

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

APPLICATION NO. Y/TM/28

- Applicants** : TM Properties Investment Limited and The Kowloon Motor Bus Company (1933) Limited represented by Llewelyn-Davies Hong Kong Ltd.
- Application Site** : Tuen Mun Town Lots (TMTLs) 79, 80 and 81 and adjoining Government Land (GL), Tuen Mun, New Territories
- Site Area** : About 37,230m² (including GL of about 16,882m² or 45.35%)
- Lease** : TMTL 79 held under New Grant No. 2167
TMTL 80 held under New Grant No. 2175
TMTL 81 held under New Grant No. 2179
(Restricted for industrial or godown purposes or both (excluding offensive trades) (for all three lots), and a maximum site coverage (SC) of 80% and a maximum plot ratio (PR) of 9.5 for building over 100 feet but not exceeding 120 feet (for TMTL 81 only))
- Plan** : Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/37 currently in force

Approved Tuen Mun OZP No. S/TM/35 at the time of submission (The zoning and development restrictions for the application site remain unchanged on the current OZP)
- Zonings** : “Comprehensive Development Area (1)” (“CDA(1)”) (about 41.8%)
(a) intended for residential use with provision of commercial, open space and supporting facilities
(b) a maximum domestic PR of 5 or a maximum non-domestic PR of 9.5¹ or the domestic and/or non-domestic PR of the existing building, whichever is the greater
(c) a maximum building height (BH) of 100mPD or the height of the existing building, whichever is the greater

“CDA(2)” (about 46.2%)
(a) intended for commercial uses with provision of supporting facilities

¹ For new development of a building that is partly domestic and partly non-domestic, the PR for the domestic part of the building shall not exceed the product of the difference between the maximum non-domestic PR of 9.5 and the actual non-domestic PR proposed for the building and the maximum domestic PR of 5 divided by the maximum non-domestic PR of 9.5.

- (b) a maximum PR of 9.5 or the PR of the existing building, whichever is the greater
- (c) a maximum BH of 100mPD or the height of the existing building, whichever is the greater

Area shown as 'Road' (about 12%)

**Proposed
Amendment**

: To rezone the application site from “CDA(1)”, “CDA(2)” and area shown as ‘Road’ to “Commercial(2)” (“C(2)”) subject to the following development restrictions:

- (a) a maximum PR of 9.5 or the PR of the existing building, whichever is the greater
- (b) a maximum BH of 140mPD (for TMTLs 79 and 80)/ 120mPD (for TMTL 81) or the height of the existing building, whichever is the greater
- (c) provision of transport lay-bys with additional gross floor area (GFA) of not less than 3,000m² (for TMTL 80)/ 2,000m² (for TMTL 81)
- (d) reprovision of a public vehicle park (PVP) of not less than 62 parking spaces (for TMTL 80)

1. The Proposal

- 1.1 The applicants propose to rezone the application site (the Site) (**Plans Z-1 and Z-2**) from “CDA(1)”², “CDA(2)”³ and area shown as ‘Road’⁴ to “C(2)” to facilitate a commercial hub development with shopping mall, office and other commercial uses, a kindergarten, a social welfare facility, a PVP, transport lay-bys and open space. The applicants propose to adopt the Schedule of Uses of “C” zone with amendments to the Column 2 uses by adding ‘Bus Depot’, ‘Industrial Use’, ‘Non-polluting Industrial Use’ and ‘Warehouse (excluding Dangerous Goods Godown)’ uses for “C(2)” zone only⁵ and development restrictions for “C(2)” zone including a maximum PR of 9.5, maximum BHs of 140mPD (for TMTLs 79 and 80) and 120mPD (for TMTL 81), provision of transport lay-bys with additional GFA of not less than 3,000m² (for TMTL 80) and 2,000m² (for TMTL 81) and reprovision of a PVP of not less than 62 parking spaces (for TMTL 80) in the ‘Remarks’. The applicants’ proposed amendments to the OZP and the Notes and Explanatory Statement for the “C(2)” zone are at **Drawing Z-1 and Appendix II**.

² Including TMTLs 79 & 80 and GL occupied by Kin Fung Circuit Public Toilet, a piece of vacant GL and a public road named Kin Fung Circuit.

³ Including TMTL 81 and GL occupied by sections of public roads named Kin Tai Street, Ho Tin Street and Kin Wing Street. TMTL 82 to the west of TMTL 81 within the same “CDA(2)” zone is not included under the current application.

⁴ Including a section of public road between TMTLs 80 and 81 named Tsun Wen Road.

⁵ All are existing uses at the Site and subsequent alterations/changes of these uses may be permitted with or without conditions on application to the Town Planning Board.

- 1.2 The Site is located at the fringe of Tuen Mun Industrial Area 9 within the core area of the Tuen Mun New Town adjoining the Tuen Ma Line Tuen Mun Station (TM Station). It is located to the west of Tuen Mun River Channel, the east of KMB Overhaul Centre, the south of Tsun Wen Road and East Asia Industrial Building, and the north of two industrial building at Kin Wing Street and two hotels at Kin Fung Circuit. TMTLs 79, 80 and 81 are currently occupied by/used as Crown Data Centre I, a logistics centre/godown and a bus depot respectively (**Plan Z-2**).
- 1.3 According to the applicants' indicative scheme, based on the Development Site area⁶ of the three lots and a maximum PR of 9.5 for the "C(2)" zone, a total commercial GFA of about 21,347m², 71,696m² and 100,263m² would be generated at TMTLs 79, 80 and 81 respectively. The proposed commercial development comprises three office towers of 22 to 30 storeys (including a refuge floor) over two to five-storey retail podia and four-storey basement carparks with BHs of 140mPD at TMTLs 79 and 80 and 120mPD at TMTL 81. A social welfare facility for a Multi-disciplinary Outreaching Support Team for the Elderly as requested by the Social Welfare Department (SWD) with a net operating floor area (NOFA) of 324m² (or a GFA of about 713m²)⁷ and a kindergarten with a GFA of about 1,000m² would be accommodated in the retail podium at TMTL 80. Two transport lay-bys for franchised bus, green minibus, coach/cross-boundary coach, private car and taxi with GFAs of not less than 3,000m² and 2,000m² would be provided at the G/F of the retail podia at TMTLs 80 and 81 respectively to cater for both local and cross-boundary transport demand generated by the proposed developments. The public toilet and a vacant GL reserved for the development of a pet garden to the north of TMTL 79 currently zoned "CDA(1)" within the Site will be retained in situ under the indicative scheme. The indicative Master Layout Plan (MLP), floor plans and section plans are at **Drawings Z-2 to Z-15**. The major development parameters of the indicative scheme are as follows:

Proposed Zoning Area	37,230m ² (about)
Development Site Area^(a)	20,348m ² (about)
TMTL 79	2,247m ² (about)
TMTL 80	7,547m ² (about)
TMTL 81	10,554m ² (about)
Commercial PR	Not more than 9.5
Commercial GFA^(b)	193,306m ² (about)
TMTL 79	21,347m ² (about)
TMTL 80	71,696m ² (about) (including 1,000m ² for kindergarten)
TMTL 81 ^(c)	100,263m ² (about)
Transport Lay-by GFA	5,000m ² (about)
TMTL 79	-

⁶ Development Sites include only TMTLs 79, 80 and 81 but exclude the public roads, GL occupied by Kin Fung Circuit Public Toilet and a piece of vacant GL within the Site which are not included for PR and GFA calculation.

