echoes with the Government’s initiative to suitably reserve 5% of the domestic GFA of selected development sites for provision of premises-based GIC facilities/ social welfare facilities;
- (e) the provision of continuous podium-top landscaped deck on the 1/F (including linkage of Fo Tan MTR Station) and continuous shop frontages on the G/F of the Site will shape the new identify of East Fo Tan as a quality residential neighbourhood;
- (f) the existing industrial buildings within the Site have a total GFA of about 476,394m<sup>2</sup> which accounts for about 4.8% of the total stock of industrial floorspace at territorial level (i.e. a total GFA of about 9.93million m<sup>2</sup> in Hong Kong) and about 32.1% of the total GFA of land zoned “I” in the FTIA. The existing uses within the Site is diversified, no single economic activity is observed within the Site and there is no evidence to reveal that those activities are locational dependent. In addition, the three-phase development would allow a high degree of flexibility for individual owners to retain existing industrial uses in support of continuous need for the industrial floorspace within the proposed “R(E)” zone;
- (g) various technical assessments have been conducted to ascertain the technical feasibility of the proposed development. Through the implementation of suitable mitigation measures, no insurmountable visual, landscape, environmental, air ventilation, traffic, drainage and sewerage impacts will be resulted in the current rezoning proposal; and
- (h) a three-phase development is proposed with expected completion time between 2029 and 2034 taking into account the ownership pattern and to provide flexibility for implementing the residential development based on individual preference, needs and programme upon submitting planning applications. To provide coordinated physical connection among the proposed development, layout plan to be developed by the Government may be required.

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

The applicant is one of the “current land owners” of the Site and has complied with the requirements as set out in the TPB Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31A) by publishing notices in local newspapers and sending notice to

relevant owners' management offices. Detailed information would be deposited at the meeting for Members' inspection. For GL within the Site, "Owner's Consent/Notification" requirements are not applicable.

#### 4. **Background**

- 4.1 The Site is located in Area 16 of Sha Tin New Town and a large portion of the Site has been zoned "I" since the gazettal of the first statutory town plan for Sha Tin in the 1960s.
- 4.2 On 17.11.2023, the draft Sha Tin OZP No. S/ST/37 was exhibited under section 5 of the Ordinance. One of the amendments is to rezone a site on Shan Mei Street previously zoned "I" to "G/IC" with a BH of 140mPD to facilitate a JUC to be implemented by GPA under the "Single Site, Multiple Uses" initiative. On 28 May 2024, the Chief Executive in Council, under section 9(1)(a) of the Ordinance, approved the draft Sha Tin OZP incorporated this amendment, which was subsequently renumbered as S/ST/38. The applicant has originally proposed a primary school at the Site but subsequently amend the MLPs by reflecting the committed JUC project.
- 4.3 Findings of the "Report on Area Assessments of Industrial Land in the Territory" undertaken by Planning Department (PlanD) in 2020 (2020 AA) which was promulgated in December 2021 concludes that there will be reduction of industrial floorspace over the years and an estimated deficit of land for industrial uses in the territory by year 2048. Fo Tan is a well-established industrial area contributing a total site area of 30.51ha (the Site accounting for 32.3%) and GFA of 1,482,273m<sup>2</sup> (GFA within the Site accounting for 32.1%) and a major employment node occupied by 45 industrial buildings with a working population of about 30,927. It is identified as the second largest industrial areas in terms of land area and the third largest in terms of total floor area in the territory. The industrial buildings are actively in use and predominantly occupied by warehouse/storage, data centre, and office uses. The report recommends to retain the FTIA as "I" zone for industrial uses to sustain the local job centre and a variety of choice for the existing and new population.

#### 5. **Previous Applications**

- 5.1 Part of the Site (i.e. STTL 4 at the southeastern part of the Site (about 6,586.35m<sup>2</sup> or 6.7% of the Site) is the subject of three previous rezoning applications for hotel development (**Plan Z-2a**). The first rezoning application (No. Z/ST/18) for rezoning the site from "I" to "Commercial (1)" was rejected on 13.8.2004 by the Committee on the grounds that (1) the site was located in the well-established FTIA in which industrial activities were active. The proposed hotel development was not in line with the planning intention of the "I" zone which was to reserve land primarily for general industrial uses to ensure an adequate supply of industrial floor space; (2) the proposed hotel was not compatible with the surrounding developments. The FTIA, which was predominantly occupied by industrial buildings, was not a suitable location for hotel development; and (3) the approval of the request for amendment would encourage non-industrial undertakings in the "I" zone and set an undesirable precedent for other similar requests. The cumulative effect would likely result in a significant loss of industrial floor space in the area.
- 5.2 The second rezoning application (No. Y/ST/6) for rezoning the site from "I" to "I(1)" to facilitate a composite hotel and retail development was rejected on 22.2.2008 by the

Committee on the grounds that the proposed amendment to “I(1)” zone for hotel development was not in line with the ‘Updated Area Assessments of Industrial Land in the Territory’ which recommended that the FTIA should continue to be reserved for general industrial uses for adequate supply of industrial floor space and other rejection grounds similar to rezoning application No. Z/ST/18.

