

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

APPLICATION NO. Y/YL/18

- Applicant** : Winpo Development Limited represented by Llewelyn-Davies Hong Kong Limited
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/25
- Site** : Lots 2281 S.A, 2282 RP, 2283 RP, 2960 RP and 2964 S.B in D.D. 120 and adjoining Government Land (GL), Yuen Long, New Territories
- Site Area** : About 7,304 m² (including GL of about 2,544 m² or 34.8%)
- Lease** : Block Government Lease (demised for agricultural use)
- Zoning** : “Other Specified Uses” annotated “Art Storage and Public Open Space” (“OU (AS and POS)”)
[restricted to a maximum gross floor area (GFA) of 12,694m² and a maximum building height (BH) of 23mPD; and the provision of public open space of not less than 590 m²]
- Proposed Amendment** : To rezone the application site from “OU (AS and POS)” to “Other Specified Uses” annotated “Private Subsidised Housing and Art Storage with Public Open Space” (“OU (PSH & AS with POS)”)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “OU (AS and POS)” to “OU (PSH & AS with POS)” on the OZP for the development of private subsidised housing (PSH) on the western portion of the Site while retaining the eastern portion for art storage with public open space (POS) as specified under the existing “OU(AS and POS)” zone (**Plans Z-1 to Z-4b**). For the proposed “OU (PSH & AS with POS)” zone, the proposed development restrictions include a maximum domestic plot ratio (PR) of 5 and a maximum BH of 25 storeys for the PSH portion; and a maximum GFA of 5,968m² and a maximum BH of 23mPD for the art storage cum public open space (AS cum POS) portion, with provision of POS area maintained at not less than 590m². The proposed set of Notes is at **Appendix II**.
- 1.2 The applicant has submitted an indicative scheme with development parameters to support the proposed rezoning. The Site is subject to a previous s.12A application (No. Y/YL/11) submitted by the same applicant for rezoning of the majority part of the Site from “O” to “OU (AS and POS)” to facilitate the development of a 3-storey art storage warehouse and provision of POS. Comparison between major

development parameters of the indicative scheme under Application No. Y/YL/11 and the current proposed scheme is summarised as follows:

Major Development Parameters	Indicative Scheme under Approved Application No. Y/YL/11	Indicative Scheme under Current Application No. Y/YL/18
Zoning Area:	About 6,096m ² (including 1,274m ² GL)	About 7,304m ² (including 2,544m ² GL)
Development Site Area:	About 5,302m ² (excluding POS and associated road works area)	
Tentative Completion Year:	2024	2028
For Private Subsidised Housing (PSH)		
Development Site Area (for PSH):	N/A	About 2,815.2m ²
Domestic PR:		Not more than 5
Domestic GFA:		About 14,076m ² ^[1]
Domestic Site Coverage (SC):		Not more than 33.33%
No. of Domestic Block(s):		1
BH of Domestic Block:		Not more than 25 storeys ^[2] (about 88mPD at main roof level)
No. of Residential Units:		About 312 ^[3]
For Art Storage cum Public Open Space (AS cum POS)		
Development Site Area (for AS cum POS):	About 5,302m ²	About 2,486.8m ²
Non-domestic PR:	About 2.4	Not more than 2.4
Non-domestic GFA:	12,694m ²	About 5,968m ²
No. of Non-domestic Block:	1	1
BH of Non-domestic Block:	3 storeys (about 22.2mPD at main roof level)	Not more than 3 storeys (not more than 23mPD at main roof level)
POS Area:	About 590m ²	

[1] The GFA of the clubhouse (not more than 5% of total residential GFA) shall be excluded and exempted from plot ratio calculation.

[2] Excluding 1 basement level for car park.

[3] The exact no. of units and flat size are subject to detailed design of flat mix and layout.