⁷ The social welfare facility would be handed over to SWD upon completion and exempted from the total GFA calculation. The design and floor area of this facility is subject to further review and liaison with SWD at subsequent detailed design stage.

TMTL 80 TMTL 81	3,000m ² (about) 2,000m ² (about)			
SC Over 61m Over 24m but not exceeding 27m	62.5% (TMTL 79) Not more than 65% (TMTLs 80 & 81) 90% (TMTLs 79) Not more than 90% (TMTLs 79, 80 & 81)			
No. of Blocks	3 (one for each lot)			
BH	Not more than 140mPD (TMTLs 79 & 80) Not more than 120mPD (TMTL 81)			
No. of Storeys TMTL 79 TMTL 80 TMTL 81	32 + 4 basement levels 31 + 4 basement levels 27 + 4 basement levels			
Private Open Space	Not less than 3,440m ²			
GIC Facility	A social welfare facility for a Multi-disciplinary Outreaching Support Team for the Elderly (with GFA of about 713m ²)			
Target Completion Year^(d)	2028			
Ancillary Car Parking Spaces	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	<u>Total</u>
- Private Car	122	378	526	1026
- Motorcycle	13	38	53	104
Ancillary Loading/Unloading (L/UL) Bays	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	<u>Total</u>
- Heavy Goods Vehicle (HGV)	3	13	19	35
- Light Goods Vehicle (LGV)	6	24	34	64
- Coach	-	2	-	2
- Taxi/Private Car	-	3	4	7
Public Vehicle Parking Spaces^(e)	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	<u>Total</u>
- HGV	-	13	-	13
- Coach	-	4	-	4
- Motorcycle	-	45	-	45

(a) The area of TMTLs 79, 80 & 81 will be subject to site survey and detailed setting out at subsequent land grant stage

(b) Including 'Office', 'Shop and Services', 'Eating Place' and 'Place of Entertainment' uses, subject to detailed design; excluding the GFA for transport lay-bys

(c) Including GFA of the proposed retail link bridge connecting TMTLs 80 and 81 at 2/F to 4/F above Tsun Wen Road

(d) The applicants expect that TMTLs 80 and 81 (with land ownership secured by the applicants) would be completed by year 2028; whilst TMTL 79 (under third party ownership) is included for comprehensiveness of rezoning of the subject "CDA(1)" zone under the current application and is also assumed to be completed in year 2028 for technical assessment purpose

(e) The GFA of the PVP is about 4,000m² for re-provisioning of the public metered parking spaces currently at Kin Fung Circuit, and the applicants propose to exempt the underground PVP from PR/GFA calculation

Urban Design Features

- 1.4 Various urban design features are incorporated in the proposed indicative scheme. By introducing two different height bands of 140mPD and 120mPD within the Site, a stepped BH profile gradually descending from the focal point to the east of TM Station (i.e. Century Gateway and V City with BH of 156mPD) to Tuen Mun Industrial Area 9 located to the west of the Site (with a maximum BH of 100mPD) would be generated within the core area of Tuen Mun New Town (**Drawing Z-17 and Plan Z-5**). In order to improve air ventilation, sunlight penetration and visual permeability, with the relaxation of maximum BH from 100mPD to 140mPD/120mPD, one office tower with smaller building footprint is proposed at each of the three lots for creating more sizeable open spaces at podium roofs under the indicative scheme (**Drawing Z-19**).

Pedestrian Walkability and Connectivity (**Drawing Z-18**)

- 1.5 As indicated in the MLP of the indicative scheme (**Drawing Z-2**), the podia are purposely set back from the lot boundaries to form wider circulation spines along the public roads to promote a safer and more comfortable walking environment. These include the 4.5m setback abutting Kin Tai Street, 5m setback abutting Kin Wing Street, 3m setback abutting Kin Fung Circuit (southern section) and 7.5m setback abutting Ho Tin Street/King Fung Circuit (northern section). Particularly, the 7.5m setback along the northern boundary of the TMTLs 80 and 81 could open up more at-grade areas for urban furniture and landscape features to uplift the street-walking experience, and enhance the visual permeability from the riverfront to the inland at street level⁸ (**Drawing Z-16**).
- 1.6 Currently, a public road (eastern section of Kin Fung Circuit) with on-street public metered parking spaces is sandwiched between TMTL 80 and Tuen Mun River Channel. To promote a safer and walkable riverside environment, traffic calming measures at the eastern section of Kin Fung Circuit, reprovisioning of the existing public metered parking spaces to the basement carpark of the proposed development at TMTL 80, and refurbishment of the area with design measures such as repaving are proposed and would be implemented by the applicants⁹ (**Drawing Z-19**).
- 1.7 All-weather elevated connections to link up the Site with the surroundings are proposed under the indicative scheme. A link bridge connecting TMTLs 80 and 81 with commercial and retail uses is proposed across Tsun Wen Road (**Drawings Z-9 to Z-11**). A possible footbridge is also proposed at the retail podium of

⁸ The applicants will be responsible for the design, construction, management and maintenance of the proposed setback area.

⁹ The applicants propose that they will further explore other improvement proposals such as uplifting works at pedestrian crossing of Light Rail (LR) Ho Tin Stop, repaving the underbridge area of the vehicle bridge to TM Station, and provision of bicycle parking spaces and flexible seating/play equipment at the riverside; and work out with relevant parties the design, construction and management responsibility at subsequent detailed design stage (**Drawing Z-19**).

TMTL 80 connecting to the concourse or Exit F of TM Station to facilitate connection to the Mass Transit Railway (MTR) service (**Drawing Z-2**)¹⁰. Possible footbridge connections with the future surrounding developments are also incorporated in the proposed developments at TMTLs 80 and 81.

