

TOWN PLANNING BOARD

TPB Paper No. 10912
For Consideration by
The Town Planning Board on 21.7.2023

城市規劃委員會文件第10912號
供城市規劃委員會於2023年7月21日考慮

DRAFT TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/20
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TWW/20-R1 AND R2
AND COMMENTS NO. TPB/R/S/TWW/20-C1 TO C3

《荃灣西分區計劃大綱草圖編號S/TWW/20》
考慮申述編號 TPB/R/S/TWW/20-R1 至 R2
及意見編號 TPB/R/S/TWW/20-C1 至 C3

**DRAFT TSUEN WAN WEST OUTLINE ZONING PLAN NO. S/TWW/20
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TWW/20-R1 AND R2
AND COMMENTS NO. TPB/R/S/TWW/20-C1 TO C3**

Subject of Representations (Amendment Items)	Representers	Commenters
<p><u>Item A1</u> Rezoning of a site to the west of Rhine Garden in Sham Tseng from “Government, Institution or Community” (“G/IC”) to “Residential (Group A) 5” (“R(A)5”) with stipulation of building height restriction (BHR) of 80 metres above Principal Datum (mPD)</p> <p><u>Item A2</u> Rezoning of a strip of land abutting Castle Peak Road – Sham Tseng from “G/IC” to an area shown as ‘Road’</p> <p><u>Item B1</u> Rezoning of a site abutting the roundabout of Castle Peak Road – New Ting Kau from “Comprehensive Development Area (1)” (“CDA(1)”), “Green Belt” (“GB”) and an area shown as ‘Road’ to “Residential (Group B) 2” (“R(B)2”) with stipulation of BHR of 77mPD</p> <p><u>Item B2</u> Rezoning of an area abutting the roundabout of Castle Peak Road – New Ting Kau from “CDA(1)” to “GB”</p>	<p><u>Total: 2</u></p> <p><u>Oppose Items A1, A2, B1 and B2</u> R1: Individual</p> <p><u>Support Item B1</u> R2: Leverson Limited represented by Llewelyn-Davies Hong Kong Ltd.</p>	<p><u>Total: 3</u></p> <p><u>Oppose R1 in relation to Items A1 and A2</u> C1: Toco Planning Consultants Ltd. C2: Sham Tseng Chan Kee Roasted Goose Company Limited</p> <p><u>Provide View</u> C3 (also R1): Individual</p>

Note: The names of all representers and commenters are attached at **Annex III**. Soft copy of their submissions is sent to Town Planning Board (the Board) Members via electronic means; and is also available for public inspection at the Board’s website at https://www.info.gov.hk/tpb/en/plan_making/S_TWW_20.html and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copy is deposited at the Board’s Secretariat for Members’ inspection.

1. **INTRODUCTION**

- 1.1 On 16.12.2022, the draft Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/20 (the Plan) at **Annex I** was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments to the OZP and its Notes is at **Annex II** and the locations of the amendment items are shown on **Plans H-1a to H-1b**.
- 1.2 During the two-month statutory exhibition period, two representations were received. On 3.3.2023, the representations were published for three weeks for public comments. Upon expiry of the publication period, three comments on the representations were received.
- 1.3 On 16.6.2023, the Town Planning Board (the Board) agreed to consider all the representations and comments of the Plan collectively in one group.
- 1.4 This Paper is to provide the Board with information for consideration of the representations and comments. The lists of representers and commenters are at **Annex III**. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **BACKGROUND**