- 5.3 The third rezoning application (No. Y/ST/10) for rezoning the site from “I” to “Comprehensive Development Area (2)” to facilitate a hotel development was rejected on 4.9.2009 by the Committee on the grounds that the Government was updating the Area Assessments on Industrial Land in the Territory and approval of the application for hotel development would pre-empt the findings and recommendations of the study and other rejection grounds similar to rezoning applications No. Z/ST/18.

## 6. **Similar Application**

There is no similar rezoning application for proposed residential development within the same “I” zones in the Fo Tan area.

## 7. **The Site and its Surrounding Areas (Plans Z-1 to Z-5)**

### 7.1 The Site:

- (a) is located at the eastern part of FTIA and is separated into two parts by Fo Tan Road;
- (b) is currently occupied by 19 industrial buildings and an existing educational institution known as Tao Miao Institute situated at Lot No. 750RP in D.D. 176 and the Extension thereto, with PR from about 1.7 to 9.5 and BH from about 20mPD to 92mPD, Wo Liu Hang Playground, Wo Liu Hang Rest Garden, Fo Tan Substation, Wo Liu Hang PT and RCP to the north of Fo Tan Road (**Plan Z-2a**); and
- (c) comprises a bus terminus, San Mei Street Sitting-out Area, Fo Tan Cooked Food Market (East) at the proposed JUC site, San Mei Street Children’s Playground and a carpark to the south of Fo Tan Road (**Plan Z-2a**);

### 7.2 The surrounding areas have the following characteristics:

- (a) the Site is mainly bounded by high-rise high density developments in FTIA to the west, CDA development, i.e. the Arles, a subsidized housing development, Yuk Wo Court, the Palazzo and Jubilee Garden to the east;
- (b) a planned public housing development on Shan Mei Street (redevelopment of Sui Fai Factory Estate) zoned “R(A)8” and Shatin Galleria zoned “Commercial” are located to the south of the Site;
- (c) village areas including Pat Tsz Wo Village, Wo Liu Hang and Fo Tan Village are located to the north and south respectively; and
- (d) Fo Tan MTR Station is abutting the eastern boundary of the Site.

## 8. **Planning Intention**

The planning intention of the “T” 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.

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

9.1 The following government bureau/departments have been consulted and their views on the application are summarized as follows:

### **Provision of Industrial Land**

9.1.1 Comments of Director – General of Trade and Industry (DG of TI):

- (a) she has reservation on the application;
- (b) the Site is located in the FTIA. As revealed in the 2020 AA prepared by PlanD, there is an estimated deficit of land for industrial uses. The report also indicates that Fo Tan is a well-established industrial area and a major employment node in the Sha Tin District, and retaining the FTIA as “T” zone for industrial uses can sustain the local job centre and a variety of choice for the existing and new population. Noting the above, and in consideration that if the applicant’s proposal for rezoning is taken forward, it will result in a further shortfall of industrial land and have impact on the existing operators with industrial activities in the area.

### **Land Administration**

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

- (a) the Site comprises STTL Nos. 2-4, 6-10, 17RP, 17s.A, 61-65, 67-70, 221 and Lot 750RP and Extension thereto in D.D.176 and various GL;
- (b) several private lots, which are mostly under multiple ownership, are covered by the Site. Based on his preliminary study, those private lots are governed under land grants for non-residential uses and the proposed residential developments are in conflict with the user restriction under the land grant of the concerned private lots. If the subject rezoning application is approved by the Broad and the owner(s) of the concerned private lots intend to develop the concerned lots for residential use, they have to apply to LandsD for a lease modification or land exchange. However, there is no guarantee that such application will be proceeded and approved. Such application, if received by LandsD, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval would be subject to such terms and conditions including, inter alia, payment of land premium and administrative fee as may be imposed by LandsD. Furthermore, LandsD will further examine and comment on the detailed development proposal including the landscaping proposal at the stages of subsequent s.16 planning application for each individual residential development and land

application and it shall not be construed that the schematic design as presently proposed in the subject application must be accepted or approved; and

- (c) it is noted that some GIC facilities for social welfare use and pedestrian footbridge are proposed by the applicant. Should there be any public facilities proposed within/associated with the residential development, requirement for provision of such public facilities will not be included in the land documents for the residential development if no relevant government bureau/department agree to take up the approving authority under lease.