Vehicular Access and Transport Arrangement (Drawings Z-18 and Z-20)

- 1.8 For TMTL 79, the existing vehicular access at Kin Fung Circuit (northern section) would be maintained. For TMTL 80, the existing vehicular access at Kin Fung Circuit (southern section) would be relocated eastwards and operated as ingress while a new egress is proposed at Kin Fung Circuit (northern section) serving mainly the PVP and goods vehicles. In addition, ingress/egress to/from the basement carpark will be provided at the transport lay-bys along Tsun Wen Road. For TMTL 81, the vehicular access is proposed at Kin Tai Street (**Drawing Z-20**). In addition, in order to minimise the unnecessary detour for traffic between the development sites, underground vehicular connections are proposed to be provided between the basement levels of TMTLs 80 and 81.
- 1.9 To improve the pedestrian environment along Kin Fung Circuit and Tuen Mun River Channel and the traffic condition in the area, the following traffic improvement works are proposed under the indicative scheme and would be implemented by the applicants (**Drawing Z-20**):
- The eastern section of Kin Fung Circuit (east side of TMTL 80) would be narrowed down to 6m with traffic calming measure and remain as one-way northbound.
 - To minimise the traffic using the proposed traffic calming street, the northern section of Kin Fung Circuit is proposed to be converted into two-way operation so as to allow more direct access to TMTL 79 via the junction of Tsun Wen Road/Ho Tin Street/Kin Fung Circuit. A mini-roundabout at the eastern end of the northern section of Kin Fung Circuit would be provided for private car/taxi U-turn leaving this road section.
 - By setting back the proposed development at ground level at TMTL 81, an additional left-turn lane would be provided at Tsun Wen Road northbound to enhance junction capacity.
 - The southern section of Kin Fung Circuit and Kin Wing Street between Kin Tai Street and Tsun Wen Road would be widened to 13.5m. Three traffic lanes would be provided at Kin Wing Street eastbound to enhance the junction capacity of Tsun Wen Road/Kin Wing Street/Kin Fung Circuit.
 - The section of Kin Tai Street between Ho Tin Street and Kin Wing Street would be widened to 13.5m with two traffic lanes for southbound direction and one traffic lane for northbound direction.

¹⁰ The applicants will be responsible for the design, construction, management and maintenance of the possible footbridge (subject to agreement with the MTR Corporation Limited (MTRCL)), and it is proposed to be accessible by the public taking into consideration the opening hours of future retail mall at TMTL 80 and TM Station.

- Improvement works are also proposed at the junctions of Pui To Road/Tsun Wen Road and Tsun Wen Road/Tai Fong Street/Tsing Chun Koon Road to enhance junction capacity.

Open Space and Landscape Design

- 1.10 According to the indicative Landscape Master Plan (LMP) (**Drawing Z-19**), private open space of not less than 3,440m² (i.e. 0.5m² per worker) will be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and will be accessible by the public subject to the operation hours of the future retail malls. For the proposed private open spaces provided on the 5/F of the proposed developments at TMTL 80 and 81, they will be linked up by a connecting bridge. With provision of multiple vertical connections within the proposed developments, these private open spaces would be accessible by the public from street level. Moreover, various recessed levels on the podia are proposed to create an interesting building façade and provide landscaping and open area opportunities at lower levels. In particular, private open space would be formed along the eastern boundary at the G/F of TMTL 80 facing Kin Fung Circuit. Together with the proposed traffic calming measures to be implemented at Kin Fung Circuit (eastern section), it will provide a public realm for public enjoyment.
- 1.11 With reference to the tree treatment proposal of the indicative LMP, among the 39 existing street trees identified within the Site, seven trees are proposed to be retained and seven trees are proposed to be transplanted. For the remaining 25 trees proposed to be felled which are in direct conflict with the proposed run-in/run-out, they are not endangered tree species nor ‘Champion’ trees, and majority of them are growing in constrained tree pits in ‘fair’ to ‘poor’ health condition/form and with low amenity value. To enhance existing greenery, 150 new trees are proposed to be planted within the Site at street level and the proposed landscape podia (**Drawing Z-19**). No less than 20% of the total greenery area will be provided in accordance with the requirement of the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152.
- 1.12 In support of the application, the applicants have submitted the following documents:
- | | | |
|-----|--|-----------------------------------|
| (a) | Application form received on 16.2.2022 | (Appendix I) |
| (b) | Further Information (FI) received on 9.6.2023 (consolidated report) and 12.6.2023 (replacement pages) <i>[Exempted from publication and recounting requirements]</i> | (Appendices Ia & Ib) |
- (Supporting planning statement received on 16.2.2022 and FIs received on 22.4.2022, 30.6.2022, 13.9.2022, 21.10.2022, 30.12.2022, 7.2.2023, 3.3.2023, 3.5.2023 and 5.5.2023 were superseded and not attached)*

2. **Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the consolidated report and its replacement pages at **Appendices Ia and Ib**, which are summarised as follows:

In Line with the Business Decentralisation Trend in Post COVID-19 Period

- (a) The current application is in line with the global business decentralisation trend from traditional Central Business District (CBD) to new towns in the post COVID-19 period by contributing to a local business hub development with sufficient critical mass in Tuen Mun New Town. This addresses the businesses' desire for quality office space outside CBD with cheaper rents, and on the other hand, people's quest to work closer to homes.

Strategically Complements the Regional and Local District Development Context

- (b) Leveraging on Hong Kong's unique strength among the Greater Bay Area (GBA) cities as a global financial centre, with the opening of the Hong Kong-Zhuhai-Macao Bridge and Tuen Mun-Chek Lap Kok Link which strategically connect Tuen Mun with the western part of GBA and Hong Kong International Airport, it is expected that the Northwest New Territories (NWNT) in which the Site is located would enjoy seamless connections with the GBA cities which would lead to gradual gravitation of business development towards the western portion of Hong Kong. Under the Hong Kong 2030+ Final Report, the NWNT is also strategically planned as "Western Economic Corridor" to embrace the future economic opportunities from the GBA. Moreover, under the Northern Metropolis Development Strategy, New Territories North will be transformed into a metropolitan area for people to live in, work and travel. In this regard, the proposed commercial hub development which is located in the core area of Tuen Mun showcases the applicants' immediate responses to the latest strategic policy direction.
- (c) From local district context, the Government has been rezoning various sites from "Government, Institution or Community" ("G/IC"), "Green Belt" ("GB") and "Open Space" ("O") in Tuen Mun for residential uses since 2012. However, there is no corresponding increase in employment opportunities and economic land uses in Tuen Mun. The increased job opportunities by the proposed commercial hub development would help alleviate the uneven balance of working and living population in Tuen Mun and reduce the commuting need to metro areas for work, thereby improving the existing over-capacity transport network in Tuen Mun and Tuen Ma Line. The proposal is also in line with the government's intention of facilitating the transformation and progress of development of Tuen Mun New Town to be more self-sufficient.
- (d) The proposed developments would further reinforce the "Eastern Residential, Western Commercial" development pattern that can be observed in the town core of Tuen Mun. The western bank of Tuen Mun River is predominantly non-residential area with areas zoned as "Industrial" ("I"), "Other Specified Uses" annotated "Business" ("OU(B)") and "CDA" while the eastern bank of Tuen Mun River is an existing residential cluster with a large portion of area being zoned as "Residential (Group A)" ("R(A)"). Therefore, the primary planning intention of

the “CDA(1)” zoning for residential use at the western bank of Tuen Mun River is in fact not in harmony with the overall planning framework.

Serve as Catalyst to Upgrade the Tuen Mun Industrial Area

- (e) The applicants have studied the possibility to redevelop TMTL 80 for residential purpose to satisfy the current planning intention under “CDA(1)” zone since 2012. Despite various efforts, it is envisaged that the noise sources emitted from the nearby industrial activities have resulted in severe constraints for residential development. The current application for commercial hub development, which is less sensitive to noise emission comparing with residential development, would serve as a catalyst to transform the environment of Tuen Mun Industrial Area in a faster and practical manner.