Items A1 and A2

- 2.1 The site had been zoned “G/IC” since 1989 and was previously reserved for an ambulance depot. The ambulance depot was subsequently built at another “G/IC” site at the junction of Tuen Mun Road and Castle Peak Road – Sham Tseng in 1997 and the site has not been earmarked for any Government, institution and community (GIC) facilities since then. The site is predominantly private land and occupied by Chan Kee Plaza with shop and services and eating place uses, which were approved under planning application Nos. A/TWW/96 and 120 in 2009 and 2020 respectively.
- 2.2 On 12.3.2021, the Metro Planning Committee (MPC) of the Board agreed to the application under section 12A of the Ordinance (s.12A application) No. Y/TWW/5¹ submitted by Sham Tseng Chan Kee Roasted Goose Company Limited to rezone a site (about 1,068m² including a piece of Government land (GL) of about 58m² as non-building area (NBA) for pedestrian circulation) (**Plan H-1a**) from “G/IC” to “R(A)5” for a proposed residential development² cum social welfare facilities (SWFs), i.e. a sub-base neighbourhood elderly centre, a 40-place day care centre for the elderly (DE) and one team of home care services for frail elderly persons. According to the indicative scheme submitted by the applicant under the agreed s.12A application, the site will be redeveloped into a

¹ The relevant MPC paper No. Y/TWW/5 is available at the Board’s website at https://www.info.gov.hk/tpb/en/meetings/MPC/Agenda/667_mpc_agenda.html.

² Under the s.12A application, the applicant proposed to rezone the areas under Items A1 and A2 from “G/IC” to “R(A)5”, with designation of a strip of GL along the eastern boundary (see non-private land area as shown on **Plan H-2b**) as NBA for pedestrian circulation.

21-storey building comprising 56 flats with retail and SWFs on lower floors (**Drawings H-1a to H-1c**). The proposed development has maximum domestic and non-domestic gross floor areas (GFAs) of 4,531m² and 988m² respectively, and a maximum building height (BH) of 80mPD.

- 2.3 In considering the s.12A application, the MPC suggested rationalising the proposed “R(A)5” zoning boundary so as to facilitate the widening of public footpath along Castle Peak Road – Sham Tseng for improvement of pedestrian environment and streetscape. To take forward the aforesaid suggestion and views of the Lands Department and the Transport Department, the proposed “R(A)5” zoning boundary was refined to swap a strip of private land along its southern boundary with the GL along the eastern boundary to enable widening of the footpath from a maximum of about 5m as originally proposed by the applicant to about 6.8m (as measured from kerbside of Castle Peak Road to the southern site boundary) (**Plan H-2b**). The net site area and parameters of the proposed development would remain the same as proposed under the s.12A application. As such, the site (about 1,010m²) was rezoned from “G/IC” to “R(A)5” (**Item A1**) with appropriate development restrictions on the OZP as stated in paragraph 4.1.3 below, and an area abutting Castle Peak Road (about 53m²) was rezoned from “G/IC” to an area shown as ‘Road’ (**Item A2**).

Items B1 and B2

- 2.4 On 2.6.2022, the MPC agreed to the s.12A application No. Y/TWW/7³ submitted by Levenson Limited to rezone a site (about 6,431m²) from “CDA(1)”, “GB” and an area shown as ‘Road’ to “R(B)2” for a proposed residential development with provision of SWF (i.e. a 60-place DE) through wholesale conversion of an existing hotel building on site (**Plan H-1b**). According to the indicative scheme submitted by the applicant under the agreed s.12A application, the proposed residential development through wholesale conversion has a maximum domestic GFA of not more than 29,400m² and a maximum BH of not more than 76.45mPD at main roof level, with no part of the structures exceeding 76.77mPD (**Drawings H-2a to H-2c**).
- 2.5 The site (about 6,460m²) was rezoned from “CDA(1)”, “GB” and ‘Road’ to “R(B)2” (**Item B1**) with appropriate development restrictions on the OZP as stated in paragraph 4.1.6 below and the remaining area of the original “CDA(1)” zone (about 131m²) outside the lot boundary was rezoned to “GB” to tally with the zoning of adjacent area (**Item B2**).