## **Traffic**

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

- (a) the TIA report is found unacceptable as the feasibility of the traffic improvement measures are not established;
- (b) the proposed traffic improvement measures would affect the existing structures/features including but not limited to slope, nullah and subway which are currently maintained by relevant departments. As such, the report should contain detailed plans and description of the proposed road improvement and traffic management measures including preliminary feasibility assessment;
- (c) the road junction for Fo Tan Road/Slip Road of Tai Po Road (Sha Tin Section) southbound (i.e. Junction C) in Design Year 2037 will be operating over its capacity. However, the consultant advises that no traffic improvement measures would be proposed to restore its capacity due to site constraint. As such, the applicant should demonstrate that the Junction C is limited by serious site constraints (**Drawing Z-16**);
- (d) with implementation of traffic improvement measure, the road junction for Fo Tan Road/Shan Mei Street/Min Fong Street (i.e. Junction E) during morning peak hour in Design Year 2037 will still be operating over its capacity. The consultant advises that no further improvement could be proposed without land resumption. However, the proposed set-back at Min Fong Street would allow spaces for road widening and subsequent road improvement works at Junction E (**Drawing Z-17d**);
- (e) Based on Table 6.15 of the TIA Report, the proposed traffic improvement measures will be designed and constructed by the applicant of Phases Two and Three. However, the traffic improvement measures at Fo Tan Road/Tai Chung Road/Shan Tin Road (i.e. Junction A), Fo Tan Road/Yuen Wo Road (i.e. Junction B), Fo Tan Road/Lok King Street (i.e. Junction D) and Fo Tan Road/Shan Mei Street/Min Fong Street (i.e. Junction E) are situated outside the Site boundary (**Drawings Z-17a to Z-17d**); and
- (f) as prevailing loading/unloading activities are observed in Fo Tan Industrial Areas such as Au Pui Wan Street between Tsung Tau Ha Road and Wo Liu Hang Road (i.e. L22 and L23), the proposed site factor for the effect of loading/unloading activities in Phase One development is not sufficient to reflect the actual traffic conditions.

### **Water Supply**

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

- (a) he considers that the WSIA is not acceptable from water supply planning point of view;
- (b) the water demand arising from the proposed residential development is substantial and has a major impact on the existing water supply systems. It is anticipated that upgrading of the fresh and salt water supply systems are required to support the proposed residential development;
- (c) it is noted that the applicant adopts an assumption that the existing water consumption of the concerned sites and the water demand arising from the proposed residential development are similar and no mitigation measures on the water supply systems are proposed by the applicant. Subsequently, WSD has collected the actual water consumption figures at the concerned sites and found that the total actual water consumption is much less than the estimated water demand arising from the proposed development. As a result, the assumption taken by the applicant in the draft WSIA becomes invalid. Hence, the applicant should carry out another detailed WSIA with a hydraulic analysis on the fresh and salt water distribution systems to support their conclusion and recommendations, and propose some mitigation measures to address the impact of the proposed residential development on the existing fresh and salt water supply systems;
- (d) WSD has separately carried out a preliminary WSIA and the associated hydraulic analysis to assess the impact of the proposed residential development on the existing water supply systems. The findings indicate that the water demand arising from the proposed residential development would have significant impact on the existing distribution systems. In case no mitigation measures to be implemented, it is anticipated that water supply to the existing/planned consumers at Fo Tan area in particular the high level area will be seriously affected; and
- (e) tentatively, the required mitigation measures/upgrading works to serve the proposed residential development include but not limited to (a) laying of about 250m long DN600 fresh water main from the existing DN600 FW main near Fo Tan Village crossing the nullah to the existing DN600 FW main at Au Pui Wan Street near Fo Tan Station; and (b) laying of about 250m long DN150 salt water main from the existing DN375 SW main near Fo Tan Village crossing the nullah at Fo Tan to the existing DN150 SW main at Au Pui Wan Street. Since the required upgrading works is due to the rezoning request to serve the proposed residential development, it is considered that the upgrading works shall be implemented and funded by the applicant.

## **Urban Design and Landscape**

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

#### Urban Design, Visual and Air Ventilation

- (a) the Site occupies the eastern part of the FTIA, and is adjoining to a number of high-rise residential developments to the southeast, south and further southwest including Arles with maximum BH of about 163mPD, Yuk Wo Court with BH of 140mPD and a planned housing development at Shan Mei Street subject to a BH restriction of 140mPD, respectively. To the further east is the existing Fo Tan Station and high-rise residential development (i.e. The Palazzo and Jubilee Garden) with BHs ranging from about 126mPD to 157mPD. The Site is also sandwiched between two villages to the south and north, and flanked by other industrial buildings and Shatin Galleria in the FTIA with BHs ranging from about 35mPD to 123mPD to the west. The proposed development is considered not incompatible with the existing high-rise residential developments in the surrounding area;
- (b) according to the submitted VIA, the proposed development would cause some visual impacts on some selected public viewing points (VPs), but generally it would fit in with the existing urban landscape. According to the submitted AVA-EE, as compared to the Existing Scheme, the Design Scheme with increased BH would block a portion of incoming winds to its downwind areas, but would unlikely induce significant impact on the surrounding pedestrian wind environment with the proposed design features. The applicant has proposed various design measures such as stepped BH profile in a district scale to allow difference from the high-rise residential developments near Fo Tan Station, provision of two 15-m wide building separations, an integrated landscaped podium and walkway system, and buffer planting, etc., to alleviate the potential visual and/or air ventilation impacts and to enhance the overall quality of the proposed development;
- (c) consideration could be given to explore reducing the BHs of the residential towers on the southern and northern periphery to make appropriate response to the two villages; and
- (d) detailed comments are at **Appendix III**.