People-centric Building Design Fostering Better Townscape, Connection and Open Space

- (f) Situated in a prime location of the Tuen Mun town core, the applicants has proposed a series of design measures aiming to foster a better overall townscape, re-establish the link between the main transport node with Tuen Mun Industrial Area, and create a boundaryless intergenerational and multi-dimensional open space. By increasing the maximum BH to 140mPD (for TMTLs 79 and 80) and 120mPD (for TMTL 81), a more visually appealing stepped height profile and smaller office tower footprints allowing more open space with themes targeting different users and building setbacks from roads could be achieved. With the proposed traffic calming measure and relocation of existing public metered parking spaces at Kin Fung Circuit, the area along the riverside would be uplifted to a more pedestrian-friendly environment with greater vibrancy. The proposed link bridge between TMTLs 80 and 81 and a possible footbridge connecting the retail podium of TMTL 80 and TM Station would further enhance the elevated pedestrian connection between the public transport node and the industrial area.

Sustainable in Technical and Infrastructural Terms

- (g) Various technical aspects including traffic, visual, air ventilation, environmental and infrastructure have been duly assessed and it is concluded that there would be no insurmountable problems due to the proposed rezoning scheme.
- (h) According to the Traffic Impact Assessment (TIA), with the implementation of the proposed traffic and pedestrian improvement measures as well as junction improvement works, all critical junctions would be operated in capacity in 2031 and the traffic impact imposed onto the local road network due to the proposed developments is considered acceptable from traffic point of view. The TIA also indicates that, in terms of implementation, all the development sites could be developed individually and be self-sustained in the traffic perspective.
- (i) According to the Visual Impact Assessment (VIA), the magnitude of visual change of the proposed developments as compared with the Baseline Scheme¹¹ at the

¹¹ For assessment purpose, a Baseline Scheme following the planned uses and development restrictions of the respective existing zonings on the OZP has been developed.

public viewpoints (VP) is only either negligible or slightly adverse (selected VPs at **Drawings Z-21 to Z-24**). With incorporation of suitable urban design treatments such as stepped BH, building separations, building setbacks, etc., the proposed developments are visually compatible with its surrounding developments which are characterised by high and medium-density developments.

- (j) According to the Air Ventilation Assessment (AVA), the proposed developments could create generally better wind performance at the pedestrian level of the area around the Site when compared with the Baseline Scheme¹¹. The AVA demonstrates that the proposed developments will perform no worse than the Baseline Scheme from air ventilation aspect.
- (k) According to the Environmental Assessment (EA) and Sewerage Impact Assessment (SIA), the proposed developments would not create adverse environmental and sewerage impacts. According to the Water Supply Impact Assessment (WSIA), the Tuen Mun North Fresh Water Service Reservoir, Tuen Mun North Salt Water Service Reservoir and existing water mains have adequate capacities to meet the water demand from the proposed developments.

Opportunities for the Development to be Implemented by Phases

- (l) The proposed “C(2)” zone allows greater flexibility to each single owner of TMTLs 79, 80 and 81 to develop their sites individually in accordance with their own programme. Since the previous bus depot at TMTL 80 has already been vacated, it could be implemented first to form the first part of the commercial hub development and act as a catalyst for revitalisation. Redevelopment of TMTL 81 will follow after relocation of the current bus depot. For TMTL 79, as it is still currently being used as a data centre, the lot owner could consider its redevelopment at a later stage in accordance with his own programme.

Better Utilisation of Land Resources

- (m) Due to the on-going operation of the bus overhaul centre at TMTL 82, the Site is subject to environmental nuisance, which makes residential development in near future unforeseeable. The current rezoning application can facilitate early development of the Site into a commercial hub in the Tuen Mun town core.

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

The applicants are only the “current land owners” of TMTLs 80 and 81 but have complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by taken reasonable steps to notify the land owner of TMTL 79 by publishing notices in local newspapers and posting notice in a prominent position on or near the Site. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPG PG-No. 31A are not applicable to the GL portion of the Site.

4. Background

- 4.1 The Site was zoned “I” since the first Tuen Mun OZP No. LTM/2 gazetted on 29.7.1983. In September 2010, the Planning Department (PlanD) completed the Area Assessment 2009 of Industrial Land in the Territory (Area Assessment 2009) which recommended, among others, some industrial sites (including the Site) in Tuen Mun Industrial Area 9 zoned “I” could be considered for rezoning to “CDA” zone for residential and commercial uses and “OU(B)”. On 17.9.2010, the Board endorsed in principle the recommendations of the Area Assessments 2009 as a broad basis for rezoning the industrial land to other uses. Subsequently, a land use review was undertaken which indicated that the land use proposal to transform the Site, among others, for residential and business uses could be supported, though detailed technical assessments on traffic impact and infrastructural capacities would be required.
- 4.2 On 24.2.2012, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the proposed amendments to the Tuen Mun OZP by rezoning the Site from “I” and “O” to “CDA(1)” (TMTLs 79 and 80) intended mainly for residential use, and from “I” to “CDA(2)” (TMTL 81) intended mainly for commercial uses¹².

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Application

There is no similar application for rezoning to “C” within the same “CDA(1)” and “CDA(2)” zones of the OZP.

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

7.1 The Site is:

- (a) located at the core area of Tuen Mun New Town adjacent to TM Station at the eastern fringe of Tuen Mun Industrial Area 9;
- (b) comprised of TMTLs 79, 80 and 81, GL and several public roads (Kin Fung Circuit in the east, northeast and southeast, a section of Kin Wing Street in the south, a section of Kin Tai Street in the west and a section of Ho Tin Street in the northwest). The district distributor of Tsun Wen Road runs through the Site in north-south direction; and

¹² TMTLs 81 and 82 were originally proposed to be rezoned to “OU(B)” in the Area Assessment 2009. However, the land use review indicated that the redevelopment of the area for commercial uses would need to incorporate certain urban design concept and address traffic and development phasing concerns. Therefore, the area was proposed to be rezoned from “I” to “CDA(2)” for commercial uses so that the redevelopment concerns could be addressed under the s.16 planning application mechanism.

- (c) currently occupied by Crown Data Centre I, a logistics centre/godown and a bus depot at TMTLs 79, 80 and 81 respectively. To the immediate north of TMTL79 is a public toilet and a vacant GL reserved for the development of a pet garden.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate east are public metered parking spaces, light rail tracks with LR Ho Tin Stop and a cycle track along Tuen Mun River Channel. To the further east over/along the Tuen Mun River Channel are TM Station and a comprehensive residential and retail development named Century Gateway and V City;
- (b) to the south and southwest across Kin Wing Street are some industrial developments (i.e. Gemmy Industrial Building, Tak Wing Industrial Building and Hang Wai Industrial Centre) zoned “OU(B)”, two hotel developments (i.e. Penta Hotel Hong Kong Tuen Mun and Hotel Cozi Resort) zoned “C(1)” and some government facilities including the Tuen Mun Police Station and Tuen Mun Divisional Fire Station;
- (c) to the west across Kin Tai Street is KMB Overhaul Centre (at TMTL 82) which falls within the same “CDA(2)” zone of TMTL 81;
- (d) to the north across Ho Tin Street and Tsun Wen Road are some industrial developments (i.e. Hoi Cheung Industrial Building, East Asia Industrial Building and Good Harvest Industrial Building) with a petrol filling station and recycling centre which are zoned “OU(B)”. Further to the north over the slope are the Baptist Wing Lung Secondary School and Tai Hing Gardens (**Plan Z-2 and Z-3**); and
- (e) the Tuen Mun Industrial Area where the Site is located is undergoing transformation with a number of planning applications for wholesale conversion of industrial buildings (IB) for commercial uses (such as office, shop and services and eating places) which have been approved by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) since 2011 (**Plan Z-5**).