Amendments to the Notes of the OZP

- 2.6 In relation to the above amendment items, the Notes of the OZP were revised accordingly. The “CDA(1)” zone was deleted from the Notes of the OZP. Opportunity was also taken to incorporate other technical amendments into the Notes of the OZP for reflecting the latest revision of the Master Schedule of Notes to Statutory Plan.

³ The relevant MPC paper No. Y/TWW/7 is available at the Board’s website at https://www.info.gov.hk/tpb/en/meetings/MPC/Agenda/696_mpc_agenda.html.

The Draft OZP

- 2.7 On 25.11.2022, the MPC agreed that the above amendments to the approved Tsuen Wan West OZP No. S/TWW/19 were suitable for exhibition under section 5 of the Ordinance for public inspection. The relevant MPC Paper No. 14/22 is available at the Board's website⁴ and the extract of the minutes of the MPC meeting is at **Annex IV**. Subsequently, the draft Tsuen Wan West OZP No. S/TWW/20 was gazetted on 16.12.2022.

3. LOCAL CONSULTATION

During the processing of the respective s.12A applications relating to Items A and B, the applications were published for public comments in accordance with the provision of the Ordinance. The public comments on the applications were considered by the MPC on 12.3.2021 and 2.6.2022 respectively.

4. THE REPRESENTATION SITES AND THEIR SURROUNDING AREAS

4.1 The Representation Sites and their Surrounding Areas

Representation Sites under Items A1 and A2

- 4.1.1 Representation site under Item A1 (Item A1 site) (about 1,010m²) is zoned "R(A)5" for the proposed residential development cum SWFs. Item A1 site abuts Castle Peak Road – Sham Tseng and comprises predominantly a private lot owned by the applicant and a small strip of GL along the eastern boundary serving as circulation space. It is currently occupied by Chan Kee Plaza which consists of two buildings of one and two storeys for shop and services and eating place uses (**Plans H-2a, H-2c and H-2d**). To its immediate north at a raised platform with slope is Emmanuel Primary School. To its south across Castle Peak Road – Sham Tseng and immediate east are two high-rise residential developments, namely Bellagio and Rhine Garden respectively, with retail and GIC facilities at their non-domestic portions. To its immediate west is a telephone exchange building and to the further west are Chan Kee Commercial Building and Sham Tseng Village.
- 4.1.2 Representation site under Item A2 (about 53m²) is shown as 'Road' and is currently the southern strip of the private lot to be swapped with the aforesaid GL to facilitate the footpath widening of Castle Peak Road – Sham Tseng as mentioned in paragraph 2.3 above (**Plan H-2b**).
- 4.1.3 It is stipulated under the Notes that the development at Item A1 site is subject to a maximum domestic GFA of 4,531m², a maximum non-domestic GFA of 988m² and a maximum BH of 80mPD. In addition, a GFA of not less than 918m² for GIC facilities shall be provided and exempted from calculation of the aforesaid maximum GFAs.

⁴ The MPC Paper No. 14/22 is available at the Board's website at: <https://www.info.gov.hk/tpb/en/papers/papers.html>

