

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H20/195

- Applicant** : Fortune Creation Developments Limited represented by Llewelyn-Davies Hong Kong Limited
- Application Site** : 14-16 Lee Chung Street, Chai Wan, Hong Kong
- Site Area** : About 976.96m²
- Lease** : Chai Wan Inland Lot (CWIL) Nos. 12 and 43 (the Lot)
- restricted to industrial and/or godown purposes excluding offensive trade, and only a factory and/or a warehouse, ancillary offices and quarters for persons essential to the safety and security of the building, the number of such quarters and persons to be subject to the special approval of the Commissioner of Labour, are permitted to be erected; and
 - subject to a special waiver dated 29.6.2016 permitting some uses.
- CWIL No. 43
- no part of any structure erected or to be erected on the lot shall exceed a height of 300 feet above the site level of the lot
- Plan** : Draft Chai Wan Outline Zoning Plan (OZP) No. S/H20/24 (currently in force)
- Approved Chai Wan OZP No. S/H20/23
(at the time of submission of planning application, the zoning and development restrictions for the application site remain unchanged on the current OZP)
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- (a) Maximum plot ratio (PR) of 12 and maximum building height (BH) of 120mPD, or the PR and height of the existing building, whichever is the greater
 - (b) Minor relaxation of the PR/BH restrictions may be considered by the Town Planning Board (the Board) on application
- Application** : Proposed Minor Relaxation of PR for Permitted Non-polluting Industrial Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 12 to 14.4 (i.e. +2.4 or +20%) at application site (the Site), which is zoned “OU(B)” on the draft Chai Wan OZP No. S/H20/24 (**Plan A-1**). The subject application is to facilitate the redevelopment of the existing 11-storey industrial building (IB) constructed before 1987^[1] into a 30-storey IB for ‘Non-polluting Industrial Use’ (the Proposed Scheme). According to the OZP, minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Town Planning Ordinance. The proposed development with a BH of not more than 120mPD will not exceed the BH restriction for the “OU(B)” zone under the OZP.
- 1.2 The Site abuts Lee Chung Street where vehicular access of the proposed development will be located. The Proposed Scheme would introduce a 3-tier BH profile stepping down from 120mPD to 98.725mPD and 21.95mPD (**Drawing A-7**). A building separation of about 9m would be provided from the adjoining Minico Building to the north (**Drawing A-5**). A podium garden is proposed on 3/F (**Drawing A-4**). About 7.5m setback of the building at G/F from the centre line of Lee Chung Street (i.e. about 1.1m setback from the lot boundary at ground level up to 15m in height) and a weather canopy of about 1.1m in width and 19m in length are proposed along Lee Chung Street (**Drawings A-8 to A-10**).
- 1.3 Relevant floor plans, section plans and visual illustrations submitted by the applicant are shown at **Drawings A-1 to A-10**. Major development parameters of the Proposed Scheme are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 976.96m ²
PR	About 14.4
Total Gross Floor Area (GFA)	About 14,068.224m ²
BH (at main roof level)	Not more than 120mPD
No. of Storeys	30 (incl. 2 basement levels)
Site Coverage (above 15m)	Not more than 60%
Parking Spaces	
- Private Car ^(*)	24 (incl. 1 accessible parking space)
- Motorcycle	3
Loading/Unloading (L/UL) Spaces	
- Light Goods Vehicle (LGV)	7
- Heavy Goods Vehicle (HGV)	4
Building Setback	
- From the centre line of Lee Chung Street (from G/F)	About 7.5m
Building Separation	
- From Minico Building (from 3/F)	About 9m
Anticipated Year of Completion	2024

(*) Including 10 mechanical parking spaces on B1/F and B2/F.

¹ The Occupation Permits (OP) for the CWIL Nos. 12 and 43 IBs were issued on 31.8.1965 and 5.7.1971 respectively.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 12.5.2020 (Appendix I)
 - (b) Supporting planning statement providing plans and drawings, Traffic Impact Assessment (TIA), Air Quality Impact Assessment (AQIA) and Sewerage Impact Assessment (SIA) (Appendix Ia)
 - (c) Further Information (FI) received on 31.7.2020 providing responses to departmental and public comments, revised SIA, TIA, plans and layouts for an additional basement floor and diagrams for design merits and planning gains [FI-1]* (Appendix Ib)
 - (d) FI received on 12.8.2020 providing responses to departmental comments and revised block and section plans [FI-2]# (Appendix Ic)
 - (e) FI received on 4.9.2020 providing responses to departmental comments [FI-3]# (Appendix Id)

* *accepted but not exempted from the publication and recounting requirements*

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- 1.5 On 10.7.2020, at the request of the applicant, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months in order to allow sufficient time for the applicant to prepare FI to address departmental comments. With the FI received on 31.7.2020 (Appendix Ib), the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supporting planning statement and FIs at **Appendices Ia to Id**. They are summarised as follows:

In line with the latest government's policy to incentivise redevelopment of aging IBs in a timely manner

- 2.1 Revitalising existing aged IBs for more effective use of land through redevelopment has been encouraged by the government as announced in Policy Address (PA) 2018.
- 2.2 The Site is under single ownership, and the applicant aims to complete redevelopment by 2024 and provide more industrial floor area, about 2.345m² of additional industrial GFA, as well as making better use of valuable land resources in the short run.