8. **Planning Intention**

The “CDA(1)” zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of commercial, open space and other supporting facilities, if any, to serve the residential neighbourhood while the “CDA(2)” zone is intended for comprehensive development/redevelopment of the area for commercial uses with the provision of supporting facilities. The zonings are to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of industrial/residential interface problem and various environmental, traffic, infrastructure and other constraints.

9. Comments from Relevant Government Bureau and Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) The proposed commercial development (including the proposed vehicular access points) contravenes the existing lease conditions of TMTLs 79, 80 and 81.
- (b) The site area as quoted by the applicants is 37,230m² comprising 20,348m² of private land and 16,882m² of GL. The said areas have not been checked nor verified. There is no guarantee that the areas will be accepted. The applicants are reminded to provide lot boundaries plan prepared by an authorized land surveyor showing the area of the development sites in due course, especially when lease modification or land exchange application will be applied to LandsD for consideration.
- (c) The Site has included some public roads and GL. No consent has been given by his office to use the unallocated GL nor guarantee that approval will be given to use or develop the said land.
- (d) If approval is given to the proposal over the Site by the Board, the registered owners of the lots will need to apply to LandsD for a lease modification/land exchange for the development proposal. There is no guarantee that the application, if received by LandsD, will be approved and he reserves his comment on such. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that if the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, payment of premium and administrative fee as may be imposed by LandsD.
- (e) Notwithstanding the above, the Government reserves the right to take any lease enforcement or land control action as will be considered appropriate should any breach of lease conditions or unauthorised occupation of GL is detected.

Traffic

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

He has no adverse comment on the TIA report on the conditions that:

- (i) practical traffic control and management measures to address the potential queuing problem due to vehicles waiting for entering the car parks of the proposed developments shall be formulated and implemented by the applicants; and
- (ii) details of traffic and transport issues shall be further studied and formulated in the detailed design, including proper restriction/traffic control measures for the proposed traffic calming street, traffic arrangement of Kin Fung Circuit northern section, the feasibility of banning right-turn from Tsun Wen Road northbound into Kin Fung Circuit southern section, the use of ancillary parking spaces as public car parking spaces after office working hours, the details of the footbridge link between TMTLs 80 and 81 and TM Station and the improvement works for pedestrian crossing at LR Ho Tin Stop and staircase connecting TM Station, etc.

9.1.3 Comments of the Chief Engineer/Railway Development Division 2-1, Railway Development Office, Highways Department (CE/RD2-1, RDO, HyD):

- (a) Part of the works location of the subject planning application falls within the railway protection zone of existing Tuen Ma Line. As the operation of existing railway network is not under the jurisdiction of his office, the railway protection team of MTRCL should be consulted with respect to operation, maintenance and safety of the existing railway network.
- (b) He noted that a footbridge is proposed to connect with the existing TM Station. As the operation of existing railway network is not under the jurisdiction of his office, he is not in the position to provide comment for the proposed modification works at existing station. The project proponent should approach MTRCL for assessing the feasibility and seeking MTRCL's agreement.

9.1.4 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

He has no adverse comment on the application from highway maintenance viewpoint. His detailed comments are at **Appendix III**.

Urban Design and Visual

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

- (a) Located at the fringe of an industrial area in Tuen Mun New Town, the proposed BH restriction up to 140mPD is taller than the existing IBs to its north, south and west. Nonetheless, with reference to the proposed rezoning scheme, the proposed maximum BHs of 140mPD and 120mPD in the eastern and

western portions of the Site respectively are in line with the BH concept of Tuen Mun New Town which gradually descends from the highest height band of 156mPD in the central location of the Tuen Mun New Town adjoining the focal point at TM Station towards the industrial area which is mainly subject to a BH restriction of 100mPD on the OZP.

- (b) According to the VIA, the proposed developments would have slightly adverse visual impacts to the selected public viewing points (VPs). As compared with the Baseline Scheme, the proposed office towers with taller BHs in the proposed rezoning scheme would have smaller building footprints and thereby increasing the visual permeability of the proposed developments. Besides, the applicants have proposed a number of design features including stepped BH profile descending from the focal point at the TM Station towards the industrial area, about 7.5m-wide building setbacks along the northern boundaries of TMTLs 80 and 81 facing Ho Tin Street and Kin Fung Circuit, widening of pedestrian footpath (i.e. a 4.5m footpath setting back from the kerb side of the roads) and various recessed levels on the podium, etc.

Air Ventilation

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

An AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out for the Baseline Scheme and the proposed scheme for the Site. As set out in the AVA IS report, the mitigation measures including various setbacks from the lot boundaries have been incorporated in the proposed scheme with the aim to address the potential adverse air ventilation impact induced by the proposed developments on the surroundings. According to the simulation results, the performance of the proposed scheme on overall pedestrian wind environment are in general comparable with the Baseline Scheme under both annual and summer conditions. In view of the above, it is not anticipated that the proposal under the current application would generate any significant adverse impact on the pedestrian wind environment when compared with the Baseline Scheme. She has no comment on the AVA IS report.

Landscape

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

With reference to the tree treatment proposal, 39 existing street trees are identified within the Site while 25 of them are proposed to be felled and 150 new trees in total will be planted on street level and the proposed landscape podium. She has no adverse comment on the application from landscape planning perspective and her detailed comments are at **Appendix III**.

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

- (a) Should any trees under LCSD's maintenance be inevitably affected, the project proponent should provide a detailed and formal Tree Preservation and Removal Proposal (TPRP) according to the prevailing DEVB TC(W) No. 4/2020 "Tree Preservation".
- (b) In considering planting of roadside tree, sufficient space with clearance of overhead area should be provided.
- (c) The project proponent should also make reference to the prevailing Street Tree Selection Guide from the Greening, Landscape and Tree Management Section of the Development Bureau.

Environment

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

He has no objection in principle for rezoning the Site from "CDA" to "C".

Community Facilities

9.1.10 Comments of the Secretary for Education (SED):

She has no view on the planned provision of kindergarten (KGs) for commercial development. The applicants are advised to follow the prevailing HKPSG on the requirement of KG provision. The applicants should ascertain that the premises for the proposed KG can meet the various latest requirements laid down in the Education Ordinance, Education Regulations and relevant statutory requirements; and "Operation Manual for Pre-primary Institutions". Her detailed comments are at **Appendix III**.