Representation Sites under Items B1 and B2

- 4.1.4 Representation site under Item B1 (Item B1 site) (about 6,460m²) is zoned “R(B)2” for the proposed residential development with provision of SWF through wholesale conversion of the existing hotel building. Item B1 site is located on Ting Kau headland fronting the Rambler Channel and to the east of Ting Kau Bridge. It is accessible from an access road branching off from Castle Peak Road – Ting Kau and is currently occupied by a 15-storey hotel building, namely Royal View Hotel (**Plans H-3a to H-3c**). To the east and south are vegetated slopes (zoned “GB”), low-rise and low-density villa type developments (zoned “Residential (Group C)” (“R(C)”), Ting Kau Village and open spaces such as Ting Kau Beach and Ting Kau Sitting-out Area. Some low-rise and low-density residential developments under various “R(C)” sub-zones are located to the further northwest across Castle Peak Road – Ting Kau.
- 4.1.5 Representation site under Item B2 (about 131m²) is zoned “GB” and mainly a small piece of vegetated man-made slope outside the lot boundary.
- 4.1.6 It is stipulated under the Notes that the development at Item B1 site is subject to a maximum GFA of 29,400m² and no part of the structures shall exceed the maximum BH of 77mPD. In addition, a GFA of not less than 760m² for GIC facilities shall be provided and exempted from calculation of the aforesaid maximum GFA.
- 4.1.7 The requirement of a layout plan submission is also stipulated under the Notes to address the potential air quality and road traffic noise impacts upon new development or redevelopment of the existing building. The submission should include information on (i) the proposed land use(s), the form, disposition and heights of all buildings/structures erected on the site; (ii) the proposed GFA of various uses and facilities; (iii) an environmental assessment report and (iv) such other information as may be required by the Board.

4.2 Planning Intentions

The planning intentions of the zones in relation to the above representation sites are as follows:

- (a) The “R(A)” zone under Item A1 is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- (b) Area shown as ‘Road’ under Item A2 mainly depicts the area reserved for road purpose.
- (c) The “R(B)” zone under Item B1 is intended primarily for medium-density residential developments where commercial uses serving the residential

neighbourhood may be permitted on application to the Board.

- (d) The “GB” zone under Item B2 is intended primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.

5. THE REPRESENTATIONS

5.1 Subject of Representations

5.1.1 There are a total of 2 representations. **R1** submitted by an individual opposed all amendment items, and **R2** submitted by Leverson Limited (i.e. the owner of the private lot under Item B1) supported Item B1.

5.1.2 The major grounds and views of the representations and PlanD’s responses, in consultation with the relevant Government bureaux/departments (B/Ds), are summarised in paragraphs 5.2 to 5.3 below.

5.2 Supportive Representation

5.2.1 Item B1

Major Views	Representation
The zoning and development restrictions of the “R(B)2” zone are in line with the concerned approved s.12A application. The residential zoning of the site would expedite housing supply and meet the acute demand for private housing.	R2
PlanD’s Responses	
The supportive views are noted.	

5.3 Adverse Representation

5.3.1 Items A1 and A2

Major Grounds / Views	Representation
(1) Sham Tseng is situated in a relatively isolated location with no MTR services. There is urgent need for the provision of easily accessible GIC facilities, in particular residential care home for the elderly (RCHE), instead of private housing units.	R1
(2) It is considered that the site might be suitable for standalone GIC facilities. There is also a concern on whether the provision of GIC could be guaranteed.	

PlanD's Responses

In response to (1) above:

- (a) The provision of major GIC facilities except primary school, secondary school, hospital beds, child care centre, community care services, RCHE, pre-school rehabilitation services, day rehabilitation services and residential care services, are generally adequate to meet the demand in the Tsuen Wan West Planning Area in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) and assessments of relevant B/Ds in the Tsuen Wan West Planning Area (**Annex V**). In respect of RCHE in particular, there are surplus in the provision of RCHE in Tsuen Wan Planning Area and the demand in the Sham Tseng area can be met by the district provision. As the site is relatively small, it is not suitable for provision of hospital and school, the demand of which will be met by the provision in wider district. The overall provision of GIC facilities will be closely monitored by relevant B/Ds.
- (b) Regarding the deficits in some elderly, child care, community care and rehabilitation services/facilities, the standards set for these services/facilities are a long-term goal and the actual provision would be subject to the consideration of the Social Welfare Department (SWD) in the planning and development process as appropriate. SWD has all along been adopting a multi-pronged approach with long-, medium- and short-term strategies and maintaining a close contact with relevant departments to identify suitable sites or premises in different types of development projects for the provision of welfare facilities to meet the needs of the community. Apart from making reference to HKPSG, SWD has given due regard to various factors such as location, accessibility, available floor area, height restrictions of some welfare facilities, barrier-free facilities, surrounding environment, supply and demand for services in the local community, etc. for the provision of welfare facilities in the vicinity.