#### Landscape

- (e) based on the aerial photo of 2023, majority of the site is situated in an area of industrial urban landscape character, with minor portion in residential urban fringe landscape character surrounded by existing industrial and residential buildings, village houses, roads and vegetated areas. The proposed amendment is considered not incompatible with the surrounding environment;
- (f) with reference to Section 2 of the SPS, the site is mostly occupied by existing buildings and streets/roads (i.e. comprises 19 industrial buildings and an existing educational institution, substation, community/

recreational facilities, and minibus/ bus stops). According to LDP, a total of 165 trees of common species were identified within the application boundary, out of which 61 trees (including 60 trees in conflict with the JUC development, and 1 dead tree at the proposed residential development site) are proposed to be felled. Mitigation measures/ landscape treatments such as 60 new trees in standard size, landscape water features, community farm, recreation facilities and communal gardens, amenity planting and peripheral buffer planting are proposed;

- (g) open space within the site of not less than 1m<sup>2</sup> per person in accordance with the HKPSG requirements and minimum 30% of greenery provision are proposed by the applicant. Significant adverse impact on existing landscape resources arising from the proposed development is not anticipated; and
- (h) detailed comments are at **Appendix III**.

### **Environment**

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

##### EA

- (a) it is understood that the applicant proposes to gradually phase out the existing industrial uses and transform the east FTIA into a residential area with ancillary facilities. The applicant proposes to rezone the Site from “T” to “R(E)”, “G/IC”, “O” and areas shown as ‘Road’ on the approved Sha Tin OZP No. S/ST/38. The development time frame would be determined by individual developers, and the scenarios considered in the subject rezoning application are indicative only;
- (b) before the entire area is transformed into residential use, I/R interface problems may give rise to environmental issues during the interim stage. The future residential development may be subject to potential impacts from fixed noise, railway noise, road traffic noise, vehicular emission, chimney emission, etc. It is understood that ‘Flat’ use in the proposed “R(E)” zone requires planning permission under s.16 of the Town Planning Ordinance, and technical assessments (including Air Quality Impact Assessment, Noise Impact Assessment, Sewerage Impact Assessment and Land Contamination Assessment) would be required to demonstrate the environmental acceptability of the development and propose suitable mitigation measures to support the future s.16 application;
- (c) in view of the above, he has no in-principle objection to the application; and

##### SIA

- (d) he noted that sewerage upgrading works are still required and the upgraded sewerage system would have sufficient capacity to cater the sewage generated from the proposed development. In view of the above, he has no comment on the SIA.



### **Social Welfare**

#### 9.1.7 Comments of the Director of Social Welfare (DSW):

- (a) she has no adverse comment on the application from welfare services perspectives given the proposed development does not affect SWD's proposed welfare facilities; and
- (b) detailed comments are at **Appendix III**.

### **Fire Safety**

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

- (a) he has no specific comment on the application subject to water supplies for firefighting being provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon receipt of formal submission of Short Term Tenancy and Short Term Waiver, general building plans or referral of application via relevant licensing authority; and
- (b) furthermore, the EVA provision in the captioned work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by Buildings Authority.

### **Building Matters**

#### 9.1.9 Comments of Chief Building Surveyor/New Territories East (2) and Rail, Buildings Department (CBS/NTE(2)&R, BD):

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

### **Food and Environmental Hygiene**

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

- (a) he has no comment on the application;
- (b) detailed comments are at **Appendix III**;

### **Leisure and Cultural Services**

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

she has no particular comment on the application and no objection to applicant's revised plans on tree treatment. Every possible effort should be made to preserve the existing trees on site and minimise any adverse impact on them due to the project works. The project proponent/department shall refer to the prevailing guidelines on tree preservation such as "Guidelines on Tree Preservation during Development" promulgated by the Development

Bureau (DEVB) particularly the provision of Tree Protection Zone for the preserved trees for strict compliance.

### **Other Aspects**

#### 9.1.12 Comments of Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (a) he has no objection to the application from highways maintenance viewpoint; and
- (b) the Site includes public roads and footpaths being managed and maintained by Transport Department (TD) and HyD within the area. Should there be any change of management and maintenance responsibility on those public roads and footpaths, it should be ensured that TD has no objection to the proposed changes. HyD would only take up maintenance responsibility provided that the roads and footpaths are under management of TD.

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

- (a) he has no comment on the application from regulatory services perspective;
- (b) the Site is in the vicinity of electricity supply facilities of CLP Power (i.e. Fo Tan Substation). Early consultation with CLP Power is required to ensure that the proposed development/works would not affect the safe operation and maintenance of these electricity supply facilities.

#### 9.1.14 Comments of the Secretary for Education (SED):

- (a) she considers that it is not necessary to reserve school sites for the proposed development, having considered a basket of factors including the latest school-age population projections, projected demand for/supply of public sector school places in the district, availability of school sites already reserved and existing primary schools in the vicinity; and
- (b) there is currently a new 24-classroom primary school on Au Pui Wan Street, Fo Tan, under construction. It is expected that the project will be completed in 2024 for reprovisioning Po Leung Kuk Siu Hon Sum Primary School, which can also serve the proposed development in the long run.