9.1.11 Comments of the Director of Social Welfare (DSW):

The proposed provision of 713m² of GFA (i.e. a NOFA of about 324m²) for a Multi-disciplinary Outreaching Support Team for the Elderly is considered acceptable from service point of view.

Building Matters

9.1.12 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) In general, the Building Authority will consider the areas of underground car parking and L/UL provisions to be disregarded from GFA calculation on the basis of the criteria set out in PNAP APP-2. The proposed disregarding of public vehicle parking spaces from GFA calculation under the Buildings Ordinance (BO)

will be considered during building plan submission stage. Detailed comments under the BO will also be provided at the building plan submission stage.

- (b) Her detailed comments are at **Appendix III**.

Fire Safety

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

He has no specific comment on the application provided that water supplies for firefighting and fire service installations being provided to his satisfaction. His detailed comments are at **Appendix III**.

Drainage

9.1.14 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

He has no comments on the SIA submitted by the applicants and noted that the proposed upgrading works would be implemented by the applicants at their own cost.

Water Supply

9.1.15 Comments of the Chief Engineer/Development(2), Water Supplies Department (CE/Dev(2), WSD):

He has no objection to the application and his detailed comments are at **Appendix III**.

Other Aspects

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

He has no particular comment on the application from electricity supply safety aspect and his detailed comments are at **Appendix III**.

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

- (a) The Site overlaps with a GL allocated to the Food and Environmental Hygiene Department (GLA-YL-26) for a roll-call-point (Sub-office) and the Kin Fung Circuit Public Toilet. It is noted that the applicants propose to retain the public toilet in-situ. She has no adverse comment on retaining the public toilet in-situ, but would like to remark that:

- the neighbouring roll-call-point and space falling within GLA-YL 26 shall also be retained;
- pavement/walkway for public users to access the entrance of

- the public toilet concerned shall be retained; and
- access to the neighbouring roll-call-point shall not be affected or obstructed by the project.

(b) Her detailed comments are at **Appendix III**.

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

While he has no comment on the application, the proposed commercial development may have impact on the operation of the data centre at TMTL 79 and logistics centre/godown at TMTL 80. Views and needs of the parties concerned shall be taken into account when taking forward the proposal.

District Officer's Comments

9.1.19 Comments of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

- (a) In response to the Tuen Mun District Council's (TMDC) invitation, the applicants gave presentation and discussed with TMDC Members at its meeting on 16.5.2022. TMDC in-principle supported the rezoning application but expressed concerns on transport capacity of the area, possible environmental impact on the nearby residents during construction of the proposed developments, provision of community and car parking facilities within the proposed developments and future pedestrian connection to the TM Station; and requested the applicants to work with relevant government departments to come up with a feasible scheme to avoid impact on traffic.
- (b) Comments from the TMDC Members are detailed in the minutes of the TMDC meeting held on 16.5.2022 at **Appendix IV**.

9.2 The following government departments have no comment on the application:

- (a) Commissioner of Police (C of P);
- (b) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD); and
- (c) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD).

10. Public Comments Received During Statutory Publication Periods

10.1 The application and relevant FIs were published for public inspection on 4.3.2022, 6.5.2022, 15.7.2022, 23.9.2022, 4.11.2022, 13.1.2023, 10.3.2023 and 9.5.2023. During the statutory public inspection periods, a total of 116 public comments were received including 106 supporting the application/expressing positive comments (samples at **Appendices V-1 to V-6**), five raising objection (**Appendices V-7 to V-11**) and five providing other views (**Appendices V-12 to**

V-16). All comments were submitted by individuals except one objecting comment is from an occupier of a nearby IB named East Asia Industrial Building (**Appendix V-10**) and one comment providing views from the land owner of TMTL79 (**Appendix V-15**). A full set of the public comments is deposited at the meeting for Members' inspection.

Major Grounds for Supporting the Application

- (a) Industrial development in Hong Kong is declining and could not provide many job opportunities. The proposed commercial development with office and retail uses would provide more job opportunities for Tuen Mun and should be implemented as soon as possible.
- (b) The provision of more job opportunities and choices in Tuen Mun would reduce commuting to urban areas, thus help alleviate overloading the existing railway and road networks and the traffic congestion in the area. Reduction in commuting time would enhance the quality of life of local people. The reduced traffic would also improve air quality and the environment.
- (c) The proposed developments would serve as a catalyst for revitalising the old industrial area of Tuen Mun and will be a model for revitalisation.
- (d) The Site is suitable for commercial development as it is located close to TM Station.
- (e) The proposed developments would increase the supply of office spaces and provide large scale shopping mall with various shops and eating places to meet the demand of local residents and workers. This will stimulate local consumption and promote economic development.

Major Grounds for Objecting the Application

- (f) The Site involves a large amount of GL but no community service is proposed. The CDA zoning should be retained for ensuring the provision of GIC facilities. Although open space is proposed within the development, it is at high levels of the podium and commercial in nature.
- (g) The proposed developments would create adverse traffic, air quality and noise, visual, air ventilation and sunlight penetration impacts. Nearby walkways particularly Ho Tin Street may not be able to accommodate increased pedestrian flow and may cause pedestrian safety issue.
- (h) The proposed BHs of 120mPD and 140mPD are not compatible with the surrounding areas which are mainly with BH restrictions of 100mPD.
- (i) The bus depot building depicts the 1970s industrial development and history of bus transport in Hong Kong and its historical value should be assessed.

Major Views on the Application

- (j) Public viewpoint from the podium near the MTR station Exit F1 opposite to the

Site should be assessed in the VIA as it is a common public gathering area. As significant visual impact is anticipated, mitigation measures should be provided.

- (k) The applicants should ensure that the proposed green roof for the proposed footbridge connecting to TM Station would be implemented.
- (l) The Tuen Mun area is in lack of high quality shopping mall, ice skating ground and cinema.
- (m) The proposed developments should not exceed the maximum BH of 100mPD/120mPD to avoid adverse air quality/air ventilation/visual impacts. The facade of the proposed developments should not use reflective materials so as to avoid light pollution.
- (n) The owner of TMTL 79 commented that no written notification has been received from the applicants regarding the rezoning application and the lot would continue to be used as warehouse/goods storage centre. He suggested to rezone TMTL 79 to “OU(B)” under which warehouse, office, and shop and services are Column 1 uses. Building setback, street and footpath widening, footbridge connection to TM Station and relocation of the existing public metered parking spaces proposed under the current application are supported as these would improve vehicular and pedestrian circulation and enhance the street environment in the area.

