

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K20/128

- Applicants** Wolver Hollow Company Limited and Dragon Rider Development Limited represented by Llewelyn-Davies Hong Kong Ltd.
- Site** Site bounded by Lai Hong Street, Fat Tseung Street West, Sham Mong Road and West Kowloon Corridor and a small strip of land on Lai Hong Street, Cheung Sha Wan
- Site Area** About 23,700m²
(including 3,006m² of Government land, 13% (about))
- Land Status** (a) New Kowloon Inland Lot (NKIL) No. 6003 R.P. (Part)

 Restricted to godown or open storage purpose or both, subject to a maximum gross floor area (GFA) of 56,000m² and a building height (BH) restriction of 45.72 metres above Principal Datum (mPD)
- (b) NKIL No. 6052

 Restricted to godown purpose, with dangerous goods godown allowed subject to conditions, and a BH restriction of 45.72mPD
- (c) Government land (3,006m²)
- Plan** Approved South West Kowloon Outline Zoning Plan (OZP) No. S/K20/30
- Zoning** (a) “Comprehensive Development Area” (“CDA”) (about 97.5%)
 [Subject to a maximum domestic plot ratio (PR) of 6.5 and a maximum non-domestic PR of 1.5, with minor relaxation clause; and any floor space that is constructed or intended for use solely as public transport facilities, railway station development, or GIC or social welfare facilities, as required by the Government, may be disregarded]; and
- (b) Areas shown as ‘Road’ (about 2.5%)

Application

Proposed Comprehensive Development for Residential and Commercial Uses, School, Social Welfare Facilities and Public Vehicle Park, with Minor Relaxation of Domestic PR Restriction

1. The Proposal

- 1.1 The applicants seek planning permission for proposed comprehensive residential, commercial, school, social welfare facilities and public vehicle park uses, and minor relaxation of restriction of domestic PR from 6.5 to 7.5 (+15.4%) at the application site (the Site). Correspondingly, the non-domestic PR of the proposed development reduces from the maximum PR 1.5 as permitted under the OZP to 0.5.
- 1.2 The Site falls within an area zoned “CDA” on the approved South West Kowloon OZP No. S/K20/30 (**Plan A-1**). According to the Notes of the OZP, ‘flat’, ‘eating place’, ‘shop and services’, ‘market’, ‘school’, ‘social welfare facility’ and ‘public vehicle park (excluding container vehicle)’ are Column 2 uses which require planning permission from the Town Planning Board (the Board). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR restriction may be considered by the Board on application. In addition, pursuant to section 4A(2) of the Town Planning Ordinance (the Ordinance), an applicant for permission for development on land designated “CDA” shall prepare a Master Layout Plan (MLP) for the approval by the Board.
- 1.3 According to the submission, the Site comprises Site 1 (NKIL No. 6502) and Site 2 (NKIL No. 6003 R.P. (Part)) which are under separate ownership, an existing public road Lai Fat Street and two pieces of Government land adjacent to Lai Hong Street and Sham Mong Road (**Drawing A-1**). Two portions of NKIL No. 6003 R.P. falling outside the “CDA” site with a total area of about 248m² will be surrendered back to the Government (**Plan A-3**). One portion is a triangular area near Tack Ching Girls’ Secondary School and another portion is a strip of land at the corner of Fat Tseung Street West and Sham Mong Road which together with the adjoining Government land will be formed as footpath by the applicants at his cost and will be returned to the Government upon completion.
- 1.4 Based on the applicants’ proposal, eight residential blocks above two separate podiums (including commercial, educational and social welfare facilities) over two levels of basements (including a public vehicle park) will be erected (**Drawing A-2**), providing about 3,140 flats with BHs not exceeding 150mPD / 44 **45** storeys. With a total domestic GFA of 177,750m² (i.e. PR of 7.5) and non-domestic GFA of 11,850m² (i.e. PR of 0.5), the applicants claim that the proposed minor relaxation of domestic PR will not result in a change to the overall maximum PR and GFA for the “CDA” zone (i.e. 8.0 and 189,600m²).

1.5 The major development parameters of Sites 1 and 2 (**Drawing A-1**) and the whole “CDA” site are summarised as follows:

Development Parameters	Site 1	Site 2	Whole “CDA” Site
Site Area (About) (include Government land: 3,006m ²)	5,352 m ²	18,348 m ²	23,700 m ²
Total PR	Not more than 8.0	Not more than 8.0	Not more than 8.0
• Domestic PR	Not more than 7.5	Not more than 7.5	Not more than 7.5
• Non-Domestic PR	Not more than 0.5	Not more than 0.5	Not more than 0.5
Total GFA	Not more than 42,816 m ²	Not more than 146,784 m ²	Not more than 189,600 m ²
• Domestic GFA	Not more than 40,140 m ²	Not more than 137,610 m ²	Not more than 177,750 m ²
• Non-Domestic GFA [^]	Not more than 2,676 m ²	Not more than 9,174 m ²	Not more than 11,850 m ²
Site Coverage (SC) (above 15m from mean street level) (About)	35%	33%	34%
Maximum BH (mPD) (main roof)	Not more than 150	Not more than 150	Not more than 150
Total No. of Storeys	Not more than 45	Not more than 45	Not more than 45
• Residential (exclude refuge floor)	Not more than 40	Not more than 41	-
• Podium	Not more than 3	Not more than 2	-
• Basement	2	2	2
No. of Blocks	2	6	8
No. of Flats (About)	903	2,237	3,140
Average Flat Size (About)	45 m ²	62 m ²	-
Estimated Population (About)	2,348	5,816	8,164
Social Welfare Facilities (GFA)			
• Residential Care Home for the Elderly (RCHE) (100-place)	-	2,383 m ²	2,383 m ²
• Day Care Centre for the Elderly (DE) (60-place)	-	630 m ²	630 m ²
• Neighbourhood Elderly Centre (NEC)	-	534 m ²	534 m ²
• Support Centre for Persons with Autism (SCPA)	283m ²	-	283m ²

Development Parameters	Site 1	Site 2	Whole “CDA” Site
Parking Facilities			
<ul style="list-style-type: none"> • Ancillary Parking Space (nos.) <ul style="list-style-type: none"> - Private Car - <i>Domestic & Non-Domestic</i> - <i>Visitor</i> - Motor Cycle - Loading/Unloading (L/UL) <ul style="list-style-type: none"> - <i>Light Goods Vehicle (LGV)</i> - <i>Heavy Goods Vehicle (HGV)</i> 	117 107 10 12 5 2 3	594 564 30 28 18 8 10	711 671 40 40 23 10 13
<ul style="list-style-type: none"> • Public Car Parking Space (nos.) <ul style="list-style-type: none"> - Private Car - HGV / Coach 	22 2	51 22	73 [#] 24*
Private Local Open Space (m²)	Not less than 2,348	Not less than 5,816	Not less than 8,164
Green Coverage	Not less than 30%	Not less than 30%	Not less than 30%

Remarks: The non-domestic GFA does not include the social welfare facilities and the public vehicle park.

[#] According to the applicants, 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 applicants, 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).

1.6 An indicative MLP, floor plans and sections, an indicative Landscape Master Plan (LMP), an Urban Design Concept Plan and photomontages submitted by the applicants for the proposed development are shown in **Drawings A-2 to A-16**. There will be a total area of not less than 8,164 m² local open space and not less than 30% green coverage.