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

- (a) Project Manager (North), Civil Engineering and Development Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Commissioner of Police;
- (d) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (e) District Officer (Sha Tin), Home Affairs Department; and
- (f) Director of Agriculture, Fisheries and Conservation

## 10. **Public Comments Received During Statutory Publication Periods**

- 10.1 On 19.11.2021, 28.1.2022, 8.4.2022, 10.6.2022, 4.11.2022, 10.3.2023, 2.6.2023, 4.8.2023, 13.10.2023, 15.12.2023, 1.3.2024, 10.5.2024, 19.7.2024, 4.10.2024, and 25.10.2024, the application and FIs were published for public inspection. During the statutory public inspection periods, a total of 447 public comments were received, including 102 supporting comments (**Appendix IVa**) from a member of Area Committee (Sha Tin Town Centre) and individuals; 174 objecting comments (**Appendix IVb**) from the chairman of Sha Tin Rural Committee, a member of Sha Tin District Council, an ex-member of Sha Tin District Council, Wo Liu Hang Small House Committee, Village Representative and Indigenous Inhabitant Representative of Pat Tsz Wo Village, the Incorporated Owners (IO) of the Palazzo, the chairlady of the IO of the Palazzo, the IO of Jubilee Garden, the chairperson of the IO of the Valiant Industrial Centre, the IO of Royal Ascot and individuals; 161 commenters providing views (**Appendix IVc**) from an ex-member of Area Committee (Sha Tin), Wo Liu Hang Small House Committee, the IO of the Palazzo, MTR Corporation Limited, Café de Coral Group Limited and individuals. Three comments from a member of Sha Tin District Council, Tao Heung Management Limited and an individual indicate no comment on the application, while five comments are not related to the proposed development and two comments without any content (**Appendix IVd**). Their major views are summarised as follows:

### Supporting Comments

- (a) proposed development parameters are considered appropriate and could improve living environment in the area, revitalize community and provide more community facilities by phasing out industrial uses in particular aging industrial buildings. Meanwhile, supporting infrastructures such as footbridge system connecting Fo Tan MTR Station and various residential developments, expansion of Fo Tan MTR Station and road improvement works are recommended;
- (b) increased supply of residential flats at territorial level as the industrial sector has declined and would gradually shift to northwest in Hong Kong. More residential area should be retained in Wah Wai Industrial Building as it is in close proximity to approved residential development near MTR Station; and
- (c) commercial development at the areas adjoining Fo Tan MTR Station should be encouraged in future;

### Objecting Comments

- (d) the scale of the proposed development is considered massive which should be reviewed. 2020 AA recommended that industrial areas including Fo Tan should be retained;
- (e) the proposed transformation of FTIA from a traditional industrial area to a residential area would further reduce the amount of available industrial floorspace which would have negative impacts on local economic development and accelerate decline of the industries such as cold storage, catering, warehousing, automotive repair services and retail. Development of Northern Metropolis is not yet mature taking up relocated industrial firms.

Concerning the employment of the existing factory workers, and reasonable alternative industrial site with high accessibility for all affected users should be considered;

- (f) the proposed development would induce adverse traffic impacts in the area. Existing traffic infrastructures including major road junctions and current public transport services in Fo Tan would be overloaded. The applicant has yet provided relevant assessment in support of the proposed development taking into account the operational capacity of the Fo Tan MTR Station. Enhancement of Fo Tan MTR Station is recommended;
- (g) since there is inadequacy of carparking spaces in Fo Tan, additional public carpark should be provided. Meanwhile, absence of a proper cycling and footpath network in Fo Tan would hinder pedestrian safety;
- (h) I/R interface would be worsened in the area. Adverse environmental issues including air and noise pollution, and visual impacts on the nearby residential areas during the construction and operational stages are anticipated, in particular the proposed development of residential tower No. 24 at the existing Tao Miao Institute (**Plan Z-2a**) given its proximity to adjoining high-rise residential developments, namely the Arles and Yuk Wo Court;
- (i) lack of communal and recreational facilities including shopping malls, market and open space to support the massive residential population;
- (j) the proposed development would affect the fung shui of existing villages, deprive the provision of open spaces and EVA of the villagers in Wo Liu Hang; and
- (k) lack of community engagement;

#### Providing Views

- (l) retail floorspaces in the proposed development should be increased from one storey to two storeys;
- (m) suitable design requirements should be incorporated in the proposed development to encourage innovative urban design and create pedestrian friendly environment;
- (n) grave concerns on possible worsening of the existing capacity of traffic infrastructures. The Government should formulate comprehensive plans of the traffic network and local public transport services in Fo Tan. Infrastructure improvement works including road widening and provision of 24-hour covered pedestrian walkway connecting Fo Tan MTR Station and various new residential developments should be undertaken. Expansion of Fo Tan MTR Station and provision of additional public carpark should also be considered;
- (o) the proposed development would lead to unbalanced industrial ecology in Fo Tan. The applicant shall revisit the scale of the proposed development taking into account demand of residential and industrial uses in Fo Tan. To secure local employment opportunities, relocation of industrial uses to the northwestern part in Fo Tan is recommended;

- (p) to amend definition of terms of ‘Industrial’ by allowing more innovation and technology, and commercial related uses in the industrial area;
- (q) the Site should be rezoned to “O” to compensate deficit of recreational facilities. Additional communal facilities, at-grade greenery, sports ground, and open spaces should be provided. A municipal services building, retail and commercial uses are suggested to be provided at STTL 4 or 221 given their high accessibility. Commercial developments could be centralised in the areas adjoining Fo Tan MTR Station;
- (r) the EA including a Railway Noise Impact Assessment submitted by the applicant underestimates the overall noise impact on the development sites. It is recommended to re-conduct the noise measurement at appropriate locations with a lower background noise level. Adequate sample size of train pass-by noise data should be obtained. Noise barrier near Yuk Wo Court and the Arles should be provided to alleviate noise impact to the surrounding; and
- (s) the area currently occupied by Tao Miao Institute is suitable for leisure purpose instead of residential development. It is also suggested that the existing restaurant in Tao Miao Institute should be retained.