11. Planning Considerations and Assessments

- 11.1 The application is for rezoning the Site from “CDA(1)” (mainly intended for residential development, 41.8%), “CDA(2)” (mainly intended for commercial development, 46.2%) and area shown as ‘Road’ (12%) (**Plans Z-1 and Z-2**) to “C(2)” to facilitate the development of a commercial hub with shopping malls, office and other commercial uses, a kindergarten, a social welfare facility, a PVP, transport lay-bys and open space at the core area of Tuen Mun New Town adjoining the TM Station. The applicants propose that the new “C(2)” zone be subject to a maximum PR of 9.5, maximum BHs of 140mPD (for TMTLs 79 and 80) and 120mPD (for TMTL 81), provision of transport lay-bys with additional GFA of not less than 3,000m² (for TMTL 80) and 2,000m² (for TMTL 81) and reprovision of a PVP of not less than 62 parking spaces (for TMTL 80). The proposed amendments to the OZP and the Notes and Explanatory Statement for the “C(2)” zone submitted by the applicants are at **Drawing Z-1 and Appendix II**.
- 11.2 According to the applicants’ indicative scheme (**Drawings Z-2 to Z-15**), based on the Development Site area of the three lots and a maximum PR of 9.5 for the proposed “C(2)” zone, a total commercial GFA of about 21,347m², 71,696m² and 100,263m² would be provided at TMTLs 79, 80 and 81 respectively. The proposed commercial hub development comprises three office towers of 22 to 30 storeys (including a refuge floor) over two to five-storey retail podia and four-storey basement car parks at each of the three lots. A social welfare facility, i.e. a Multi-disciplinary Outreaching Support Team for the Elderly as requested by SWD with a GFA of about 713m² and a kindergarten with GFA of about 1,000m² would be accommodated in the retail podium at TMTL 80. A retail bridge

connecting TMTLs 80 and 81 at 2/F to 4/F above Tsun Wen Road is proposed. Two transport lay-bys for franchised bus, green minibus, coach/ cross-boundary coach, private car and taxi would also be provided at the G/F of the retail podia at TMTL 80 and TMTL 81 respectively to cater for both local and cross-boundary transport demand generated by the proposed developments. The public roads, the public toilet and a vacant GL reserved for the development of a pet garden within the Site will be retained in situ under the indicative scheme.

Land Use Compatibility

11.3 The Site is located at the eastern fringe of the existing industrial area in Tuen Mun Area 9. For this industrial area, the existing land uses are predominantly industrial in nature¹³ with several actively in-use industrial buildings which have created environmental nuisance to the neighbourhood (such as KMB Overhaul Centre to the immediate west of the Site across Kin Tai Street). While some IBs have been converted to commercial/hotel developments recently and some have obtained planning permissions for hotel, office, shop and services and eating place uses and/or are in the pipeline to undergo conversion or redevelopment, they are all commercial in nature which help reinforced the overall land use context of the Tuen Mun New Town core area that the western side of Tuen Mun River Channel is predominantly non-domestic in nature while the eastern side is predominantly residential use (**Plan Z-5**). Given the above context, the proposed commercial hub development at the Site is considered not incompatible with the surrounding land uses.

Development Intensity and BH Profile

11.4 The proposed maximum non-domestic PR of 9.5 for the new “C(2)” zone is generally in line with the prevailing non-domestic PR restrictions for the “CDA(1)”, “CDA(2)”, “OU(B)” and “I” zones within the same industrial area. Regarding BH restrictions, two height bands of 120mPD and 140mPD are proposed under the “C(2)” zone which are taller than the existing IBs to its north, south and west. Nonetheless, with reference to the rezoning proposal, CTP/UD&L, PlanD considers that the proposed maximum BHs of 140mPD (for TMTLs 79 and 80) and 120mPD (for TMTL 81) in the eastern and western portions of the Site respectively are in line with the BH concept of the core area of Tuen Mun New Town which gradually descends from the highest height band of 156mPD adjoining the focal point at the TM Station towards the industrial area which is mainly subject to a BH restriction of 100mPD on the OZP (**Drawing Z-17 and Plan Z-6**). CA/CMD2, ArchSD also has no adverse comment on the application. Overall, the proposed PR and BHs are considered generally not incompatible with the existing and planned developments in the area.

Planning and Design Merits

11.5 Although the proposed scheme is indicative in nature and may be subject to change at the detailed design stage, the applicants have undertaken to provide a social welfare facility (i.e. Multi-disciplinary Outreaching Support Team for the

¹³ According to the Area Assessment 2020, the floor areas of the IBs in the “Industrial” (“I”) zone in Tuen Mun Industrial Areas 9 and 12 were predominated by warehouse/storage and manufacturing/workshop uses (about 73% of the GFA).

Elderly) with a NOFA of about 324m² (equivalent to GFA of about 713m²) in the retail podium of the proposed development at TMTL 80 as per the request of SWD. The applicants propose that the GFA dedicated for GIC facilities as requested by the government may be disregarded from PR calculation (**Appendix II**), which is generally in line with the prevailing practice. In this regard, DSW considered that the proposal is acceptable from service point of view.

- 11.6 A series of design merits and planning gains have been proposed by the applicants to build a pedestrian-friendly movement network and a “boundaryless” public realm. The applicants pledge to (i) provide a voluntary 7.5m-wide full-height setback along the northern boundary facing Ho Tin Street and Kin Fung Circuit for allowing wider space for urban furniture and landscape features and enhancing visual permeability; (ii) introduce traffic calming measure along Kin Fung Circuit and relocate the existing public metered parking spaces at Kin Fung Circuit to the proposed underground carpark at TMTL80 for uplifting the riverside environment; (iii) widen pedestrian footpaths by setting back the podia for a more comfortable and safe walking environment; and (iv) provide footbridge connection to TM Station for better linkage with the public transport node. With these proposed measures, pedestrian will have a more convenient, safe, direct and pleasant route to a number of major developments in the area including TM Station, V City (shopping mall), public transport interchange at V City and the inland industrial/commercial areas. Should the rezoning application be approved by the Committee, the aforementioned planning and design merits would be subject to further scrutiny at the subsequent detailed design and implementation stages.
- 11.7 According to the indicative LMP (**Drawing Z-19**), private open space of not less than 3,440m² at the podium and lower levels of the proposed developments will be provided for public enjoyment subject to the operation hours of the future retail malls. With provision of multiple vertical connections within the proposed developments, these private open spaces would be accessible by the public from street level. For the proposed private open spaces provided on the 5/F of the proposed developments at TMTLs 80 and 81, they will be linked up by a connecting bridge. Various recessed levels are also proposed to create an interesting building façade and provide landscaping and open area opportunities at lower levels. CTP/UD&L, PlanD has no adverse comment on the proposed scheme from landscape planning perspective.

Visual and Air Ventilation

- 11.8 According to the VIA, the proposed developments would have slightly adverse visual impacts to the selected public VPs. As compared with the Baseline Scheme (i.e. residential developments at TMTLs 79 and 80 and commercial development at TMTL 81 according to the development intensities of the original “CDA(1)” and “CDA(2)” zones), the proposed office towers with taller BHs in the proposed scheme would have smaller building footprints and thereby increasing the visual permeability of the proposed developments. The applicants have proposed a number of design features including stepped BH profile, 7.5m-wide building setback along the northern boundary of TMTLs 80 and 81, widening of pedestrian footpath and various recessed levels on the podium which can improve the overall visual amenity of the area. CTP/UD&L, PlanD has no adverse comment on the proposed scheme from visual perspective.