1.7 Public facilities including a RCHE, a DE, a NEC and a SCPA with a total GFA of 3,830m², a kindergarten of about 900m² GFA and a public vehicle carpark (GFA of about 4,350m² according to the applicants) with 73 and 24 parking spaces for private car and HGV/Coach respectively are proposed within the development in response to requests from Government departments. The social welfare facilities will be constructed by the applicants at its own costs and will be handed over to the Government for future operation, management and maintenance. The kindergarten will be privately operated. The public vehicle park will be constructed, operated, managed and maintained by the applicants.

- 1.8 Site 1 is to be accessed at Lai Hong Street, while Site 2 will be primarily accessed at Fat Tseung Street West with a secondary access at Lai Hong Street for the commercial L/UL.
- 1.9 Lai Fat Street is proposed to be closed for provision of a landscaped pedestrian passageway with a throughway of minimum 7m wide which will be opened to the public 24 hours¹. The location of the pedestrian passageway will also define the proposed boundary between Site 1 and Site 2 (**Drawing A-10**). Regarding the implementation of the pedestrian passageway, the applicants indicate that under the phased development approach, the proponent of the first-phase development will proceed land exchange and closure of Lai Fat Street, as well as the implementation, management and maintenance of the landscaped pedestrian passageway, including the portion within the second phase. The portion of the landscaped pedestrian passageway which should belong to the second-phase proponent will then be carved out, surrendered to the Government upon demand and incorporated in the site area of the second phase when the second-phase proponent applies for land exchange. Management and maintenance of the second-phase portion can be undertaken by the second-phase proponent upon the execution of the conditions of exchange of the second-phase site. Detailed arrangements will be dealt with in the land exchange applications.
- 1.10 According to the submission, the scheme has been formulated comprehensively for the two sites, with compatible orientation and disposition of towers, variation in overall BH between Sites 1 and 2, and consistent landscape design. However, to allow flexibility of a phased development, the development of both Sites 1 and 2 would be self-contained in terms of development parameters, layout, open space, vehicular access, car parking, L/UL and other infrastructure provision.
- 1.11 It is expected that the proposed development will be completed by 2024 for technical assessment purpose. However, given the different land ownership, there may be time gap in the redevelopment programme of Site 1 and Site 2. Three scenarios including phased development approach of (i) both sites being redeveloped together, (ii) Site 1 being redeveloped first with Site 2 remaining as a godown in the interim, and (iii) vice versa of (ii), have been taken into account in the technical assessments.
- 1.12 The applicants conducted a series of technical assessments on air ventilation, visual, traffic, environmental (including air, noise, land contamination and construction phase environmental impacts), drainage and sewerage aspects covering the three scenarios mentioned in paragraph 1.11 above. Moreover, according to the further information of 29.6.2018 (**Appendix Ie**), in order to

¹ The proposed landscaped pedestrian passageway with a minimum width of 7m that will be opened to the public is illustrated by a purple coloured dotted line on the MLP in **Drawing A-2**. For the remaining areas at both sides of the pedestrian passageway, shop frontages with walkable area (at street level) is proposed, providing a total of 17m-wide walkable area.

provide the proposed public vehicle parking spaces through extending the basement, there would be possible drainage diversion for the existing stormwater system lying beneath the drainage reserve (DR) area along Lai Fat Street (**Plan A-3**) and the related Drainage and Sewerage Impact Assessment (DSIA) has been revised. The resultant findings of these assessments concluded that there will be no insurmountable problems with appropriate mitigation measures implemented.

1.13 The Site was the subject of a previously approved application (No. S/K20/43) with the validity of the planning permission extended to 28.6.2008. A comparison of the key development parameters of the current proposal and the previous approved scheme is at **Appendix II**. As the approved scheme had not been implemented, the planning permission lapsed on 28.6.2008 (please refer to paragraph 6 below).

1.14 In support of the application, the applicants have submitted the following documents²:

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|-----|--|-----------------------|
| (a) | Application letter and application form received on 5.6.2017 | (Appendix I) |
| (b) | Planning Statement | (See footnote 2) |
| (c) | Letter dated 7.6.2017 enclosing the Air Ventilation Assessment (AVA) | (See footnote 2) |
| (d) | Letter dated 12.6.2017 clarifying the title of the application | (See footnote 2) |
| (e) | Letter dated 13.6.2017 clarifying the provision of parking space for kindergarten with updated application form | (See footnote 2) |
| (f) | Letter dated 4.9.2017 with responses to comments and revised technical assessments (accepted but not exempted from publication and recounting requirements) | (See footnote 2) |
| (g) | Letters dated 8.9.2017 clarifying the further information (FI) submitted on 4.9.2017 with replacement pages (accepted but not exempted from publication and recounting requirements) | (See footnote 2) |

² The applicants submitted a consolidated report on 12.3.2018 (**Appendix Ia**) to supersede all the previous submissions, and hence all the superseded submissions and further information are not attached in this paper.

- (h) Letter dated 12.3.2018 with a Consolidated Report with responses to comments and revised technical assessments
(accepted but not exempted from publication and recounting requirements) **(Appendix Ia)**
- (i) Letter dated 16.3.2018 with supplementary tree survey report and rectified figures of the Traffic Impact Assessment (TIA) for the Consolidated Report **(Appendix Ib)**
- (j) Letter dated 19.4.2018 with a public lorry car park occupancy survey report as part of TIA
(accepted but not exempted from publication and recounting requirements) **(Appendix Ic)**
- (k) Letter dated 31.5.2018 with revised Environmental Assessment (EA) and proposal to incorporate a support centre for persons with autism in the proposed scheme
(accepted but not exempted from publication and recounting requirements) **(Appendix Id)**
- (l) Letter dated 29.6.2018 with proposal to provide more public vehicle parking spaces, associated revisions to the floor plans, DSIA, TIA, Landscape Master Plan (LMP), and responses to comments
(accepted but not exempted from publication and recounting requirements) **(Appendix Ie)**
- (m) Letter dated 13.7.2018 with replacement pages and figures of the revised EA report submitted on 31.5.2018 **(Appendix If)**
- (n) Letter dated 17.7.2018 with replacement pages of the revised figures of the revised EA report of the FI submitted on 13.7.2018 **(Appendix Ig)**
- (o) Letter dated 9.8.2018 providing clarifications **(Appendix Ih)**
- (p) Letter dated 14.8.2018 providing clarification **(Appendix Ii)**

1.15 The subject application was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 28.7.2017. Upon requests of the applicants, the Committee agreed on 28.7.2017, 27.10.2017 and 12.1.2018 to defer a decision on the application for two months each in order to allow time for the applicants to prepare further information to address the comments received from Government departments and the public. With the FI received on 29.6.2018,

the application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in FI in **Appendices Ia to Ii**. They are summarised as follows:

In Line with Government's Policy to Increase Housing Supply

- 2.1 Providing about 3,140 residential units for an estimated population of about 8,164 would help to alleviate the shortage problem of housing supply in Hong Kong.

Compliance with Planning Intention of "CDA" zone

- 2.2 The proposed redevelopment of the existing godowns into a comprehensive residential and commercial development is in line with the planning intention of the "CDA" zone for comprehensive development / redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities.

Replacing Incompatible Industrial Use

- 2.3 Over the past years, the vicinity of the Site has been transformed from industrial uses to residential clusters with new large-scale comprehensive private and public residential developments completed or under construction. The proposed comprehensive residential development with supporting facilities will replace existing godowns which are incompatible with the residential developments in the surrounding areas.