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

### *The Proposal*

- 11.1 The application is for the rezoning of the Site from “T” to “R(E)” (54%) for proposed high-rise residential development in the east of FTIA to be implemented in three phases, subject to domestic PR of 5, non-domestic PR of 0.5 and BH restriction of 130mPD; from “T” to “G/IC” zone (9.7%) to include a planned JUC to be implemented by the Government on Shan Mei Street to the south of Fo Tan Road and to reflect the existing Wo Liu Hang RCP and public convenience and an electric substation to the north of Fo Tan Road; from “T” to “O” zone (5.3%) and to areas shown as ‘Road’ (31%) to reflect the as-built open spaces and road areas respectively (**Drawing Z-1**). Under the proposed “R(E)” zone (for open air development or building other than industrial or industrial-office building), ‘Flat’ and ‘House’ uses require planning permission from the Board. ‘Social Welfare Facility’ (except those on the lowest three floors or in the purpose-designed non-residential portion of an existing building) also requires planning permission from the Board. Provided that the social welfare facilities are required by the Government, they may be disregarded from PR calculation. Two building gaps with a width of 15m at STTL 4 and STTL 221 are restricted to a BH of 21mPD to facilitate air ventilation. A set of Notes for the “R(E)” zone proposed by the applicant is at **Appendix IIa**.
- 11.2 The applicant has submitted an indicative scheme comprising 24 residential towers (from 24 to 34 residential storeys) each on one-storey podium, one storey of residential lobby and landscaped area on the first floor (1/F), and two-storey basement carpark<sup>9</sup>, with a maximum domestic PR of 5 (GFA of about 265,817m<sup>2</sup>) and non-domestic PR of 0.5 (GFA of about 26,582m<sup>2</sup>) and a maximum BH of 130mPD (**Drawings Z-2a to Z-2d**) providing a total of 4,706 residential units.

<sup>9</sup> Except for residential towers at STTLs 62 to 64 which are over 3-storey basement with retail shop and carpark.

Premises-based GIC facilities for social welfare use (equivalent to about 5% of domestic GFA or about 10,420m<sup>2</sup>) are proposed at the ground floor of 10 private lots (i.e. STTLs 4, 17RP, 61 to 67 and 221). Retail facilities and residents' clubhouses are proposed on the ground floor with open spaces on the podium level and carpark at the two-storey basement<sup>10</sup> at each building within the site (**Drawings Z-3b to Z-5**). Two PTIs are proposed on the G/F at STTL4 (with taxi stand and GMB stop) and STTLs 62 to 64 (for bus stop) (**Drawings Z-18a and Z-18b**). An elevated landscaped deck with covered walkway and pedestrian footbridges as green landscape spine connecting Fo Tan MTR Station with the residential developments up to Tsung Tau Ha Road are also proposed (**Drawings Z-3a and Z-28**). To facilitate future road widening and/or street-level enhancement upon redevelopment to a residential neighbourhood within the Site, building setbacks of various widths from lot boundaries are also proposed (**Drawing Z-14**). The requirements of landscaped deck cum pedestrian connections and lot boundaries setback are proposed to be stipulated under the ES of OZP (**Appendix IIb**). According to the applicant, the proposed development will be gradually implemented in three phases by 2029, 2031 and 2034 respectively.

### *Proposed "R(E)" zone*

#### Supply of Industrial Floorspace

- 11.3 According to the 2020 AA, Fo Tan is a well-established industrial area and a major employment node which is identified as second largest industrial areas in terms of land area and the third largest in terms of total floor area in the territory. The report recommends that retaining the FTIA as "I" zone for industrial uses can sustain the local job centre and a variety of choice for the existing and new population. The proposed "R(E)" zone (about 5.31ha) covers 19 industrial buildings and an existing educational institution. Based on the findings of 2020 AA and the applicant's information, the Site accounts for 32.3% and 32.1% of industrial site area and total GFA of FTIA respectively. Thus, it is considered that approval of the application would result in significant reduction of industrial floorspace of the "I" zone in Fo Tan, and jeopardize the future supply of industrial floorspace in Sha Tin District and hence the territory. DG of TI has reservation on the application and considers that it will result in a further shortfall of industrial land and have impact on the existing operators with industrial activities in the area.