- 1.3 Two separate accesses are proposed to serve the PSH and AS cum POS portions, with buffer distance of over 30m between two accesses, at Lam Hi Road (**Drawing Z-1**). The associated road works are also proposed as shown on **Drawing Z-13**. The applicant estimates that the proposed PSH development would provide about 312 units to accommodate a population of about 811 persons. In order to minimise disturbance of the AS warehouse to the surroundings, it was undertaken by the applicant that access of goods vehicles would be regulated by appointments and

limited to one access per hour, with loading/unloading activities suspended during the morning peak (7:30am to 9:30am) and evening peak (5:00pm to 7:00pm). Provision of POS of not less than 590m², as stipulated on the Notes for “OU (AS and POS)” zone on the OZP currently in force, would still be provided in the proposed scheme. The layout plan, floor plans, section plans, landscape master plans, photomontages and traffic improvement plan of the indicative scheme submitted by the applicant are shown on **Drawings Z-1 to Z-13**.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 12.5.2022 **(Appendix I)**
- (b) Further Information (FI) received on 7.10.2022 enclosing a **(Appendix Ia)**
Consolidated Planning Report
(exempted from publication and recounting requirements)

[Supporting Planning Statement, Supplementary Information and FIs received on 30.6.2022, 13.7.2022, 5.8.2022 and 26.8.2022 were superseded and not attached]

1.5 On 9.9.2022, the Committee agreed to defer making decision on the application as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement at **Appendix Ia**. They can be summarised as follows:

In line with Government Policy on Meeting Housing Demand

- (a) The proposed PSH development provides around 312 units to increase housing supply, which resonates with the concluding remarks of the Task Force on Land Supply that no short-to-medium option should be given up, and is in line with the Government’s quest for land to meet the acute housing shortage.

First Not-For-Profit PSH project with Flexible Payment Arrangement

- (b) The proposed scheme is the first PSH project initiated by the not-for-profit social housing enterprise, New World Build for Good, with the aim to provide new, high quality and affordable flats sold at cost, with flexibility on payment arrangement to increase affordability of the flats. The proposed scheme will be an exemplar of private subsidised sale flats and would set a good precedent for more similar housing projects initiated by the private sector in the future to address Hong Kong’s housing problems.
- (c) As a new form of subsidised sale flat provided by the private sector, the proposed PSH development aims at complementing the Government’s efforts in enhancing the housing ladder, encouraging home ownership, and assisting first-time homebuyers who are Hong Kong residents aged between 25 to 45 to get onto the housing ladder and accumulate savings while comfortably living in a new home.
- (d) To increase affordability for homebuyers, a special “progressive payment” mortgage arrangement is proposed, with initial down payments as low as 5% of the flat prices

with the 45% loan at market mortgage rate, and the remaining 50% of the purchase price with a flexibility to pay in phases over a period of 10 years following the initial transactions.

“Single Site, Multiple Use” for Better Utilisation of Land

- (e) In response to the Government’s advocacy of “Single Site, Multiple Use” model, the Site would be better utilised to unleash development potential by maintaining a portion of the Site for the originally planned AS cum POS while developing PSH at the other portion so as to help achieving the housing targets and to meet the changing circumstances.
- (f) The applicant has been actively searching for suitable sites for PSH pilot scheme after the establishment of the not-for-profit social housing enterprise. By identifying alternative sites for art storage locally and in Mainland China, as well as optimisation of the current/planned art storage spaces, opportunities to condense the area of the art storage facility at the Site arise so as to free up a portion of the Site, which enjoys good accessibility and well-established neighbourhood, for development of affordable housing to meet the imminent needs.

Compatible Development Intensity with Planning and Design Merits

- (g) The proposed PSH development with a maximum domestic PR of 5 and BH of 25 storeys is considered compatible with the existing and planned developments in the surrounding area in terms of intensity and height, blending in well with the development context in the area. As compared to the development restriction for the “OU (AS and POS)” zone on the current OZP, the maximum GFA for art storage purpose is proposed to be reduced on a pro-rata basis given its reduced site area for that portion.
- (h) Consideration on the design of the proposed scheme has been made. The proposed development scale and design population would not overstrain the capacity of the existing environmental, traffic and infrastructural system capacities. Besides, tower orientation and disposition have also been carefully designed so as to minimise visual impacts and direct frontage to the nearby high-rise residential towers, as well as to maximise buffer distance to Yuen Long Highway.

Maintaining Original Provision of Public Open Space

- (i) The proposed open space provision (i.e. not less than 590m²) committed in the previously approved scheme, and as stipulated on the Notes for “OU (AS and POS)” zone on the OZP currently in force, would be maintained. The art-themed public open space will enhance the environmental quality of the community and assure implementation through private initiative in accordance with the planning intention.