Development Intensity Compatible with Surrounding Context

- 2.4 While it is proposed to increase the domestic PR restriction from 6.5 to 7.5, the total PR remains unchanged as that under the OZP, i.e. 8.0. The proposed domestic PR of 7.5 is still compatible with the residential developments in the vicinity (including the Sparkle, Banyan Garden and Liberte, the Pacifica) and the other planned residential developments zoned "Residential (Group E)1" and "Residential (Group A)" nearby.
- 2.5 The proposed BH with not more than 150mPD is compatible with those of the surrounding developments (ranging from 100mPD to 152mPD) and the northeast-southwest BH profile with BH descending from the hinterland towards the waterfront in the area.

Relaxation of Domestic PR Restriction as Minor and Provides Flexibility for Innovative Design

- 2.6 The proposed minor PR relaxation is solely the result of reshuffling of domestic and non-domestic PR distribution. The increase in domestic PR provides flexibility to absorb the residual PR after reducing the non-domestic portion of the development to provide shopping facilities with more street shops to differentiate it from other large-podium shopping malls in the vicinity.
- 2.7 The minor relaxation of the restriction on domestic PR from 6.5 to 7.5 will only result in a slight increase of domestic PR by +15%, which is considered minor in nature. With a total PR remaining as 8.0, the proposed development would not exceed the total maximum PR permitted under the OZP and does not have adverse impacts on the capacity of the surrounding infrastructure.

Provision of Public Facilities

- 2.8 Continuous efforts have been made to improve the proposed development taking into account various departmental comments and public comments by incorporating the required public facilities into the scheme. Besides, a RCHE, a DE, a NEC and a SCPA will be provided to serve the community (**Appendix Id**). A private kindergarten will also be provided to meet the need of the community.
- 2.9 A public vehicle park with increased number of car parking spaces (from the previous provision of 40 to the current proposal of 73) and lorry parking spaces (from the previous proposal of providing an optional of 6 to the current proposal of 24 for HGV/coach) will be provided with an aim to reduce the number of illegal on-street parking of the area (**Appendix Ie**).
- 2.10 The GFA for the provision of social welfare facilities and public vehicle park has exceeded the non-domestic GFA generated from the area of Government land included in the development. Taking into consideration of design constraints, great effort has already been made to accommodate the Government requests for provision of public facilities.

Uplift of Street Vibrancy and Enhancement in Pedestrian Network

- 2.11 Retail facilities are provided within the development. A pedestrian passageway with quality landscape design and shopfronts is designated along Lai Fat Street to enhance pedestrian walking experience travelling to/from the public transport nodes and the waterfront.

Secured Land Ownership for Timely Implementation

- 2.12 All the private lots within the Site are owned by the two land owners and the two existing godowns can be vacated according to their redevelopment programme. The proposed development can be timely implemented.

Planning and Design Merits

- 2.13 The proposed development will enhance the built environment at the Site and improve its connectivity and accessibility to the surrounding area through a stepped height profile for visual interest, architectural built forms and dispositions for visual and air permeability, landscape and amenity provisions, reduced traffic nuisances of heavy vehicles to the surrounding residential areas by closing down the two existing go-downs, as well as provision of social welfare facilities, kindergarten, public vehicle park, and commercial uses (mainly shops and services and eating places) for the neighbourhood.

Meeting Public Aspiration for Quality Living Environment

- 2.14 Quality types of accommodations with adequate open space, landscape and greening provision will be provided to meet public aspiration. Basement car parks are proposed to segregate vehicular traffic from at-grade pedestrian movements to create a safe environment for future residents.

Sustainable in Visual, Environment, Traffic, Drainage and Sewerage Aspects

- 2.15 Taking into account the site and surrounding context, the technical assessments conducted concluded that the development proposal, with implementation of appropriate mitigation measures, would not cause any significant impact on the visual, environmental, traffic, drainage and sewerage aspects.

Phased Development

- 2.16 Due effort has been made to formulate a comprehensive MLP to ensure a comprehensive redevelopment scheme that can be timely implemented. At the same time, flexibility has been allowed for 'phased development' by ensuring that the development at both Sites 1 and 2 would be self-contained in terms of development parameters, layout design, open space, vehicular access, car parking space, L/UL space and other infrastructure requirements. The environmental assessment concluded that there would be no insurmountable adverse impacts when only one of the existing godowns is to be redeveloped first. The comprehensiveness of development proposal will not be adversely affected by the proposed phased arrangement.

3. Compliance with the Owner's 'Consent/Notification' Requirement

For the Portion of Private Land

- 3.1 The applicants are the sole 'current land owners'. Detailed information would be deposited at the meeting for Members' inspection.

For the Portion of Government Land

- 3.2 The “owner’s consent/notification” requirement 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 GB-No.31A) is not applicable on the portion of Government land within the Site.

4. Town Planning Board Guidelines

- 4.1 According to the Town Planning Board Guidelines for Designation of “CDA” zones and Monitoring the Progress of “CDA” Developments (TPB-PG No. 17A), “CDAs” are intended to achieve the following objectives to:
- (a) facilitate urban renewal and restructuring of land uses in the old urban areas;
 - (b) provide incentives for the restructuring of obsolete areas; including old industrial areas; and the phasing out of non-conforming uses, such as open storage and container back-up uses in the rural areas;
 - (c) provide opportunities for site amalgamation and restructuring of road patterns and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
 - (d) provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land uses;
 - (e) ensure adequate as well as timely provision of government, institution or community uses, transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
 - (f) ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

5. Background

- 5.1 The Site was rezoned from “Industrial” (“I”) and “Road” to “CDA” on the draft South West Kowloon OZP No. S/K20/5 gazetted on 24.4.1998 to reflect the Committee’s agreement on 20.2.1998 to a rezoning request to facilitate a comprehensive development of residential, hotel, office, retail and exhibition centre with a maximum domestic PR of 3.4 and maximum non-domestic PR of

4.6 at the Site.

- 5.2 On 8.10.1999, a request for amendments to the Notes of the OZP for the “CDA” zone to allow stronger emphasis on residential provision was partially agreed by the Committee, with revision to the maximum domestic and non-domestic PRs from 3.4 and 4.6 to 6.5 and 1.5 respectively. The amendment was incorporated into the draft OZP gazetted on 3.12.1999.

6. Previous Applications

- 6.1 There are three previous planning applications (Nos. A/K20/17, A/K20/32 and A/K20/43) relating to the Site after it was rezoned “CDA” on 24.4.1998. All are submitted by the same applicants.
- 6.2 Application No. A/K20/17 with domestic PR and non-domestic PR of 3.4 and 4.6 respectively in line with the PR restrictions of the then OZP for proposed comprehensive commercial/residential development with hotel and exhibition/convention centre, and provision of public parking spaces for cars, light goods and medium goods vehicles was approved with conditions by the Committee on 30.10.1998.
- 6.3 Application No. A/K20/32 with domestic PR and non-domestic PR of 6.5 and 1.5 respectively in compliance with the PR restrictions of the then OZP for proposed comprehensive residential development with ancillary retail uses and public parking provisions for cars, light goods and heavy goods vehicles was approved by the Committee with conditions on 14.4.2000.
- 6.4 Application No. A/K20/43 for proposed amendment to the approved scheme of Application No. A/K20/32 with revision to the implementation programme (without changes to the development parameters) was approved by the Director of Planning under the delegation of authority of the Board on 28.6.2001 and the validity of the planning permission was up to 28.6.2004. With two further approved applications for extension of time limit (each extended for two years), the validity of the planning permission was extended up to 28.6.2008. As the approved scheme was not implemented, the planning permission for the application No. A/K20/43 lapsed on 28.6.2008.
- 6.5 The locations and details (with comparison of the proposed development parameters between Application No. A/K20/43 and the current application) of the previous applications are at **Plan A-1** and **Appendix II** respectively.

