

**Previous Applications**

<b><u>Application No.</u></b>	<b><u>Zoning on OZP</u></b>	<b><u>Proposed Development</u></b>	<b><u>Date of Consideration (MPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
A/K20/17	“CDA”	Proposed Comprehensive Commercial/Residential Development with Hotel and Exhibition/Convention Centre	30.10.1998	1, 2, 3, 4, 5, 6
A/K20/32	“CDA”	Proposed Comprehensive Residential Development with Ancillary Retail Uses and Public Parking Provisions	14.4.2000	1, 2, 3, 4, 5, 6, 7, 8
A/K20/43	“CDA”	Proposed Minor Amendments to Approved Comprehensive Residential and Retail Development With Public Car/Lorry Parking Spaces	28.6.2001  9.7.2004 (Extension of Validity Period of the Planning Permission)  16.6.2006 (Extension of Time Limit for Commencement)	1, 2, 3, 4, 5, 6, 7, 8

**Approval Conditions:**

1. The submission and implementation of a revised Master Layout Plan.
2. The design and provision of car-parking, and/or loading/unloading facilities, and/or public car/lorry park.
3. The provision of emergency vehicular access and fire services installations.
4. The submission and implementation of a Master Landscape Plan (For A/K20/17 only: including detailed landscaping proposals and provision and location of open spaces).
5. The diversion of the existing stormwater drain and water mains along Lai Fat Street at the applicant's cost.
6. Time clause.
7. The design and provision of the pedestrian footbridge link from the application site across Sham Mong Road to the "CDA" to the south of the application site at no cost to the Government, as proposed by the applicant.
8. The design, provision and implementation of the proposed traffic/road improvement schemes identified in the Traffic Impact Assessment at no cost to the Government, as proposed by the applicant.

**Comparison of Development Parameters with Application No. A/K20/43<sup>@</sup>**

<b>Development Parameters</b>	<b>Current Application (No. A/K20/128)</b>	<b>Previous Application (No. A/K20/43)</b>
<b>Site Area</b> (About)	23,700 m <sup>2</sup> (include Government land: 3,006m <sup>2</sup> )	22,318m <sup>2</sup> (include Government land)
<b>Total PR</b>	Not more than 8.0	8.0
• Domestic PR	Not more than 7.5	6.5
• Non-Domestic PR	Not more than 0.5	1.5
<b>Total GFA</b>	Not more than 189,600 m <sup>2</sup>	178,544 m <sup>2</sup>
• Domestic GFA	Not more than 177,750 m <sup>2</sup>	145,067 m <sup>2</sup>
• Non-Domestic GFA	Not more than 11,850 m <sup>2</sup>	33,477 m <sup>2</sup>
<b>Site Coverage (SC)</b>	34% (About) (above 15m from mean street level)	28% (Domestic)
<b>Maximum BH</b> (mPD) (main roof)	Not more than 150	188.7
<b>Total No. of Storeys</b>	Not more than 45	Not more than 57
• Domestic	38 – 41	48 – 54
• Podium	2-3	3
• Basement	2	---
<b>No. of Blocks</b>	8	9
<b>No. of Flats</b> (nos.) (About)	3,140	2,900
<b>Average Flat Size</b> (m <sup>2</sup> ) (About)	Site 1 – 45m <sup>2</sup> Site 2 – 62m <sup>2</sup>	50 m <sup>2</sup>
<b>Estimated Population</b> (About)	8,164	7,600
<b>Social Welfare Facilities</b>		
• Residential Care Home for the Elderly (RCHE) (100-place)	2,383 m <sup>2</sup>	---
• Day Care Centre for the Elderly (DE) (60-place)	630 m <sup>2</sup>	---
• Neighbourhood Elderly Centre (NEC)	534 m <sup>2</sup>	---
• Support Centre for Persons with Autism (SCPA)	283m <sup>2</sup>	---
<b>Parking Facilities</b>		
• Ancillary Parking Space (nos.)		
- Private Car	711	688
- Motor Cycle	40	69

<b>Development Parameters</b>	<b>Current Application (No. A/K20/128)</b>	<b>Previous Application (No. A/K20/43)</b>
- Loading/ Unloading(L/UL)	23	25
• Public Car Parking Space (nos.)		
- Private Car	73	100
- LGV	---	200
- HGV / Coach	24*	50
<b>Private Local Open Space (m<sup>2</sup>)</b>	Not less than 8,164	7,600
<b>Green Coverage</b>	Not less than 30%	---

- Remarks: @ Since Application No. A/K20/43 was for proposed amendment to approved scheme of Application No. A/K20/32 with revision to the implementation programme only (without changes to the development parameters), the proposed development parameters are same as Application No. A/K20/32.
- # According to the applicant, the total no. of parking spaces available for public use for private car is 168 (comprising the 73 public car parking spaces, 55 ancillary commercial parking spaces and 40 visitor parking spaces)
- \* According to the applicant, the total no. of parking spaces available for public use for HGV/coach is 47 (comprising the 24 public HGV / coach parking spaces and 23 ancillary L/UL spaces for overnight lorry parking).