Technical Feasibility

- (j) Comprehensive technical assessments on landscape, visual, traffic, environmental, engineering and air ventilation impacts of the proposed development have been duly considered. With various appropriate mitigation measures, there will be no adverse impact or insurmountable problems.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements under TPB PG-No. 31A are not applicable.

4. Background

Zoning History of the Site

- 4.1 The Site together with the strip of land of about 80m wide along the Yuen Long Highway was zoned “Open Space” (“O”) on the first draft Yuen Long OZP No. S/YL/1 gazetted on 12.4.1991. On 25.8.2017, the Committee partially agreed to a s.12A application (No. Y/YL/11) for rezoning majority portion of the Site from “O” to “OU (AS and POS)” while requested the Planning Department (PlanD) to review the zoning boundary and proposed Notes for the “OU (AS and POS)” zone. After review by PlanD to rationalise the associated zoning boundaries, the Committee agreed to the proposed amendment to rezone the entire Site from “O” to “OU (AS and POS)” on 8.1.2021.
- 4.2 Pursuant to the Committee’s decision, the entire Site was subsequently rezoned under the draft OZP No. S/YL/24 which was gazetted on 29.1.2021, approved by the Chief Executive in Council on 7.12.2021 and subsequently renumbered as S/YL/25. The zoning has since remained unchanged on the OZP.

Policy Initiatives of the Subsidised Sale Flat Development

- 4.3 As set out in the 2022 Policy Address, a new Pilot Scheme on Private Developer Participation in Subsidised Housing Development will be introduced to make use of markets forces and encourage the participation of private developers in building subsidised sales flats. From the next financial year, three sites will be put up for tender in batches for developers to build subsidised sale flats which will be sold to eligible persons at a specified discount rate from the market price. Under the pilot scheme, developers are also encouraged to apply for rezoning of their own private land for subsidised sale flat development.

5. Previous Application

The Site is subject to one previous s.12A application (No. Y/YL/11) submitted by the same applicant for rezoning of the majority part of the Site from “O” to “OU (AS and POS)” (**Plan Z-1**) to facilitate the development of a 3-storey art storage warehouse with a total GFA of about 12,694m² and provision of POS of about 590m². The Committee partially agreed to the rezoning proposal on 25.8.2017 as mentioned in paragraph 4.1 above, on the consideration that there is demand for art storage facilities in town and no development plan at the Site by the Leisure and Cultural Services Department (LCSD).

6. Similar Application

There is no similar s.12A application on the OZP.

7. The Site and Its Surrounding Areas (Plans Z-1 to A-4b)

7.1 The Site is:

- (a) currently occupied by some storage yards, ancillary office, parking of vehicles, vacant/unused land and a portion of Kung Um Road; and
- (b) accessible from Lam Hi Road leading from Kung Um Road. Lam Hi Road is a single track road with passing places for two-way traffic.

7.2 The surrounding areas have the following characteristics:

- (a) to its north across Lam Hi Road and a nullah is a medium-rise residential development namely Park Signature with a building height of 22 storeys over two levels of podium (81mPD) on land zoned “Residential (Group A) 1” (“R(A)1”)¹;
- (b) to its immediate east are a nullah and Kiu Hing Road;
- (c) to its immediate south is a metal workshop and warehouse. Yuen Long Highway is located to its further south; and
- (d) to its immediate west are some residential structures and an open storage yard.

8. Planning Intention

- 8.1 The planning intention of the “OU (AS and POS)” zone is primarily intended for art storage and provision of POS. No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 12,694m² and a maximum BH of 23mPD; and POS of not less than 590m² shall be provided.
- 8.2 The Explanatory Statement (ES) of the OZP also states that requirements for the provision of POS would be stipulated in the conditions of land lease as appropriate.

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 and the public comments, where relevant, are summarised as follows:

¹ The “R(A)1” zone is subject to a maximum domestic/non-domestic PR of 5/9.5 and a maximum BH of 25 storeys (excluding basement(s)).