7. Similar Applications

- 7.1 There are similar applications for comprehensive residential and commercial development at three sites zoned “CDA” in the Sham Shui Po area covered by the

South West Kowloon OZP, namely MTR Nam Cheong Station for private housing and commercial uses (Application No. A/K20/119-2), North West Kowloon Reclamation Site 6 for public housing development (Application No. A/K20/124) and the Lin Cheung Road “CDA” Site (Application No. A/K20/130). Application Nos. A/K20/119-2 and A/K20/124 were approved with conditions by the Committee respectively on 15.7.2015 and 17.7.2015 respectively. For Application No. A/K20/130, the Committee decided to defer consideration of the application at the request of the applicants on 1.6.2018. With the recent submission of FI, the application is tentatively scheduled to be considered by the Committee on 7.9.2018.

7.2 The locations and details of these applications are summarised in **Plan A-2** and **Appendix III** for Members’ reference.

8. The Site and Its Surrounding Areas (Plans A-1 to A-9)

8.1 The Site:

- (a) is located in the south-western part of Sham Shui Po. It is bounded by Fat Tseung Street West, Sham Mong Road, Lai Hong Street and Tung Chau Street/West Kowloon Corridor (**Plan A-1**);
- (b) is accessible via Fat Tseung Street West for Site 1 and via Fat Tseung Street West/Lai Hong Street/Lai Fat Street for Site 2;
- (c) comprises mainly two private lots, namely NKIL 6052 in the north occupied by a 12-storey dangerous goods godown (Kerry Hung Kai Warehouse (Cheung Sha Wan) completed in 1991, and NKIL 6003 R.P. in the south occupied by a 8-storey godown (Yuen Fat Warehouse) completed in 1987 (**Plan A-3**); and
- (d) includes three pieces of Government land, namely Lai Fat Street which is a public road separating the two lots, a vegetated sloping area with trees along Sham Mong Road, and a small strip of Lai Hong Street (**Plan A-3**).

8.2 The surrounding areas have the following characteristics:

- (a) the area primarily is a residential neighbourhood with some Government, institution and community (GIC) uses;
- (b) to the west of the Site along Lai Hong Street are two secondary schools (Tack Ching Girl’s Secondary School and Tsung Tsin Christian Academy) and the Water Supplies Department Kowloon West Regional Building and the Hing Wah Street West Playground;

- (c) further to the west across Hing Wah Street West is a high-rise and high-density residential neighbourhood (generally zoned “Residential (Group A)” (“R(A)”) comprising private housing developments (including Aqua Marine, and The Pacifica, Banyan Garden, Liberte and One West Kowloon (**Plan A-2**)) with maximum BH in the range of 133mPD to 185mPD and the public housing development of Hoi Lai Estate with maximum BH of 120mPD (**Plan A-1**), with each of the “Government, Institution or Community” (“G/IC”) zones south of Sham Shing Road and Hoi Lai Street occupied by 2 schools (**Plan A-2**);
- (d) to the east of the Site on Fat Tseung Street West is a public housing development zoned “R(A)11” (maximum BH of 120mPD) under construction and various GIC uses including the Cheung Sha Wan Sewage Pumping Station, the West Kowloon Law Court Building and two schools within the “G/IC” zone along Ying Wa Street (**Plan A-3**). The “Open Space” (“O”) zone adjacent to the Law Court Building is now temporarily used as the Arbitration Centre;
- (e) to the south and southeast across Sham Mong Road are two “CDA” sites, namely the NWKR Site 6 for public housing development with various GIC uses and public open space under construction (maximum BH of 139mPD) and the comprehensive private residential and commercial development above the MTR Nam Cheong Station (maximum BH of about 182mPD) (**Plan A-1**). Further to the southwest of NWKR Site 6 are public housing developments (maximum BH of 125mPD) under construction in the “R(A)12” zone, as well as two “CDA” sites (maximum BH 100mPD) along the harbourfront (**Plan A-2**); and
- (f) to the north across West Kowloon Corridor are The Sparkle zoned “R(A)9” (maximum BH of 152mPD), the Wang Cheong Factory Estate and the Cheung Sha Wan Wholesale Poultry Market (zoned “O” and “G/IC”), one industrial building and one industrial-office building zoned “Residential (Group E)1” (maximum BH of 80mPD) and the Cheung Sha Wan Vegetable Market and a public housing development (maximum BH of 126mPD) at Tonkin Street under construction zoned “R(A)” on the approved Cheung Sha Wan OZP No. S/K5/37 (**Plans A-2 and A-3**).

9. **Planning Intention**

- 9.1 The planning intention of the “CDA” zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking into account of various environmental, traffic, infrastructure and other constraints.

- 9.2 Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Ordinance. Paragraph 8.2.10 of the Explanatory Statement (ES) of the OZP also states that the minor PR relaxation may be considered to provide flexibility for innovative design adapted to the characteristics of particular sites.

10. Comments from Relevant Government Departments

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

Land Administration

10.1.1 Comments of the District Lands Office/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) There is no objection to the planning application.
- (b) The Site covers most of NKIL No. 6003 R.P., the entire NKIL 6052, adjoining Government land, including a public road known as 'Lai Fat Street'.
- (c) NKIL 6003 R.P. is held under Conditions of Grant No.11842 dated 1.8.1985 (as extended by Particulars and Conditions of Extension of Lease Term dated 9.8.1995 and modified by three modification letters respectively dated 25.10.1993, 19.1.2001 and 19.1.2001), granted by private treaty for the purpose of godown or open storage purpose or both. The lease conditions of NKIL 6003 R.P. also contains, amongst others, a height restriction of 45.72mPD, a maximum GFA of 56,000m² and a non-alienation restriction.
- (d) NKIL 6052 is held under Conditions of Sale No.12042 dated 22.12.1998 for godown purpose, with dangerous goods godown allowed subject to conditions. The lease conditions also contain, amongst others, a height restriction of 45.72mPD.
- (e) If the planning application is approved by the Board, the lot owners have to apply to 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.

- (f) It is mentioned in Paras. 2.3.2 and 4.5.1 of the Consolidated Report (**Appendix Ia**) that the two applicants will proceed to land exchange applications separately, with a 'phased development approach'. In this regard, comments contained in (e) 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.
- (g) It is proposed that (i) Lai Fat Street will be permanently closed for inclusion into the development site (Para. 2.1.2 of the Consolidated Report at **Appendix Ia** refers) and (ii) a small strip of Government land at the corner of Sham Mong Road and Fat Tseung Street West (**Plan A-3**), which falls outside the Site, to be modified as a footpath and will be handed over to Government upon completion (item 1.8 of the Table of Response to Departmental Comments of the Consolidated Report (**Appendix Ia**) refer). 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 (e) 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.
- (h) 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 (para. 2.3.3 of the Consolidated Report at **Appendix Ia** 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 Site, to be formed as a footpath (together with the Government land as mentioned in (g)(ii) above) and surrender back to government (para. 2.3.2 and Enclosure 1 of the Table of Response to Departmental Comments of the Consolidated Report (**Appendix Ia**)). In this regard, comments from TD and HyD should be sought. The comment in (e) above on the land exchange application (if received) also apply.
- (i) On the public comment from Tack Ching Girl's Secondary School,

he advises that the small triangular portion as mentioned in the school's comments falls within NKIL 6003 RP (~~i.e. Site 2~~). The concerned area has been designated as a deferred possession area (DPA) under Government Land Allocation allocated to the Education Bureau with the land currently occupied by the school. Possession of the DPA is subject to completion of the proposed land exchange.