In response to (2) above:

- (a) The site is located in Sham Tseng which is a well-established residential area with commercial/retail facilities and GIC uses. It is currently occupied by shop and services and eating place uses covered by approved planning applications. The proposed residential development with retail and GIC facilities on the site is considered not incompatible with the surrounding land uses.
- (b) The site is predominantly occupied by private lot (95%) and small in size. Premise-based SWFs of not less than 918m² i.e. about 20% of the maximum domestic GFA of the proposed development, including a sub-base neighbourhood elderly centre, a 40-place DE and one team of home care services for frail elderly persons, are considered acceptable by SWD. While the site is not earmarked for any specific GIC uses, provision of the aforesaid SWFs could be expedited as part of the proposed residential development.

- (c) The requirement for GIC facilities of not less than 918m² in GFA has been stipulated under the Notes of the OZP. As advised by SWD, the proposed SWFs should be provided as an integral part of the development and will be assigned back to the Financial Secretary Incorporated as a Government Accommodation which would be specified under lease through future land exchange of the site.

5.3.2 Items B1 and B2

Major Grounds / Views	Representation
The rezoning and proposed wholesale conversion would affect hotel room supply. The provision of hotel rooms in various districts of Hong Kong is essential to cater for the needs of a diverse community and visitors.	R1
PlanD's Responses	
<p>(a) As advised by the Commissioner for Tourism, although it is envisaged there will be increasing demand for hotel rooms in anticipation of further recovery of inbound tourism in time, there may be other demands for land such as housing needs. Hotel operation is a matter of commercial decision and hence it would be up to hotel owners/ operators to decide whether or not to continue their business.</p> <p>(b) The supply of hotel rooms is considered to be market driven and there is a number of existing/planned hotels in Tsuen Wan and its vicinity to meet the demand. Further, flexibility has been allowed in the Notes of the Tsuen Wan and Tsuen Wan West OZPs to cater for hotel development under various zonings, i.e. 'Hotel' may be permitted upon application to the Board in "R(A)", "R(B)", "R(C)" and "Residential (Group E)" zones on both OZPs; and is always permitted in "Commercial" and "Other Specified Uses" ("OU") annotated "Commercial and Residential Development" zones, and may be permitted upon application to the Board in various "CDA" and "OU" zones on the Tsuen Wan OZP.</p> <p>(c) The site is located in the area of residential urban fringe character with clusters of low-density residential developments and hence is suitable for the proposed residential development with GIC facilities.</p>	

6. COMMENTS ON REPRESENTATIONS

- 6.1 Three comments on representations from Toco Planning Consultants Limited (C1), Sham Tseng Chan Kee Roasted Goose Company Limited (C2, i.e. the owner of the private lot under Item A1) and an individual (C3, also R1) were received.
- 6.2 **C1 and C2** objected to R1 in relation to Items A1 and A2 and their views are summarised in the table below:

Major Grounds	Comment
<p>(1) The proposed residential development is in line with the Government’s policy for enhancing housing land supply and the site has not been reserved for any GIC uses since 1997.</p> <p>(2) The site is a private lot with a relatively small site area. Developing the site for stand-alone GIC facilities is not preferred. Rezoning of the site to facilitate a residential development cum GIC facilities could achieve better site utilisation with gainful use.</p>	C1 and C2
PlanD’s Responses	
The views in support of Items A1 and A2 are noted. Responses to R1 on Items A1 and A2 are provided in paragraph 5.3.1 above.	

6.3 **C3** reiterated her views as stated in paragraph 5.3 above, and the corresponding responses are relevant.