Policy Aspect

9.1.1 Comments of the Secretary for Housing (S for H):

The Housing Bureau (HB) notes that the application aims to facilitate the development of PSH at the Site as proposed by the New World Build for Good, which is a not-for-profit social housing enterprise by the New World Development Company Limited. As stated in the planning statement, the proposed development can provide around 312 private subsidised sale units. If the proposal is materialised, it can unleash the development potential of the Site concerned; leverage on the private sector's capacity and resources to help increase the supply of subsidised housing in meeting the housing demand of the public; and provide an additional option for potential homebuyers. As set out in the 2022 Policy Address, a new pilot scheme will be introduced to encourage the participation of private developers in building subsidised sale flats; and developers are also encouraged to apply for rezoning of their own private land for subsidised sale flat development. Considering the latest policy and merits of the proposal as aforementioned, HB supports the application in principle and will continue to discuss with the applicant on the various development parameters of the PSH to be developed at the Site.

Land Administration

9.1.2 Comments of the Chief Estate Surveyor/Land Supply, Lands Department (CES/LS, LandsD):

- (a) The Site comprises five private lots namely Lot Nos. 2281 s.A, 2282 RP, 2283 RP, 2960 RP and 2964 s.B in D.D. 120, which are all old scheduled agricultural lots held under the Block Government Lease (the BGL), the adjoining GL and part of Lam Hi Road and Kung Um Road.
- (b) If the application is approved by the Board, the applicant will have to apply for a land exchange with necessary information for implementation of the proposed development. However, there is no guarantee that such application(s), with or without GL involved, would be approved by the Government and proceeded to documentation. The land exchange application upon receipt will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that 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, charging of premium and administrative fees.
- (c) If the Director of Electrical and Mechanical Services (DEMS) considers that the Quantitative Risk Assessment (QRA) requirement should be incorporated as one of the lease conditions for the applicant to follow, such arrangement would be further deliberated during the land exchange processing stage, subject to approval from the District Lands Conference.
- (d) Other detailed comments on the application are at **Appendix III**.

Traffic

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

Having regard to the revised Traffic Impact Assessment (TIA) with traffic improvement plan, she has no comment from the traffic engineering point of view. Other detailed comments on the application are at **Appendix III**.

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

He has no comment on the revised TIA from the highways maintenance point of view. Other detailed comments on the application are at **Appendix III**.

Environment

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

- (a) She has no objection to the application from air quality, noise, waste, land contamination and sewerage perspectives.
- (b) The applicant is reminded to implement the recommended environmental mitigation measures as indicated in the Environmental Assessment Report.

Fire Safety

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

He has no objection in principle to the application subject to water supplies for firefighting and fire service installations being provided to his satisfaction. Other detailed comments on the application are at **Appendix III**.

Water Supply

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

Having regard to the Water Supplies Impact Assessment (WSIA), he has no further comments. Other detailed comments on the application are at **Appendix III**.

Drainage

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

He has no comment on the application from public drainage point of view on the understanding that the proposed residential development, including site formation, drainage and sewerage works, etc., shall be submitted by the applicant separately for relevant authorities' approval.

Urban Design, Visual and Landscape

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

Based on the information provided, it is noted that the proposed development mainly consists of one block of art storage with BH of 3 storeys and one block of residential tower with BH of 25 storeys. Since the adjacent “R(A)1” developments with BH restriction of 25 storeys are permitted in the OZP, he has no comment from architectural and visual impact point of view.

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

Urban Design and Visual

- (a) The proposed maximum BH of 88mPD for PSH and maximum BH of 23mPD for the art storage warehouse are considered not incompatible with the residential developments in its north. The applicant has proposed a series of design measures, including setbacks along the site boundary, peripheral planting, green roofs, building separation, sensitive building orientation etc., to mitigate potential visual impact of the proposed development. Having reviewed the Visual Impact Assessment (VIA), she has no further comment.

Air Ventilation

- (b) According to the Air Ventilation Assessment (Expert Evaluation), the proposed scheme may result in more wind blockage impact to its downwind area (e.g. Park Signature, La Grove and Lam Hi Road) when compared to the Baseline Scheme (i.e. OZP compliance scheme). However, the proposed scheme has incorporated various mitigation measures including building setbacks, building separations and sensitive building orientation to minimise its potential air ventilation impact. Compared to the Baseline Scheme, it is anticipated that the proposed development would not generate significant adverse air ventilation impact on the overall pedestrian wind environment in the surroundings.