- (j) Detailed comments are at **Appendix VI**.

Building Matter

10.1.2 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

No objection in principle to the application subject to the following comments :

- (a) 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 SC and PR calculation under the Buildings Ordinance (BO) and should not be built over.
- (b) Under PNAP APP-2, 100% GFA concession may be granted for underground private and public carpark.
- (c) 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.
- (d) Adequate means of escape, means of access for firefighting and rescue, emergence vehicular access and fire resisting construction should be provided in accordance with Building (Planning) Regulations (B(P)R) 41(1), 41A, 41B, 41C, 41D, Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011 (FS Code).
- (e) Detailed comments are at **Appendix VI**.
- (f) Detailed comments under the BO will be given at building plan submission stage.

Traffic and Parking Facilities

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

- (a) He considers that the provision of public car/lorry park in the development would be critical and essential as illegal on-street parking involving different vehicles types has been frequently found near the Site. As such, he has previously objected to the planning application with regard to the lack of / insufficient provision of public car/lorry parking spaces in the earlier proposal.
- (b) Based on the FI of 29.6.2018 with latest proposal on the provision of public vehicle parking spaces (**Appendix Ie**), he has the following comments:
 - (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 proposed vehicular access for 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 the 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 (**Appendix Ie**) 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 L/UL facilities as parking spaces of goods vehicles and modifying all the 24 public 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) He has no further comment on the number of public vehicle parking spaces. Nevertheless, the applicants should submit in due course the detailed design of car parks and L/UL facilities for their 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.

- (c) He has no adverse comments on the proposed permanent closure of Lai Fat Street for the proposed development from a traffic point of view. The future pedestrian passageway along Lai Fat Street should be constructed, managed and maintained by the applicants as TD has not requested that the applicants shall surrender any / whole portion of the pedestrian passageway to the Government upon demand. In addition, he notes that the applicants undertake to have pedestrian passageway opened 24 hours to the public.
- (d) 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. TD has no comment to take up management responsibility provided that such area will be constructed as a pavement to the satisfaction of Highways Department (HyD) and TD, and HyD agrees to take up the maintenance responsibility.

10.1.4 Comments of the Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD):

- (a) No in-principle objection to the application.
- (b) Regarding the closure of the Lai Fat Street within the “CDA” zone and inclusion of small strip of Lai Hong Street into the proposed development, he has no comment from highway’s maintenance viewpoint.
- (c) 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.

Environment

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

- (a) He has previously provided technical comments on the original submission regarding the issues of industrial/residential interface and hazard to life (due to presence of existing

dangerous goods and liquefied petroleum gas (LPG) storage within the Site) under a phased development approach (Items 7.7 to 7.15 of Annex I of Consolidated Report at **Appendix Ia**) . He has no further comments on these aspects based on the latest FI.

- (b) Based on the available information including the FI for the planning application, DEP considers that insurmountable environmental impacts associated with the planning application are not anticipated, and hence he has no objection to the planning application from the environmental perspective.
- (c) Notwithstanding this, he proposes the following conditions be imposed if the planning application is approved:
 - (i) To allow flexibility to cater for refinement of the building layouts in the future, the following condition is to be imposed:

‘the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of the DEP or of the Board’;
 - (ii) To echo DSD’s suggestion for an approval condition on sewerage aspect and to ensure the implementation of sewerage upgrading / connection works, the following conditions are to be imposed:
 - ‘the submission of a sewerage impact assessment (SIA) to the satisfaction of the DEP or of the Board’; and
 - ‘the implementation of the local sewerage upgrading / sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Board’
 - (iii) To ensure the carrying out of the land contamination assessment and the remediation actions (if any) when the site is accessible as recommended by the applicants, the following condition is to be imposed:

‘the submission of a land contamination assessment and implementation of the remediation actions identified therein for the proposed development to the satisfaction of the DEP or of the Board’

Urban Design, Air Ventilation and Landscape

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

Based on the information provided, he has the following comments from architectural and visual impact point of view:

- (a) Regarding the proposed scheme in compliance with the requirement under Sustainable Building Design Guidelines as stipulated in PNAP APP-152, he would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (b) Regarding the proposed paving area usage between Sites 1 and 2 at Lai Fat Street, it is noted that the applicants have clarified that this pedestrian passageway will be opened 24 hour for public use and comments from LandsD, TD, HyD and BD have been sought. In this regard, he would have no further comment.

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

Urban Design and Visual

- (a) The proposed development comprises eight residential towers with commercial and school uses provided within podium floors. The application involves a minor relaxation of the domestic PR from 6.5 to 7.5 with maximum overall PR of 8. The BH of the proposed development range from 140mPD to 150mPD. Given the surrounding context, the proposed development is not considered incompatible with the development pattern and height profile of the area. Significant impact on the visual character of the townscape is not anticipated.
- (b) Based on the Consolidated Report of 12.3.2018 (**Appendix Ia**) provided, Lai Fat Street will be closed to form a pedestrianized area provided with commercial shopfronts along it. The pedestrianized area will be provided with quality landscaped design and publicly accessible around the clock. This proposal would help strengthen street vitality and provide a pleasing pedestrian connection between Fat Tseung Street and Lai Hong Street.

- (c) It is however more desirable to reposition Lai Fat Street for the landscaped pedestrian passageway further southwest closer to or aligning approximately with Ying Wa Street for more direct pedestrian routing and even spatial distribution of the two development parcels. Nevertheless, it is noted from the applicants that proposed spatial arrangement is mainly due to the separate ownership of the two lots.

Air Ventilation Assessment

- (d) According to the Consolidated Report of 12.3.2018 (**Appendix Ia**), an AVA – Initial Study using computational fluid dynamics has been conducted to support the current application. Two scenarios, i.e. the Baseline Scheme (based on PR restrictions of OZP) and Proposed Scheme, have been assessed in the study. In the current submission, a revised Proposed Scheme is submitted with the widening of building separation between T4 and T5 up to 15m in response to his previous comment on the earlier proposal.
- (e) According to the latest simulation results, similar overall ventilation performance of the surrounding and along the site boundary is achieved by the two studied schemes under annual condition. Better ventilation performance of the surrounding and along site boundary is achieved by the Proposed Scheme when compared to the Baseline Scheme under summer condition.
- (f) With the various mitigation measures including (i) 20m Building Separation between Site 1 and Site 2 podium at ground level; (ii) 15m building separation between T4 and T5 at Site 2 along E direction, no significant air ventilation impact is anticipated by the proposed development, when compared with the Baseline Scheme.

Landscape

- (g) In view of possible diversion of existing stormwater drainage, it allows a good opportunity to significantly improve the pedestrian passageway and local streetscape at the 20m wide x 85m long (about 1,700m²) external / open area which is proposed to be converted from an existing vehicular path (i.e. Lai Fat Street) to a public accessible private / communal open area. There is room for an integrated landscape design to well articulate quality planting / greenery and other amenity provisions within the building footprint. Therefore, the following landscape condition is recommended should the Committee approve the application:

‘Submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Board’.

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

Tree Preservation

- (a) 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 trees 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.
- (b) LCSD reserves their right to comment on tree preservation until they receive the request for giving advice on the formal tree removal application from LandsD.