7. **DEPARTMENTAL CONSULTATION**

7.1 The following B/Ds have been consulted and their comments have been incorporated in the above paragraphs where appropriate:

- (a) Secretary for Education;
- (b) Director of Environmental Protection;
- (c) Director of Fire Services;
- (d) Director of Social Welfare;
- (e) Commissioner for Transport;
- (f) Commissioner for Tourism;
- (g) Commissioner of Police;
- (h) Head of Antiquities and Monuments Office;
- (i) District Officer (Tsuen Wan), Home Affairs Department;
- (j) Chief Architect/Central Management Division 2, Architectural Services Department;
- (k) Chief Building Surveyor/New Territories West, Buildings Department;
- (l) Chief Engineer/Mainland South, Drainage Services Department;
- (m) Chief Town Planner/Urban Design & Landscape, PlanD;
- (n) District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department;
- (o) Chief Highway Engineer/New Territories West, Highways Department;
- (p) Head of Geotechnical Engineering Office, Civil Engineering and Development (CEDD);
- (q) Project Manager/West, CEDD; and
- (r) Chief Engineer/Construction, Water Supplies Department.

8. PLANNING DEPARTMENT'S VIEWS

8.1 The supportive views of R2 are noted.

8.2 Based on the assessments in paragraph 5.3 above, PlanD does not support R1 and considers that the OZP should not be amended to meet the representation for the following reasons:

Items A1 and A2

- (a) the provision of major GIC facilities are generally sufficient to meet the demand of the population in the Tsuen Wan West Planning Area except some SWFs. The requirement for GIC facilities of not less than 918m² in GFA has been stipulated in the Notes of the “R(A)5” zone on the OZP to facilitate their early provision as part of the proposed residential development. The overall provision of GIC facilities will be closely monitored by relevant B/Ds;
- (b) the site is located in Sham Tseng which is a well-established residential area and is suitable for residential development with retail and GIC facilities;

Items B1 and B2

- (c) the operation of hotels is a commercial decision and the supply of the hotel room is largely market driven. Flexibility has been allowed under various zonings on the Tsuen Wan and Tsuen Wan West OZPs to cater for hotel development in the Tsuen Wan district; and
- (d) the site is located in the area of residential urban fringe character with clusters of low-density residential developments and is suitable for residential development with GIC facilities.

9. DECISION SOUGHT

9.1 The Board is invited to give consideration to the representations and the related comments and consider whether to propose/not to propose any amendments to the OZP to meet/partially meet the representations.

9.2 Should the Board decide that no amendment should be made to the draft OZP to meet the representations, Members are also invited to agree that the draft OZP, together with their respective Notes and updated ES, are suitable for submission under section 8 of the Ordinance to the Chief Executive in Council for approval.

10. Attachments

Annex I	Draft Tsuen Wan West OZP No. S/TWW/20 (reduced size)
Annex II	Schedule of Amendments to the Approved Tsuen Wan West OZP No. S/TWW/19
Annex III	List of Representers and Commenters in respect of the Draft Tsuen Wan West OZP No. S/TWW/20
Annex IV	Extract of Minutes of MPC Meeting held on 25.11.2022
Annex V	Provision of Major Community Facilities and Open Space in Tsuen Wan West Planning Area
Drawings H-1a to H-1c	Indicative Development Scheme of Amendment Items A1 and A2
Drawings H-2a to H-2c	Indicative Development Scheme of Amendment Items B1 and B2
Plans H-1a to H-1b	Location Plans of the Representation Sites
Plans H-2a to H-2b	Site Plans of Representation Sites under Items A1 and A2
Plan H-2c	Aerial Photo of Representation Sites under Items A1 and A2
Plan H-2d	Site Photos of Representation Sites under Items A1 and A2
Plan H-3a	Site Plan of Representation Sites under Items B1 and B2
Plan H-3b	Aerial Photo of Representation Sites under Items B1 and B2
Plan H-3c	Site Photos of Representation Sites under Items B1 and B2

**PLANNING DEPARTMENT
JULY 2023**