Landscape

- (c) According to aerial photo of 2021, the Site is occupied by existing temporary structures with an existing tree group at the north-western portion and some existing trees generally along northern and eastern boundaries. The Site is situated in an area of miscellaneous rural fringe landscape character predominated by shops and services, open carparks, village houses and residential buildings. The proposed development consists of one residential block of not more than 25 storeys (88mPD), one block of art storage of not more than 3 storeys (23mPD) and about 590m² POS. The proposed development is considered not incompatible with the landscape character of the surrounding environment.

- (d) Other detailed comments on the application are at **Appendix III**.

Building Matters

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

Detailed checking under the Buildings Ordinance will be carried out at building plan submission stage. Other detailed comments on the application are at **Appendix III**.

9.1.12 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

He has no adverse comment on the application. Other detailed comments on the application are at **Appendix III**.

Local Views

9.1.13 Comments of DO(YL), HAD:

Regarding the application, his office has not received any comment, from the village representatives in the vicinity.

Others

9.1.14 Comments of DEMS:

- (a) There is a high pressure town gas pipeline (HP pipeline) running along Yuen Long Highway in close vicinity of the Site. Increase in population brought in by the proposed development adjacent to the HP pipeline is significant. He has no comment on having a QRA to be conducted after rezoning by the project proponent to assess the potential risks associated with the HP pipeline, provided that the QRA report is in place and mitigation measures, if required, be incorporated in the layout plan of the proposed development before commencement of the construction.
- (b) Nevertheless, as a prudent approach, the QRA is recommended to be conducted as soon as practicable as it would assess the potential risks associated with the gas installations to the proposed development so that necessary gas safety measures could be identified and implemented at an earlier stage. Other detailed comments on the application are at **Appendix III**.

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

She has no in-principle objection to the rezoning application. As the Site will affect some roadside amenity areas under the jurisdiction of LCSD, the applicant should act in accordance with the prevailing and relevant guidelines and technical circulars; and seek prior consent from LCSD in early planning stage.

9.1.16 Comments of the Project Manager/West, Civil Engineering and Development Department (PM(W), CEDD):

Apart from the Hung Shui Kiu/Ha Tsuen New Development Area and Yuen Long South (YLS) Development, there are already numerous potential housing sites in Yuen Long being or to be studied shortly by CEDD. The accumulative capacity of various infrastructures, in particular, traffic, water supply and sewage treatment infrastructures, shall be carefully addressed and agreed by the relevant departments to confirm the technical feasibility of the development under this application. Other detailed comments on the application are at **Appendix III**.

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

It is understood that the applicant has already made uses of all available floor area and that no provision of welfare facilities would be available for the Social Welfare Department at the proposed development. In view of the above, he is not in a position to comment.

9.2 The following Government department has no comment on the application:

- (a) Commissioner of Police (C of P).

10. Public Comments Received During Statutory Publication Period

- 10.1 The application and relevant FIs were published for public inspection. During the statutory publication periods, a total of 239 public comments were received. Of which, 213 raised objection/expressed adverse comments, 8 supported the application/expressed positive comments and 18 provided views. A full set of public comments will be deposited at the meeting for Members' inspection.

Objections/Adverse Comments (213 Comments)

- 10.2 Objections/adverse comments were received from the Park Signature Owners Committee (**Appendix IV-1**) and individuals (extracted samples of similar natures are at **Appendices IV-2 to IV-8**). The salient issues of the objections/adverse comments are summarised as follows:

Adverse Traffic and Transport Impacts

- (a) The current traffic capacity of Shap Pat Heung Road, Kung Um Road and Kiu Hing Road has been overloaded with traffic jams often occur from 8 am to 7 pm daily. Further population increase due to the introduction of the proposed PSH without traffic improvement measures or road widening will impose extra burden to the overloaded traffic capacity. The congested traffic would block the way of fire engines and ambulances. Besides, impacts on existing road network may be anticipated due to overlapping of construction periods between the proposed development and the road widening works as proposed in YLS development. Provision of car parking spaces is also insufficient and public transport in the area is over-capacity. Introduction of more population into the area would worsen the issues.