Drainage and Sewerage Aspects

10.1.9 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) He has no adverse comments to the application from public drainage and sewerage operation and maintenance point of view;
- (b) the SIA needs to meet the full satisfaction of Environmental Protection Department (EPD), the planning authority of sewerage infrastructure. DSD’s comments on the SIA are subject to views and agreement of EPD; and
- (c) should the Committee approve the application, the following condition is recommended:

“the submission of a revised drainage impact assessment and implementation of mitigation measures identified therein if the existing drain along Lai Fat Street is diverted to the satisfaction of the Director of Drainage Services or of the Board”.

Water Supply

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

- (a) There is no objection to the planning application.
- (b) It is noted that Lai Fat Street was included in the planning application and was proposed to be converted into landscape area as part of the “CDA”. There are existing water mains laid along Lai Fat Street which will be affected by the development proposal.
- (c) 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.

Fire Safety

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

There is no objection to the planning application provided that:

- (a) fire service installations and water supplies for fire-fighting being provided to the satisfaction of Fire Services Department;
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) 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.

Electrical and Mechanical Services

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

- (a) 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.

- (b) 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

Social Welfare Facilities

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

- (a) DSW notes from the FI of 31.5.2018 (**Appendix Id**) that the following welfare facilities are now incorporated in the development (based on a Net Operational Floor Area (NOFA)/GFA ratio of 1.76):
 - (i) 100-place RCHE (NOFA: 1,353.5 m²)
 - (ii) 60-place DE (NOFA: 358m²)
 - (iii) NEC (NOFA: 303m²)
 - (iv) SCPA (NOFA: 161m²)
- (b) In this light, she has no further comment to offer. The location (including height) and design of the welfare facilities will have to satisfy all current and prevailing BO and DSW's requirements.
- (c) She has no adverse comments on the proposed arrangement to have the social welfare facilities constructed by the applicants at their own cost for subsequent hand over to the Government for future operation, maintenance and management upon completion.

Kindergarten

10.1.14 Comments of the Secretary for Education (SED):

- (a) 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.
- (b) All along, SED requests kindergarten facilities in terms of classrooms. In the FI of 31.5.2018 (**Appendix Id**), it is stated that the GFA of the proposed kindergarten is about 900m². The applicants are reminded to ensure that the total GFA is adequate for accommodating a 9-classroom kindergarten and

satisfying the requirements as mentioned above.

District Officer's Comments

10.1.15 Comments of the District Officer (Sham Shui Po), Home Affairs Department (DO/SSP, HAD):

- (a) There is no comment on the planning application.
- (b) A comment from a District Councillor was received. He considers that the residential development The Pacifica is required to provide 155 public car parking spaces as requested under the lease which are managed by the developer. However, no parking space has been rented out for use and this is undesirable. He therefore suggests that the public vehicle park in the Site should be handed over to the Government and managed by TD.
- (c) The comprehensive development was discussed in the Environment and Hygiene Committee (EHC) (環境及衛生委員會) and Transport Affairs Committee (TAC) (交通事務委員會) under the Sham Shui Po District Council (SSPDC) on 13.7.2017 and 20.7.2017 respectively.
- (d) Members of the committees expressed concerns on the development, especially on the PR, vehicular traffic flow induced by the development, parking spaces, impact on the air quality, noise nuisance from construction and increased traffic flows etc. Extracts of minutes of the EHC and TAC meetings of these committees are at **Appendices Va** and **Vb** respectively.
- (e) The comprehensive development was further discussed in the TAC and SSPDC on 27.4.2018 and 8.5.2018 respectively. TAC members generally requested an increase of parking spaces and some suggested changing the lorry car parking spaces into private car parking spaces with reference to the occupancy rate of lorry car parking spaces nearby. SSPDC members also requested the developer to provide more welfare facilities. The following motion (translation of original Chinese version)³ was passed at the SSPDC

³ Original motion in Chinese: 「新興建屋苑應當於早時便做好規劃，以應對日後社區要求，儘量滿足屋苑衍生需求。同時，新屋苑增加住宅單位地積比，是配合近年市民對住宅供應增加的殷切需求，增加房屋數量能穩定樓價，所以本會不反對增加住宅數量及接受改變地積比，並要求發展商配合社區需求，達致公共設施有足夠使用面積的標準，解決社區各種服務需要。」

meeting:

‘New housing estates should be well-planned in advance to address the future needs of the community and to satisfy the needs to be generated by the housing estates as far as possible. Also, increasing the domestic PR of new housing estates is to address the strong demand of the public for more supply of domestic units, and increasing the number of domestic units could stabilize housing prices. Therefore, this Council does not oppose increasing the number of domestic units and accepts the change in the PRs. Also it requests the developer to address the needs of the community and make available sufficient usage area for public facilities, satisfying various service needs of the community’ (Source: Web Site of SSPDC)

The relevant discussion papers TAC Paper No. 17/18 and SSPDC Paper No. 53/18 (with extract of minutes of SSPDC meeting held on 8.5.2018) are attached at **Appendices Vc and Vd** respectively.

- 10.2 The following Government departments have no comment/no objection to the application:
- (a) Project Manager/South, Civil Engineering and Development Department (PM/S, CEDD);
 - (b) Director of Food and Environmental Hygiene (DFEH);
 - (c) Commissioner of Police (C of P);
 - (d) Chief Engineer/Railway Development 2-1, Railway Development Office, Highways Department (CE/RD 2-1, RDO, HyD); and
 - (e) Director of Housing (D of Housing).

11. Public Comments Received During Statutory Publication Period

- 11.1 The application and the FIs were published on 16.6.2017, 19.9.2017, 20.3.2018, 27.4.2018, 8.6.2018 and 10.7.2018 for public inspection. Within the six statutory public inspection periods, a total of 113 public comments were received. The public comments received include District Councillors, individual residents, property owners and concern groups from residential developments in the vicinity including Liberte, the Sparkle and Banyan Garden, nearby schools, as well as private individuals. All the comments received are at **Appendix IVa to IVe** and are summarised in the following table.

Submission	Publication Period	Support	Objection	Comments/ Concerns	Total
Planning Application	16.6.2017 to 7.7.2017	4	22	19	45 (App. IVa)
FI of 4.9.2017 & 8.9.2017	19.9.2017 to 10.10.2017	1	5 3	2	6 (App. IVb)
FI of 12.3.2018	20.3.2018 to 10.4.2018	0	2	54	56 (App. IVc)
FI of 19.4.2018	27.4.2018 to 18.5.2018	0	0	0	0
FI of 31.5.2018	8.6.2018 to 29.6.2018	0	1	0	1 (App. IVd)
FI of 29.6.2018	10.7.2017 to 31.7.2017	1	0	4	5 (App. IVe)
Total		6	30 28	79	113

11.2 The main point of the public comments are summarized below:

Supportive Comments

11.2.1 6 comments from private individuals and residents of the adjacent residential developments support the application for the following reasons:

- (a) the location of the Site with good accessibility is suitable for residential development;
- (b) more housing flats can be provided to meet housing demand;
- (c) the proposed scheme is compatible with the surroundings;
- (d) the proposed development can create employment opportunities to the district; and
- (e) the proposed development will bring improvement to the traffic and environment of the area, as compared with the current

existence of warehouse and truck activities.