**Similar s.16 Applications within “CDA” Zone  
on South West Kowloon OZP**

**Approved Applications**

<b><u>Application No.</u></b>	<b><u>Zoning on OZP</u></b>	<b><u>Proposed Development</u></b>	<b><u>Date of Consideration (MPC/TPB)</u></b>	<b><u>Approval Condition(s)</u></b>
A/K20/119-2	“CDA”	Proposed Comprehensive Residential and Commercial Development (Amendments to Approved Scheme) (MTR Nam Cheong Station) <sup>1</sup>	15.7.2015	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
A/K20/124	“CDA”	Proposed Comprehensive Development for Public Rental Housing with Commercial, Government, Institution and Community Facilities, Public Open Space and Public Transport Interchange and Minor Relaxation of Non-Domestic Plot Ratio Restriction (NWKR Site 6)	17.7.2015	1, 2, 4, 6, 7, 12, 13, 14, 15

**Approval Conditions:**

1. The submission and implementation of a revised Master Layout Plan for the development scheme to incorporate the approval conditions.
2. The design and provision of vehicular access arrangements, and/or public transport interchange, and/or car parking, and/or loading/unloading facilities.
3. The design, provision and layout of the area designated for parking, loading/unloading facilities.
4. The design and/or provision of fire service installations and water supply for fire-fighting.
5. The design, construction and maintenance of a grade-separated pedestrian walkway system.
6. The provision of a kindergarten (, as proposed by the applicant).
7. The submission and implementation of a revised landscape master plan and tree preservation proposal.
8. The submission of an implementation programme of the proposed development.
9. The integration of the proposed development with the proposed footbridges at the road junctions.
10. The design and construction of the improvement works at the road junction, as proposed by the applicant.
11. The implementation of noise mitigation measures identified in the Environmental Assessment Report.

<sup>1</sup> There is a total of 10 similar applications (i.e. Nos. A/K20/27, A/K20/45, A/K20/72, A/K20/82, A/K20/104, A/K20/116, A/K20/116-1, A/K20/119, A/K20/119-1 and A/K20/119-2) for comprehensive residential and commercial development at the “CDA” site for MTR Nam Cheong Station.

12. The design and provision footbridge connections with the proposed footbridges at the road junctions.
13. The design and provision of the social welfare facilities, as proposed by the applicant.
14. The design and provision of the sports centre and public library facilities, as proposed by the applicant.
15. The design and provision of open space of not less than 0.15 hectare for the reprovisioning of a 5-a-side soccer pitch with any associated landscaped area, as proposed by the applicant.

**Detailed Comments from Departments**

- (1) Comments of District Lands Office / Kowloon West, Lands Department (DLO/KW, LandsD):
- (a) It is mentioned in para. 5.4.3 of the Consolidated Report (**Appendix Ia**) that the social welfare facilities will be constructed by the applicant at his own cost for subsequent hand over to the government for future operation, maintenance and management upon completion. Social Welfare Department's comment and agreement to the proposed provision of social welfare facilities and takeover of such facilities for ownership, management and maintenance upon completion should be obtained.
  - (b) It is mentioned in the Consolidated Report at **Appendix Ia** about the GFA exemption of various facilities such as Government Accommodation, public car park and club house. In this regard, it should be reminded that GFA accountability under lease will be examined in the land exchange stage (if land exchange application is received) or subsequent building plan stage as appropriate.
  - (c) The Site also affects MTR Protection Boundary and Express Rail Link Scheme Boundary. Comments from Railway Development Office of Highways Department should be sought.
  - (d) Regarding the proposal that the public vehicle park shall be deducted from land premium at subsequent land grant stage (**Appendix Ie** refers). She would reiterate that the land exchange application (including the granting of additional Government land with road works and road closure), if received by LandsD, will be considered by LandsD acting in the capacity of Landlord as its sole discretion and subject to policy clearance. In the event any such application is approved, it would be subject to such terms and conditions including, amongst others, the payment of premium and administrative fee as imposed by LandsD. To avoid any misunderstanding and not to prejudice Government's position in processing the land exchange application (if applied), the statement 'It shall also be deducted from land premium at subsequent land grant stage.' in the further information should be deleted.
- (2) Comments of Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD)
- (a) In accordance with the Government's committed policy to implement building design to foster quality and sustainable built environment, the applicant should be advised to implement the sustainable building design requirements (including building separation, building setback and site coverage of greenery).
  - (b) Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the development on the subject site.
  - (c) Government accommodation listed in Table 2 on page 3 of the FI of 31.5.2018 (**Appendix Id**) should be accountable for GFA calculation.