- 11.9 As set out in the AVA IS report, mitigation measures including various setbacks from the lot boundaries have been incorporated in the proposed scheme to address potential adverse air ventilation impact induced by the proposed developments on the surroundings. According to the simulation results, the performance of the proposed scheme on the overall pedestrian wind environment are in general comparable to the Baseline Scheme under both annual and summer conditions. It is not anticipated that the proposed developments would generate any significant adverse impact on the pedestrian wind environment when compared with the Baseline Scheme. CTP/UD&L, PlanD has no adverse comment on the application from air ventilation perspective.

Technical Feasibility

- 11.10 The applicants have proposed various traffic improvement proposals including road widening, junction improvement works and roundabout improvement works (as detailed in paragraphs 1.8 and 1.9 above) as part of the proposed development scheme. These would improve the traffic conditions in the area. A total of 1,026 private car parking spaces, 104 motorcycle parking spaces, 35 HGV parking spaces and 64 LGV parking spaces are proposed to serve the proposed developments. Two large transport lay-bys with GFA of not less than 3,000m² and 2,000m² are also proposed at the G/F of the proposed developments at TMTLs 80 and 81 respectively to cater for both local and cross-boundary transport demand. According to the TIA, with the implementation of the proposed traffic improvement measures, all critical junctions would be operated in capacity in 2031 and the traffic impact imposed onto the local road network due to the proposed developments is considered acceptable from traffic point of view. C for T has no adverse comment on the TIA as well as the proposed parking facilities, transport lay-bys and traffic improvement proposals.
- 11.11 The applicants have also submitted technical assessments including EA, SIA and WSIA in support of the application. According to the EA, although there are two active industrial chimneys within 200m of TMTL 81 and the Site is surrounded by roads classified as local or district distributors, sufficient buffer separation for future fresh air intake location of the proposed developments would be reserved to meet the requirement under the HKPSG to ensure no adverse air quality impact. The proposed commercial developments comprising retail and office uses equipped with central air conditioning is not noise sensitive so that environmental noise impact on the proposed development is not a concern. During construction stage of the proposed developments, relevant requirements of noise pollution and control ordinance/regulation will be observed and followed. According to the SIA, sewer upgrading works would be required to meet the needs of the proposed developments and the applicants have committed to construct all the necessary sewers to the development sites. In these regards, DEP, CE/MN of DSD and CE/Dev(2) of WSD have no adverse comments on the application.

Implementation

- 11.12 According to the applicants, they have studied the possibility to redevelop TMTL 80 for residential purpose to satisfy the current planning intention since 2012. Despite various efforts, it is envisaged that the noise sources emitted from the

nearby industrial activities (particularly the KMB Overhaul Centre in TMTL 82 to the west of TMTL 81) have resulted in severe constraints for residential developments. Also, the relocation programme of the bus overhaul centre in TMTL 82 is uncertain. With a view to allowing flexibility for phased development and accelerating the progress of development at the Site, rezoning the Site to “C(2)” for commercial development is considered more appropriate. As mentioned in paragraphs 11.3 and 11.4 above, the proposed land uses and development intensity are considered generally not incompatible with the surrounding land uses and developments. Under the “(C)2” zoning, the commercial hub development could be implemented by phases and without the requirement for submission of MLP. The technical assessments submitted by the applicants have demonstrated that the proposed commercial hub development at the Site is feasible and sustainable from technical and infrastructural terms. According to the TIA, all the development sites (i.e. TMTLs 79, 80 and 81) could be developed individually and be self-sustained from the traffic perspective. There would also be no industrial/residential interface issue under the proposed zoning. In view of the above, the proposed “C(2)” zoning is considered appropriate as it would facilitate early redevelopment of the Site and gradual revitalisation of the area.

Public Comments

- 11.13 TMDC’s views conveyed by DO/TM, HAD supporting the application are stated in paragraph 9.1.20. There are 116 public comments received during the statutory publication periods. Apart from five comments raising objections and five providing views, the remaining comments support the application/express positive comments as mentioned in paragraph 10 above. Regarding the comment on historical value of the bus depot building, it is neither declared monument, graded building, nor new item pending grading assessment by the Antiquities Advisory Board. In response to the public comment on the absence of a VP from TM Station Exit F1, a VP from this location which is a gathering and waiting place for travellers has subsequently been added and assessed in the VIA (**Drawing Z-25**). For the concern on possible light pollution, the applicants affirm that the use of non-reflective materials would be considered and adopted in the building design as far as possible. Regarding no written notification has been received by the owner of TMTL 79, the applicants have complied with the requirements as set out in the TPB PG-No.31A by taken reasonable steps to notify the land owner of TMTL 79 by publishing notices in local newspapers and posting notice in a prominent position on or near the Site. For the suggestion of rezoning TMTL 79 to “OU(B)” under which warehouse, office, and shop and services are Column 1 uses, one should note that these uses are currently under Column 2 of the “CDA(1)” zone but no action is required to make the existing use of any building conform to the prevailing zoning until there is a material change of use or the building is redeveloped. Under the applicants’ proposed amendments to the Schedule of Uses for the “C(2)” zone, ‘Office’ and ‘Shop and Services’ are Column 1 uses while ‘Warehouse (excluding Dangerous Goods Godown)’ is Column 2 use which may be permitted with or without conditions on application to the Board. For the other comments, the departmental comments and planning assessments in paragraphs 11.1 to 11.12 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 above and having taken into account the TMDC members' comments conveyed by DO(TM), HAD and public comments mentioned in paragraphs 9.1.19 and 10 respectively, the Planning Department has no in-principle objection to the application.
- 12.2 Should the Committee decide to agree/partially agree to the application, the relevant proposed amendments to the OZP, together with revised Notes and Explanatory Statement, will be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the OZP.
- 12.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

the current zonings are considered appropriate for comprehensive redevelopment of the area for residential and commercial uses with the provision of supporting facilities in a coordinated and integrated manner. The applicants fail to provide strong justifications for rezoning the Site from "CDA(1)", "CDA(2)" and area shown as 'Road' to "C(2)" for commercial development.

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 16.2.2022
Appendix Ia	FI received on 9.6.2023 (Consolidated Report)
Appendix Ib	FI received on 12.6.2023 (Replacement Pages)
Appendix II	Proposed Amendments to Notes and Explanatory Statement of the "C(2)" Zone
Appendix III	Detailed Departmental Comments
Appendix IV	Extract of Minutes of Tuen Mun District Council Meeting held on 16.5.2022
Appendices V-1 to V-16	Public Comments
Drawing Z-1	Proposed Amendments to the OZP
Drawing Z-2	Indicative Master Layout Plan
Drawings Z-3 to Z-13	Indicative Floor Plans
Drawings Z-14 and Z-15	Indicative Sections
Drawings Z-16	Proposed Setback
Drawings Z-17 and 18	Planning and Design Merits
Drawing Z-19	Indicative Landscape Master Plan
Drawing Z-20	Traffic Improvement Proposal

Drawings Z-21 to 25	Photomontages
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photos
Plans Z-4a to Z-4e	Site Photos
Plan Z-5	Approved Planning Applications for Commercial Developments in Tuen Mun Industrial Areas 9 and 12
Plan Z-6	Building Height Profile in the Vicinity of the Site

PLANNING DEPARTMENT
JUNE 2023