Opposing Views

11.2.2 ~~30~~ **28** comments from District Councillors, residents of the adjacent residential developments, a school (Tack Ching Girls' Secondary School) nearby and private individuals raise objections to the application. The objection reasons and the concerns/comments are summarised as follows:

- (a) the area has been densely developed. With more new developments in the area, the Site should be for use of library, school, open space and community hall to meet the community needs. More facilities for elderly and recreation, and SCPA should be provided;
- (b) the proposed development is too high and has too many building blocks. It will have adverse impacts on air ventilation, visual and environment (air and noise). The PR relaxation should not be allowed and the BH should not exceed 100m. The development scale should be reduced;
- (c) Government land is proposed to be included in the Site but no GIC facilities were proposed in the original proposal. GIC facilities including social welfare facilities particularly the SPCA and public vehicle parking spaces should be provided. There is a severe shortage of parking spaces in the area;
- (d) the proposed development would have adverse traffic impact on the roads and MTR Nam Cheong Station;
- (e) more greenery should be provided. Tree felling proposal is unacceptable and should be reviewed to retain or transplant more existing trees;
- (f) the construction of the proposed development will affect the schools in the vicinity. The provision of off-course betting centre in the original proposal at the Site near schools is not appropriate;
- (g) technical assessments including environmental and visual are incorrect; and

- (h) the public consultation is insufficient and ineffective.

Concerns/Comments

11.2.3 79 comments from District Councillors, concern groups, residents of the adjacent residential developments, nearby schools and private individuals provided comments/expressed concerns on the application. The major concerns/comments are similar to those in para. 11.2.2 above with the following additional views:

- (a) more transport facilities including those for pedestrian should be provided in the area to support population increase in the area. The proposed provision of vehicle parking spaces including for lorry and coach is insufficient. The proposed HGV / coach parking spaces should be mainly used for parking of coaches instead of HGV;
- (b) the proposed development will have adverse impacts on traffic safety, in particular with the proposed lorry park. No HGV or coach parking should be provided at the Site;
- (c) Government land should not be included in the proposed development. The proposed scheme comprising a public road should be used for public housing development rather than private residential development; and
- (d) a triangular piece of the western corner of NKIL 6003 R.P. as claimed by Tack Ching Girls' Secondary School should be returned to the school as soon as possible.

12. Planning Considerations and Assessments

12.1 The application is for proposed comprehensive residential, commercial, social welfare facilities and public vehicle park uses, with minor relaxation of domestic PR from 6.5 to 7.5 (+15.4%) and reduction of non-domestic PR from 1.5 to 0.5 at the Site which is mainly zoned "CDA". According to the Notes of the OZP, 'flat', 'eating place', 'shop and services', 'market', 'school', 'social welfare facility' and 'public vehicle park (excluding container vehicle)' are Column 2 uses which require planning permission from the Board. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/GFA/BH restrictions may be considered by the Board on application. In addition, pursuant to section 4A(2) of the Ordinance, an applicant for permission for development on land designated "CDA" shall prepare a MLP for the approval by the Board.

Planning Intention

12.2 The “CDA” zone on the OZP is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The proposed comprehensive development primarily for residential use with supporting commercial and community facilities including social welfare facilities and public vehicle park is generally in line with the planning intention of the “CDA” zone. The Site is the subject of a previous application (No. A/K20/43) for proposed comprehensive residential development with ancillary retail uses and public parking provisions for cars, light goods and heavy goods vehicles with domestic and non-domestic PR of 6.5 and 1.5 respectively which was approved by the Committee with conditions on 14.4.2000.

Land Use Compatibility

12.3 The Site is in proximity to a cluster of high-rise and high-density residential neighbourhood (including Aqua Marine, The Pacifica, Banyan Garden, Liberte and One West Kowloon) in the northwest, The Sparkle in the northeast, the public housing development under construction at Fat Tseung Street West in the southeast and another public housing development at NWKR Site 6. There are also various GIC uses in the surroundings including a number of schools and government uses. Given the surrounding context, the proposed comprehensive residential development with commercial and community uses is not considered incompatible with the existing developments and planned land uses in the area.

Relaxation of Domestic PR Restriction

12.4 Based on the submission, the proposed PR relaxation only involves the reshuffling of the domestic and non-domestic PR distribution. With the increase of domestic PR from 6.5 to 7.5, the non-domestic PR is proposed to be 0.5 instead of the maximum of 1.5 as permitted under the OZP. As a result, the total achievable GFA of 189,600m² as envisaged under the OZP remains unchanged.

12.5 By relaxing the domestic PR from 6.5 to 7.5, the proposed development will provide about 3,140 residential units. This represents an increase of 240 flats when compared with that under the approved scheme with a domestic PR of 6.5 as proposed in the previous application No. A/K20/43 (**Appendix II**). The current proposal will thus help contribute to providing more flats to address the housing shortage in Hong Kong.

12.6 There are retail facilities provided in the existing residential developments in the vicinity including those in the Aqua Marine and Hoi Lai Estate to serve the area while the Site will also provide some retail and GIC facilities. The applicants’ submission has demonstrated that the proposed development is environmentally and technically feasible on various aspects. As such, the proposed relaxation of

the domestic PR restriction from 6.5 to 7.5, which represents an increase of 15.4%, is considered not unacceptable.

Urban Design, Visual, Landscape and Air Ventilation Aspects

- 12.7 The BH of the proposed development ranges from 140mPD to 150mPD. Given the surrounding context with residential developments to the north of the Site (subject to BH restrictions of 80mPD to 152mPD) and those to the east, south and west (ranging from about 112mPD (Hoi Lai Estate) to about 185mPD (The Pacifica)) (**Plan A-1**), the proposed BH is considered not incompatible with the development context and height profile of the area. Significant impact on the visual character of the townscape is not anticipated. CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comment on the proposed BH profile and from visual aspect.
- 12.8 Regarding the proposed layout including the proposed landscaped pedestrian passageway which will be opened to the public 24 hours as proposed by the applicants, CTP/UD&L, PlanD opines that the pedestrianized area with retail shops would help strengthen street vitality and provide a pleasing pedestrian connection between Fat Tseung Street West and Lai Hong Street. Although it may be more desirable to reposition the landscaped pedestrian passageway further southwest closer to or aligning approximately with Ying Wa Street for a more direct pedestrian routing, it is noted that the proposed spatial arrangement is mainly due to the separate ownership of the lots.
- 12.9 From a landscape point of view, CTP/UD&L, PlanD considers that in view of the possible diversion of existing stormwater drainage at Lai Fat Street, there is room for an integrated landscape design to well articulate quality planting /greenery and other amenity provision within the building footprint. In this regard, a landscape condition including submission and implementation of a revised LMP is recommended should the Committee approve the proposed development.
- 12.10 Regarding air ventilation, CTP/UD&L, PlanD opines that with the various mitigation measures including the 20m building separation between Site 1 and Site 2 podium at ground level and 15m building separation between T4 and T5 at Site 2 along east direction, no significant air ventilation impact is anticipated by the proposed development.

Provision of Public Facilities

- 12.11 The reduction of non-domestic PR from 1.5 to 0.5 has no adverse impact on the provision of the public facilities within the Site. According to the Notes of the "CDA" zone, GIC or social welfare facilities, as required by the Government, may be disregarded from PR calculation. In response to the comments of Government departments and the public, the proposed scheme has incorporated social welfare facilities including a RCHE, a DE, a NEC and a SCPA (with a total

GFA of 3,830m²) to serve the community needs. Moreover, a public vehicle park with 73 private car and 24 HGV/coach parking spaces will be provided in the basement to address the illegal parking problem in the nearby areas. A kindergarten of 900m² will also be provided within the proposed development. DSW, C for T and SED have no adverse comments on the proposed provision. Approval conditions on provision of public facilities are suggested under paragraph 13.2.