- (d) The application for SC and GFA concessions for the proposed noise mitigation measures including vertical fins will be considered upon formal submission of building plans subject to the proposed noise mitigation measures being in compliance with the criteria under Joint Practice Note (JPN) No.1.
- (e) Proposed acoustic window should be provided in accordance with PNAP APP-130.
- (f) Natural lighting and ventilation should be provided to the residential flats in accordance with B(P)Rs 20 and 31.

**Recommended Advisory Clauses**

- (a) to note that the approved master layout plan (MLP), together with the set of approval conditions, would be certified by the Chairman of the Town Planning Board and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into the revised MLP for deposition in the Land Registry as soon as practicable;
- (b) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that:
  - (i) if the planning application is approved by the Town Planning Board (the Board), the lot owners have to apply to Lands Department (LandsD) for a land exchange. However, there is no guarantee that the land exchange application (including the granting of additional Government land with road works and road closure) will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity of Landlord as its sole discretion and subject to policy clearance. In the event any such application is approved, it would be subject to such terms and conditions including, amongst others, the payment of premium and administrative fee as imposed by LandsD.
  - (ii) it is mentioned in the Consolidated Report of 12.3.2018 that the two applicants will proceed to land exchange applications separately, with a 'phased development approach'. In this regard, comments contained in (i) above is applicable. There is no guarantee that both land exchange applications (each includes granting of additional government land with road works and road closure), if submitted to LandsD, will be approved.
  - (iii) it is proposed that (i) Lai Fat Street will be permanently closed for inclusion into the development site (the Consolidated Report of 12.3.2018 refers); and (ii) a small strip of Government land at the corner of Sham Mong Road and Fat Tseung Street West, which falls outside the application site, to be modified as a footpath and will be handed over to Government upon completion. In this regard, any proposed road works and road closure are subject to authorisation and completion of relevant statutory procedures under Roads (Works, Use and Compensation) Ordinance (Cap. 370). The applicants are reminded that they will be liable for the administrative costs and compensation claims incurred or to be incurred by the Government in connection with or in relation to the said road closure and road works which arise from the proposed private development. The comments in (i) above on the land exchange application (if received) also apply, including the implementation, management and maintenance of the proposed pedestrian passageway along Lai Fat Street.
  - (iv) it is proposed that (i) a small strip of Government land abutting Lai Hong Street that falls on the 'Road' area to be included into the development site (the Consolidated Report of 12.3.2018 refers); and (ii) a small strip of private land at the corner of Sham Mong Road and Fat Tseung Street West, which falls outside the application site, to be formed (together with the small strip of Government land as mentioned in (iii)(ii) above) and surrender back to Government (the Consolidated Report of 12.3.2018 refers). In this regard, comments from



Transport Department (TD) and Highways Department (HyD) should be sought. The comment in (i) above on the land exchange application (if received) also apply.

- (v) it is mentioned in the Consolidated Report of 12.3.2018 that the social welfare facilities will be constructed by the applicants at their own cost for subsequent hand over to the Government for future operation, maintenance and management upon completion. Social Welfare Department (SWD)'s comment and agreement to the proposed provision of social welfare facilities and takeover of such facilities for ownership, management and maintenance upon completion should be obtained.
  - (vi) it is mentioned in the Consolidated Report of 12.3.2018 about the GFA exemption of various facilities such as Government Accommodation, public car park and club house. In this regard, it should be reminded that GFA accountability under lease will be examined in the land exchange stage (if land exchange application is received) or subsequent building plan stage as appropriate.
  - (vii) regarding the proposal that the public vehicle park shall be deducted from land premium at subsequent land grant stage (Appendix Ie refers). She would reiterate that the land exchange application (including the granting of additional Government land with road works and road closure), if received by LandsD, will be considered by LandsD acting in the capacity of Landlord as its sole discretion and subject to policy clearance. In the event any such application is approved, it would be subject to such terms and conditions including, amongst others, the payment of premium and administrative fee as imposed by LandsD. To avoid any misunderstanding and not to prejudice Government's position in processing the land exchange application (if applied), the statement 'It shall also be deducted from land premium at subsequent land grant stage.' in the further information should be deleted.
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:
- (i) unless Lai Fat Street and the small strip of land on Lai Hong Street can be extinguished and included in the lease area under the land grant, they should not be included in the site area for purpose of site coverage (SC) and plot ratio (PR) calculation under the Buildings Ordinance (BO) and should not be built under.
  - (ii) in accordance with the Government's committed policy to implement building design to foster quality and sustainable built environment, the sustainable building design requirements (including building separation, building setback and site coverage of greenery) should be included, where possible, in the condition of the planning approval.
  - (iii) Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the development on the subject site.