Adverse Visual and Environmental Impacts

- (b) The south-facing view of nearby residential developments, Park Signature in particular, would be severely affected by the proposed PSH. During construction stage, noise and dust impacts that affecting the existing residents living in the vicinity are anticipated.

Compatibility Issues with the Surroundings

- (c) The proposed development is not compatible with the surrounding open storage sites and structures built with metal canopies as the existing structures. Storage uses would impose dangers to the residents of the proposed PSH as the storage sites may induce fire risk to the surroundings.

Other Issues

- (d) The Site was originally zoned “O” and formed part of an open space long-awaited by the Yuen Long residents. It is more appropriate to retain the Site for development of open space so as to improve living quality.
- (e) There are insufficient restaurants, supermarkets, convenience stores and other public utilities to cater for the basic needs of even the existing residents living in the vicinity.
- (f) The PSH block, together with existing high-rise developments taken into account, may introduce wall effect.
- (g) Approval of the application would set an undesirable precedent which would encourage further development in other “O” zones.
- (h) The developer, even claimed to be not-for-profit, would benefit its subsidiaries by bringing in lucrative profits with the use of its own management company and other service providers.

Supporting/Positive Comments (8 Comments)

- 10.3 Supporting/positive comments were received from the Yau Tsim Mong Youths Society and other individuals (extracted samples of similar natures are at **Appendices IV-9 to IV-11**). The major grounds of the supporting comments mainly include that the proposed development could help young family getting onto the housing ladder, create synergy with the YLS development and provide opportunities to upgrade the existing road network; subsidised housing development should be encouraged; and offering the improvement to the environment as compared to the current uses at the Site.

Providing Views (18 Comments)

- 10.4 There were a total of 18 comments providing views received from the Hong Kong and China Gas Company Limited (HKCGCL, **Appendix IV-12**) and individuals (**Appendices IV-13 to IV-15**). HKCGCL opined that the Site is in close vicinity to the existing high pressure gas pipeline along the Yuen Long Highway and thus the project proponent should conduct QRA to evaluate the potential risk and

determine/implement necessary mitigation measures if required. The individuals mainly concerned about the effect on the existing emergency vehicular access abutting the adjacent lots; effect on the access of heavy goods vehicles to the nearby metal warehouse which requires loading/unloading of metals; provision of supporting facilities such as municipal building, market, green space, pet garden and other facilities; blockage of roads for fire engines and potential flooding risks during construction stage; and the transparency and availability of publication materials for public inspection.

11. Planning Considerations and Assessments

- 11.1 The applicant proposes to rezone the Site from “OU (AS and POS)” to “OU (PSH & AS with POS)”, with a maximum domestic PR of 5 (excluding clubhouse) and a maximum BH of 25 storeys for the PSH portion; and a maximum non-domestic PR of 2.4, a maximum GFA of 5,968m², a maximum BH of 3 storeys (23mPD) and the provision of POS of not less than 590m² for the AS cum POS portion.

Policy Aspect

- 11.2 As set out in the 2022 Policy Address, a new pilot scheme will be introduced to encourage the participation of private developers in building subsidised sale flats. Developers are also encouraged to apply for rezoning of their own private land for subsidised sale flat development. The S for H supports the application in principle as it is in line with Government’s policy to leverage on private sector’s capacity and resources to help increase supply of subsidised housing in meeting the housing demand of the public. As compared to the intended development under the existing OU(AS and POS) zone, the introduction of PSH is beneficial to the society by increasing the supply of subsidised housing, providing an additional option for potential homebuyers, and enhancing the housing ladder.