Traffic, Environment and Infrastructural Capacity

- 12.12 Lai Fat Street is proposed to be closed for the provision of a landscaped pedestrian passageway of at least 7m in width which will be opened to the public 24 hours. Along this passageway, the applicants propose that there will be shopfronts. CTP/UD&L, PlanD supports the proposal as it would help strengthen street vitality and provide a pleasing pedestrian environment. C for T and CHE/K, HyD have no comment on the proposed road closure.
- 12.13 The proposed comprehensive development with minor relaxation in domestic PR restriction would not create adverse traffic, fire safety, environmental and sewerage impacts on the surrounding areas according to the various assessments conducted by the applicants. Concerned Government departments consulted including, C for T, CHE/K, HyD, DEP, CE/MS, DSD, DWS and D of FS have no adverse comments on the application. Relevant approval conditions on traffic and transport, noise impact, sewerage, drainage, land contamination and fire safety are suggested to be imposed.

Implementation and Phasing

- 12.14 The proposed scheme if taken forward would help materialize the planning intention of the “CDA” for comprehensive redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The existing industrial use at the Site, which is incompatible with the existing / planned residential and GIC facilities in the surrounding areas, would be phased out.
- 12.15 According to the submission, given the different land ownership, there may be time gap in the redevelopment programme of Site 1 and Site 2. While the proposed scheme has been formulated comprehensively, the development at both sites would be self-contained in terms of development parameters, layout, open space, vehicular access, car parking, L/UL and other infrastructure provision to allow flexibility of a phased development. Three scenarios taking into account different redevelopment programmes of the two sites have been considered and the related technical assessments concluded that there would be no insurmountable adverse impacts when one of the two existing godowns is to be redeveloped first. The comprehensiveness of the development would not be

compromised even if it is under a phased implementation as the entire development is governed by the submitted MLP. In this connection, relevant approval condition for the submission of phasing plan and implementation programme is suggested.

- 12.16 The Site (including Lai Fat Street) is the subject of three approved previous planning applications since it was zoned “CDA”. In the latest application No. A/K20/43, a development scheme with a domestic PR and non-domestic PR of 6.5 and 1.5 respectively in compliance with the PR restrictions of the OZP for proposed comprehensive residential development with ancillary retail uses and public parking provisions for cars, light goods and heavy goods vehicles was approved with conditions on 28.6.2001. However, the planning permission lapsed on 28.6.2008 as the approved scheme was not implemented.

Public Comments

- 12.17 Regarding the public comments received, the planning assessment above and departmental comments in paragraph 10 are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraphs 10.1.15 and 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 17.8.2022, and after the said date, the permission shall cease to have effect unless, before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ consideration:

Approval conditions

- (a) the submission and implementation of a revised Master Layout Plan to incorporate where appropriate the approval conditions (b) to (m) [except (j)] below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the provision of a landscaped pedestrian passageway of Lai Fat Street to be open 24 hours for public use, as proposed by the applicants, to the satisfaction of the Director of Planning or of the Town Planning Board;

- (d) the design and provision of ingress/egress point(s), vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the provision of a public vehicle park, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the provision of social welfare facilities, as proposed by the applicants, to the satisfaction of the Director of Social Welfare or of the Town Planning Board;
- (g) the provision of a kindergarten, as proposed by the applicants, to the satisfaction of the Secretary for Education or of the Town Planning Board;
- (h) the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (i) the submission of a land contamination assessment and implementation of the remediation actions identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (j) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (k) the implementation of the local sewerage upgrading/sewerage connection works identified in (j) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (l) the submission of a revised drainage impact assessment and implementation of mitigation measures identified therein if the existing drain along Lai Fat Street is diverted to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (m) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (n) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The suggested advisory clauses are attached at **Appendix VII**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicants fail to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of domestic PR restriction.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicants.

15. Attachments

Appendix I	Application form received on 5.6.2017
Appendix Ia	Letter dated 12.3.2018 with a Consolidated Report with responses to comments and revised technical assessments (accepted but not exempted from publication and recounting requirements)
Appendix Ib	Letter dated 16.3.2018 with supplementary tree survey report and rectified figures of the Traffic Impact Assessment (TIA) for the Consolidated Report
Appendix Ic	Letter dated 19.4.2018 with a public lorry car park occupancy survey report as part of TIA (accepted but not exempted from publication and recounting requirements)
Appendix Id	Letter dated 31.5.2018 with revised Environmental Assessment (EA) and proposal to incorporate a support centre for persons with autism in the proposed scheme (accepted but not exempted from publication and recounting requirements)
Appendix Ie	Letter dated 29.6.2018 with proposal to provide more public vehicle parking spaces, associated revisions to the floor plans,

	Drainage and Sewerage Impact Assessment (DSIA), TIA, Landscape Master Plan (LMP), and responses to comments (accepted but not exempted from publication and recounting requirements)
Appendix If	Letter dated 13.7.2018 with replacement pages and figures of the revised EA report submitted on 31.5.2018
Appendix Ig	Letter dated 17.7.2018 with replacement pages of the revised figures of the revised EA report of the FI submitted on 13.7.2018
Appendix Ih	Letter dated 9.8.2018 providing clarifications
Appendix Ii	Letter dated 14.8.2018 providing clarification
Appendix II	Previous applications
Appendix III	Similar applications
Appendix IVa	Public comments received during the statutory public inspection period ending 7.7.2017
Appendix IVb	Public comments received during the statutory public inspection period ending 10.10.2017
Appendix IVc	Public comments received during the statutory public inspection period ending 10.4.2018
Appendix IVd	Public comments received during the statutory public inspection period ending 29.6.2018
Appendix IVe	Public comments received during the statutory public inspection period ending 31.7.2018
Appendix Va	Extract of Minutes of Meeting of Environment and Hygiene Committee (EHC) of Sham Shui Po District Council (SSPDC) held on 13.7.2017 (with EHC Paper No. 73/17)
Appendix Vb	Extract of Minutes of Meeting of Transport Affairs Committee (TAC) of SSPDC held on 20.7.2017 (with TAC Paper No. 72/17)
Appendix Vc	TAC Paper No. 17/18
Appendix Vd	Extract of Minutes of Meeting of SSPDC held on 8.5.2018 (with SSPDC Paper No.53/18)
Appendix VI	Summary of Detailed Comments from Departments
Appendix VII	Recommended Advisory Clauses
Drawing A-1	Land Holding Plan
Drawing A-2	Master Layout Plan
Drawing A-3	Basement 2 Floor Plan

Drawing A-4	Basement 1 Floor Plan
Drawing A-5	Ground Floor Plan
Drawing A-6	First Floor Plan
Drawing A-7	Second Floor Plan
Drawing A-8	Podium Roof Plan
Drawing A-9	Diagrammatic Section A-A
Drawing A-10	Landscape Master Plan - Combine
Drawing A-11	Landscape Sections A-A' and B-B'
Drawing A-12	Urban Design Concept
Drawing A-13	Photomontages – Viewing from Sham Shui Po Park (VP2)
Drawing A-14	Photomontages – Viewing from the Exit of Nam Cheong Station (VP3)
Drawing A-15	Photomontages – Viewing from Sham Shui Po Sports Ground (VP5)
Drawing A-16	Photomontages – Viewing from the Junction of Hing Wah Street West and Lai Hong Street (Near the Public Open Space Abutting Hing Wah Street West) (VP6)
Plan A-1	Location Plan
Plan A-2	Location Plan for Similar Applications
Plan A-3	Site Plan
Plan A-4	Aerial Photo
Plans A-5 to A-9	Site Photos

PLANNING DEPARTMENT

August 2018