- (iv) under PNAP APP-2, 100% gross floor area (GFA) concession may be granted for underground private and public carpark.
  - (v) Government accommodation listed in Table 2 of the Further Information of 31.5.2018 should be accountable for GFA calculation.
  - (vi) as shown in the indicative landscape master plan, some area of the residential towers would encroach over the emergency vehicular access (EVA), a clear headroom of not less than 4.5m should be maintained.
  - (vii) the application for SC and GFA concessions for the proposed noise mitigation measures including vertical fins will be considered upon formal submission of building plans subject to the proposed noise mitigation measures being in compliance with the criteria under Joint Practice Note (JPN) No.1.
  - (viii) proposed acoustic window should be provided in accordance with PNAP APP-130.
  - (ix) adequate means of escape, means of access for firefighting and rescue, emergency vehicular access and fire resisting construction should be provided in accordance with B(P)Rs 41(1), 41A, 41B, 41C, 41D, Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011 (FS Code).
  - (x) natural lighting and ventilation should be provided to the residential flats in accordance with B(P)Rs 20 and 31.
  - (xi) detailed comments under the BO will be given at building plan submission stage.
- (d) to note the comments of the Commissioner of Transport on the further information of 29.6.2018 that:
- (i) the proposed 19m wide vehicular access for Site 1 is excessive. The applicants should revisit the design and then submit the revised proposal with justification to TD.
  - (ii) the vehicular access of Site 2 at Fat Tseung Street West will be close to the existing road junction of Fat Tseung Street West and Ying Wa Street, resulting in various traffic movements at the junction. The applicants are requested to advise TD proper traffic management measures in order to prevent collision of vehicles at the said junction.
  - (iii) the applicants should review the pedestrian crossings shown on Figure 3.4.1 of the revised TIA to ensure that adequate railings will be provided to channelize pedestrians for the sake of safety.
  - (iv) he notes that the applicants have submitted their proposal of using ancillary loading/unloading (L/UL) facilities as parking spaces of goods vehicles and modifying all the 24 public medium / heavy goods vehicle (M/HGV) parking

spaces compatible for parking of M/HGV and coaches. The applicants should liaise with the LandsD to document the above provisions and flexibility in the land leases.

- (v) the applicants should submit in due course the detailed design of car parks and L/UL facilities for TD's information and comment, if any.
  - (vi) the developer should take up the responsibility of the construction, operation, management and maintenance of the public vehicle park (including the private car and goods vehicle/coach) and the ancillary loading/unloading spaces for overnight lorry parking.
  - (vii) The small strip of land at the corner of Sham Mong Road and Fat Tseung Street West adjacent to the development should be modified as footpath and such area should be surrendered to the Government upon request.
- (e) to note the comment of Chief Highway Engineer/Kowloon, HyD that for the small strip of land at corner of Sham Mong Road and Fat Tseung Street West, HyD may take up for maintenance provided that TD agrees to take up the area for management; the area is constructed in compliance with highway's standards; and demarcation line shall be provided between area and adjacent lot boundaries.
- (f) to note the comments of the Director of Leisure and Cultural Services (DLCS) that
- (i) from tree preservation point of view, every possible effort should be made to preserve existing tree on site and minimize the adverse effect to the tree during the works period. Should trees be inevitably affected, prior application should be made 12 months in advance for tree transplanting/ felling proposal to relevant authority for comments in accordance with DEVB TC(W) No. 7/2015.
  - (ii) DLCS reserves their right to comment on tree preservation until they receive the request for giving advice on the formal tree removal application from LandsD.
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that there are existing water mains laid along Lai Fat Street which will be affected by the development proposal. Diversion of existing water mains from the proposed development at Lai Fat Street is required. All costs of the diversion works should be borne by the applicants/developers.
- (h) to note the comments of the Director of Fire Services that:
- (i) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
  - (ii) the arrangement of Emergency Vehicular Access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department,
- (i) to note the comments of the Director of Electrical and Mechanical Services that:
- (i) in the interest of the public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any

activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site.

- (ii) the parties concerned should also observe the Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation when carrying out works in the vicinity of the electricity supply lines.
- (j) to note the comments of the Director of Social Welfare (DSW) that The location (including height) and design of the welfare facilities will have to satisfy all current and prevailing Buildings Ordinance and DSW's requirements.
- (k) to note the comments of the Secretary for Education (SED) that:
  - (i) the proposed 9-classroom kindergarten should be in compliance with the Education Ordinance and Regulations and prevailing Operation Manual for Pre-primary Institutions. The Operation Manual could be downloaded from the website of the Education Bureau; and
  - (ii) SED requests kindergarten facilities in terms of classrooms. The applicants are reminded to ensure that the total GFA proposed in the further information of 31.5.2018 is adequate for accommodating a 9-classroom kindergarten and satisfying the requirements as mentioned above.