#### Land Use Compatibility

- 11.4 The Site is in the eastern part of FTIA adjacent to the existing high-rise high-density residential node near Fo Tan MTR Station to its east including the Arles, Yuk Wo Court, The Palazzo, Jubilee garden with PR from 4.2 to 6 and BH from 125mPD to 165mPD (**Plan Z-5**). The site for the proposed redevelopment of Sui Fai Factory Estate into public housing with PR 6.7 and BH 140mPD is located to its immediate south while low-rise low-density villages, i.e. Fo Tan Village and Pat Tsz Wo Village and Wo Liu Hang are located to its south and north respectively. High-density existing and planned subsidised-sale-flats/public housings including Chun Yeung Estate, Choi Wo Court and planned public housing site south of Wong Chuk Yeung Street are found at the north-western fringe of Fo Tan while medium-density housing developments are on the

<sup>10</sup> Except for residential towers at STTLs 62 to 64 which are over 3-storey basement with retail shop and carpark.

north-eastern and southern fringes of Fo Tan (**Plans Z-1 and Z-5**). Although there are existing industrial buildings to the west of the Site, wholesale redevelopment of the FTIA into residential development as proposed by the applicant may not be entirely incompatible with the overall setting of Fo Tan and may not generate significant incompatible I/R interface issues subject to the implementation of mitigation measures. In terms of development scale, the proposed 24-34 storeys residential development with domestic PR of 5 and non-domestic PR 0.5 are also considered not incompatible with the surrounding developments.

#### Visual, Air Ventilation and Landscape

- 11.5 The CTP/UD&L, PlanD considers that the proposed development is not incompatible with the existing high-rise residential developments in the surrounding area. While it would cause some visual impacts on some selected public viewing points, it would generally fit in with the existing urban landscape. For air ventilation, she considers the design scheme with increased BH would block a portion of incoming winds to its downwind areas, but would unlikely induce significant impact on the surrounding pedestrian wind environment with the proposed design features.
- 11.6 For landscape aspect, majority of the Site is situated in an area of industrial urban landscape character, with minor portion in residential urban fringe landscape character surrounded by existing industrial and residential buildings, village houses, roads and vegetated areas. She considers that the proposed development is considered not incompatible with the surrounding environment. Significant adverse impact on existing landscape resources arising from the proposed development is not anticipated.

#### Implementation Mechanism

- 11.7 The industrial buildings within the Site are under multiple ownership and the applicant suggests to develop the Site by three phases, with sites under single ownership to be developed as Phases One and Two and sites under multiple ownership to be developed as Phase Three (**Drawing Z-12**). However, as the applicant only owns one lot (i.e. Phase One) within the whole Site, the implementation prospect of Phases Two and Three into residential area under the proposed “R(E)” zone is in doubt. And there is no concrete workable mechanism proposed by the applicant to ensure the transformation of the whole Site into the proposed residential scheme including the proposed connected landscape deck and lot boundaries setbacks as well as the provision of social welfare and retail facilities. As the development of the private lots within the Site depends on the intention of individual owners, wholesale conversion of the Site into the residential scheme as proposed in the application may not be feasible. Notwithstanding, if the applicant intends to develop its own lot as Phase One into residential development only and the proposal is supported by relevant technical assessments which have demonstrated no insurmountable technical and I/R interface issues and are accepted by relevant government departments, consideration might be given on its individual merits.

#### Traffic

- 11.8 The C for T considers that the TIA submitted by the applicant is unacceptable mainly on the grounds that the feasibility of the traffic improvement measures are

not established; there are no detailed preliminary feasibility assessment for the proposed traffic improvement measures; there are no satisfactory traffic improvement measures for road junctions at Fo Tan Road/Slip Road of Tai Po Road (Sha Tin Section) southbound (i.e. Junction C) and Fo Tan Road/Shan Mei Street/Min Fong Street (i.e. Junction E); some traffic improvement measures to be designed and constructed under Phases Two and Three are outside the Site; and the proposed site factor for the effect of loading/unloading activities in Phase One development is not sufficient to reflect the actual traffic conditions. In view of C for T's comments, it is considered that the applicant fails to demonstrate that the proposed rezoning would not have adverse traffic impact to the surrounding areas.

#### Water Supply

- 11.9 On water supply aspect, CE/C, WSD considers that the applicant has not provided sufficient information to demonstrate the proposed residential development would not generate adverse impact on the existing water supply. He considers the WSIA is unacceptable that the assumption is invalid and no mitigation measures/upgrading works on the water supply systems are proposed and be implemented by the applicant.

#### Environment

- 11.10 DEP considers that prior to the entire area is transformed into residential use, I/R interface problems may give rise to environmental issues during the interim stage. DEP has no in-principle objection to the application given that 'Flat' use in the proposed "R(E)" zones requires planning permission under s.16 of the Town Planning Ordinance, and technical assessments would be required to demonstrate the environmental acceptability of the development with mitigation measures to support the future s.16 application.

#### Other Technical Aspects

- 11.11 Other concerned departments including CE/MS, DSD, D of FS, CBS/NTE(2)&R, BD, DSW, DFEH, CHE/NTE, HyD, DEMS, CA/ASC, ArchSD, PM(N), CEDD, C of P, DLCS and DO(ST), HAD have no objection to or no adverse comments on the rezoning application.