Land Use Compatibility and Development Intensity

- 11.3 The Site was rezoned from “O” to “OU (AS and POS)” according to an approved s.12A application (No. Y/YL/11) for the development of a 3-storey art storage warehouse (BH at 22.2mPD) with a total GFA of about 12,694m² and a POS of about 590m². With the newly proposed PSH development at the western portion of the Site, the maximum GFA for art storage facility is proposed to be reduced on a pro-rata basis given its reduced site area for the AS cum POS portion, while the POS provision of not less than 590m² is retained. The proposed uses under the current application with PSH, art storage and POS are considered not incompatible with the surrounding land uses, which predominately comprise medium to high density residential developments and temporary uses.
- 11.4 The applicant has also proposed various measures in the VIA to mitigate the potential visual impact of the proposed PSH development, including setbacks, peripheral planting, green roofs, building separation and sensitive building orientation. Since the “R(A)1” zone to the north is subject to a maximum domestic/non-domestic PR of 5/9.5 and a maximum BH of 25 storeys, the proposed scale of PSH portion with domestic PR of 5 and BH of 25 storeys (about 88mPD), and art storage portion with BH of 3 storeys (about 23mPD), is considered not incompatible with the surroundings from urban design and visual perspectives. Furthermore, CTP/UD&L, PlanD considers that the proposed development is not incompatible with the

landscape character of the surrounding environment and would not generate significant adverse air ventilation impact on the overall pedestrian wind environment in the surroundings, while CA/CMD2, ArchSD also has no adverse comment on the proposed development.

Technical Aspects

- 11.5 The applicant has submitted technical assessments to demonstrate that the proposed rezoning is acceptable from traffic, environmental, drainage, sewerage, water supply, landscape and air ventilation perspectives. Relevant departments, including C for T, CHE/NTW, HyD, DEP, CE/MN, DSD, CE/C, WSD and CTP/UD&L, PlanD have no in-principle objection to/no adverse comments on the application. In particular, C for T has no adverse comment on the TIA and the proposed traffic improvement measures. Regarding the QRA to assess the potential risks associated with the HP pipeline running in close proximity, CES/LS, LandsD and DEMS have no adverse comment on having the QRA conducted by the project proponent after rezoning as a requirement under lease.

Proposed Zoning and Schedule of Uses

- 11.6 As mentioned in paragraph 11.1 above, the applicant proposes to rezone the Site from “OU (AS and POS)” to “OU (PSH & AS with POS)” covering two portions of the Site with the proposed Notes in **Appendix II**. However, it is anticipated that the PSH portion will be implemented under the latest Government policy as mentioned in paragraph 11.2 above and separated from the AS cum POS portion. As such, it is considered more appropriate to rezone the PSH portion to a residential zone, with stipulation of appropriate development restrictions (such as maximum PR and BH) at the OZP amendment stage for the consideration of the Committee, while the remaining portion would be retained for AS cum POS with stipulation of revised development restrictions and provision of POS.

Public Comments

- 11.7 There were 239 public comments received during the statutory publication periods as summarised in paragraph 10 above. The objections were mainly related to traffic, environmental, visual and air ventilation aspects, as well as open space provision, adequacy of supporting/retail facilities in the vicinity, and blockade of views of nearby existing residential developments. Regarding the open space provision, the Site is no longer zoned “O” as it was rezoned from “O” to “OU (AS and POS)” in 2021 as mentioned in paragraph 4 above. Moreover, the proposed POS provision within the Site is retained, and DLCS has no in-principle objection to this rezoning application. The planning considerations and assessments in paragraphs 11.1 to 11.7 are also relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10 above, 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 the revised Notes and ES, taking into

account the assessments in paragraph 11.6 above, will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance when opportunity arises.

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

- There is no strong planning justification to rezone the Site from "OU (AS and POS)" to "OU (PSH & AS with POS)" to make provision for inclusion of PSH development for residential use. The current "OU (AS and POS)" zone for the Site is considered appropriate.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.

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

14. Attachments

Appendix I	Application Form received on 12.5.2022
Appendix Ia	FI received on 7.10.2022
Appendix II	Proposed Notes of the "OU (PSH & AS with POS)" zone
Appendix III	Detailed Comments of Relevant Government Departments
Appendices IV-1 to IV-15	Public Comments
Drawing Z-1	Layout Plan
Drawings Z-2 to Z-5	Floor Plans
Drawings Z-6 and Z-7	Section Plans
Drawings Z-8 and Z-9	Landscape Master Plans
Drawings Z-10 to Z-12	Photomontages
Drawing Z-13	Traffic Improvement Plan
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4a and Z-4b	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2022**