#### *Proposed "GIC" and "O" Zones and Areas Shown as 'Road'*

- 11.12 As regards the proposed rezoning of Fo Tan Substation, Wo Liu Hang PT and RCP from "T" to "G/IC" (**Drawings Z-1 and Plan Z-2b**), it should be noted that 'Public Utility Installation', 'Public Convenience', 'Government Refuse Collection Point' are always permitted under the "T" zone. Thus, there is no imminent need to rezone the above sites into "G/IC".
- 11.13 For the proposed rezoning of Wo Liu Hang Playground, Wo Liu Hang Rest Garden and Shan Mei Street Children's Playground from "T" to "O" and the existing road network from "T" to areas shown as 'Road' (**Plan Z-2b**), it should be noted that the above uses are also permitted on land falling within the boundaries of the OZP. In this regard, there is no strong justifications to rezone the above sites into "O" and areas shown as 'Road'.



- 11.14 The proposed “G/IC” zone at the southern portion of the Site to the south of Fo Tan Road has been rezoned from “I” to “G/IC” with a BH of 140mPD to facilitate the JUC to be implemented by the Government under the “Single Site, Multiple Uses” initiative. The applicant originally proposed a primary school at this site but subsequently amend the proposal by reflecting the planned JUC at the site.

#### *Public Comments*

- 11.15 Among the 447 public comments received, 102 of them support the application as the proposed development would address housing shortage and improve the living environment through redevelopment of the aging industrial buildings. 174 commenters oppose to the application on the grounds of anticipated adverse traffic, environment, visual, air quality and noise impacts, and reduction of industrial floorspace which would pose negative impacts on local economic development. 161 commenters provide views concerning infrastructural capacity, provision of communal facilities and relocation of industrial area in Fo Tan. In response to these public comments, comments of government bureau and departments as set out in paragraph 9 and the planning assessments above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department does not support the application for the following reasons:
- (a) the residential development is not in line with the ‘2020 Area Assessments of Industrial Land in the Territory’ which recommends that the Fo Tan Industrial Area should be retained as “Industrial” zone for industrial uses to sustain the local job centre and a variety of choice for the existing and new population. The current “Industrial” zone within the Site is considered appropriate to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries;
  - (b) as ‘Public Utility Installation’, ‘Public Convenience’ and ‘Government Refuse Collection Point’, provision of open space and road are always permitted under the “Industrial” zone, there is no strong justification to rezone the Site from “Industrial” to “Government, Institution or Community”, “Open Space” and areas shown as ‘Road’ to reflect the as-built facilities and road network; and
  - (c) the applicant fails to demonstrate that the proposed rezoning would not have adverse traffic and water supply impacts on the surrounding areas.
- 12.2 Alternatively, should the Committee decide to agree / partially agree to the subject application, PlanD will recommend zoning amendments to the OZP for the consideration of the Committee. The proposed amendments to the approved Sha Tin OZP No. S/ST/38, together with revised Notes and Explanatory Statement, will be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP.

### 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 to the application, Members are invited to advise what reasons for the decision should be given to the applicant.

### 14. **Attachments**

<b>Appendix I</b>	Application form received on 2.11.2021
<b>Appendix Ia</b>	Consolidated Supporting Planning Statement with Supplementary Information received on 5.12.2024 and 6.12.2024
<b>Appendix IIa</b>	Revised Notes for “R(E)” zone proposed by the applicant
<b>Appendix IIb</b>	Revised Explanatory Statement for “R(E)” zone proposed by the applicant
<b>Appendix III</b>	Detailed Departmental Comments
<b>Appendix IVa</b>	Supporting Comments
<b>Appendix IVb</b>	Objecting Comments
<b>Appendix IVc</b>	Providing Views
<b>Appendix IVd</b>	Other Comments
<b>Drawing Z-1</b>	Proposed amendment to the OZP
<b>Drawing Z-2a</b>	Indicative Master Layout Plan
<b>Drawings Z-2b to Z-2d</b>	Indicative Master Layout Floor Plans
<b>Drawing Z-3a</b>	Indicative Landscape Master Plan
<b>Drawings Z-3b to Z-3c</b>	Indicative Landscape Section Plans
<b>Drawings Z-4 to Z-5</b>	Schematic Section Plans
<b>Drawings Z-6 to Z-10</b>	Perspectives
<b>Drawing Z-11</b>	Phasing Plan
<b>Drawing Z-12</b>	Ownership Pattern
<b>Drawing Z-13</b>	Open Space Provision
<b>Drawing Z-14</b>	Proposed Building Setbacks and the Location of Layby
<b>Drawing Z-15</b>	Possible Zoning Arrangements in the Interim
<b>Drawing Z-16</b>	Area of Influence
<b>Drawings Z-17a to Z-17e</b>	Proposed Junction Improvement Works
<b>Drawings Z-18a to Z-18b</b>	Proposed PTIs
<b>Drawings Z-19 to Z-27</b>	Photomontages
<b>Drawing Z-28</b>	Urban Design Framework
<b>Drawing Z-29</b>	Tree Treatment Plan
<b>Drawing Z-30</b>	Compensatory Planting Plan
<b>Plan Z-1</b>	Location plan
<b>Plans Z-2a and Z-2b</b>	Site plans
<b>Plan Z-3</b>	Aerial photo
<b>Plans Z-4a to Z-4d</b>	Site photos
<b>Plan Z-5</b>	Site Context of Application Site and Fo Tan Area