Proposed minor relaxation is justifiable and comparable to the prevailing government practices

- 2.3 According to the prevailing policy initiatives and Practice Note No. 2/2019 published by the Lands Department (LandsD), to optimise utilisation of the existing industrial stock and make better use of valuable land resources, the government would provide policy support to owners of IBs to apply for relaxation of the maximum permissible non-domestic PR by up to 20% if the IB satisfy the criteria set by the government. The proposed development, comprised of a redevelopment of the subject IB aged 49 years for industrial uses upon a minor relaxation of maximum permissible non-domestic PR, is fully in line with the criteria under the revitalisation scheme.
- 2.4 Similar planning applications pertinent to minor relaxation of non-domestic PR of IBs for redevelopment by 20% since the promulgation of the revitalisation scheme in 2018 can be easily found in Hong Kong.

Release of development potential for better utilisation of industrial land

- 2.5 As revealed by the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessments), there is demand for industrial space in the “OU(B)” zone of Chai Wan, which has a lower vacancy rate than the overall levels in Hong Kong and Chai Wan area. The figures published by the Rating and Valuation Department reflected the amount of industrial stock in Eastern District has shrunk about 134,000m² (about 10%) from 2014 to 2018. The proposed redevelopment can replenish some of the diminishing stock to support the long-term development in Hong Kong.

In line with the planning intention and requirements under Town Planning Board Guidelines No.22D

- 2.6 The proposed industrial use echoes the planning intention of the subject “OU(B)” zone and contributes to the gradual transformation of the area dominated by ageing industrial uses to a mix of modernised industrial and business area.
- 2.7 The proposed development complies with the Town Planning Board Guidelines, all relevant building and fire safety regulations and the parking and L/UL spaces requirements stipulated under the Hong Kong Planning Standards and Guidelines (HKPSG).

Planning gains and design merits

- 2.8 The proposed development will not exceed the maximum permissible BH as stipulated under the OZP. To provide better pedestrian environment and respect the BH under OZP, underground parking has been adopted to minimise traffic at G/F level. Opportunities would be taken to explore a flexible building design on lower floors to allow some permissible uses under “OU(B)” zone in order to activate the street frontage.
- 2.9 To improve air ventilation and enhance pedestrian environment, a setback of about 7.5m on G/F from the centre line of Lee Chung Street with a weather canopy would be provided. A building separation of about 9m from the adjacent

Minico Building at above podium level is also proposed to mitigate the visual bulkiness.

- 2.10 A 3-tier stepping BH profile would offer visual interests in the area, breaking the visual monotony in the “OU(B)” zone and improve permeability in the local environment (**Drawings A-7 and A-8**). A podium garden with landscape treatments is proposed on 3/F of the proposed development to facilitate cross-ventilation and improve visual amenity of the industrial area. Design treatments (e.g. colours, architectural features, materials articulations) to further enhance design interests would be explored at the detailed design stage.

No Adverse Impacts

- 2.11 As demonstrated in the submitted technical assessments, no adverse traffic, environmental and sewerage impacts from the proposed development are anticipated.

3. Background on Policy Initiatives of Revitalisation of IBs

- 3.1 As set out in Chief Executive’s 2018 PA 2018, to provide more floor area to meeting Hong Kong’s changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs has been announced. To encourage owners to redevelop IBs constructed before 1987^[2] (pre-1987 IB), there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified under OZPs by up to 20% for redevelopment of pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns into industrial/commercial uses (the Policy). The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the Building (Planning) Regulations (B(P)R)^[3]. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 3.2 The time limit for owners to submit application is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

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

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

² Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the Building Authority for approval on or before the same date.

³ Under the new policy, any bonus floor area claimed under section 22(1) or (2) of the B(P)R is not to be counted towards the proposed increase of non-domestic PR by 20% for redevelopment projects.

5. **Previous Application**

There is no previous application in respect of the Site.

6. **Similar Applications**

- 6.1 There is no similar application within the Chai Wan OZP area. However, another application (No. A/H20/193) for minor relaxation of PR for non-polluting industrial use at a site (i.e. Minico Building) located immediate northeast of the Site is currently under processing.
- 6.2 Since March 2019, the Committee has considered a total of 31 applications for minor relaxation of PR and/or BH in the Metro Area relating to the Policy (see **Appendix II** for details). Out of the 31 similar applications, 28 applications were approved with conditions, two were rejected (Nos. A/K13/313 and A/K14/764) and one was deferred pending FI by the applicant on planning and design merits of the development proposal.
- 6.3 In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provided incentives to encourage redevelopment of pre-1987 IBs taking account that relevant technical assessments were submitted to support the technical feasibility and there was no adverse comment from relevant government departments. The 2 rejected applications were rejected on the consideration that the proposed relaxation of BH restrictions were without strong justifications or sufficient planning and design merits. They are not relevant to the subject case which only proposes minor relaxation of PR.

7. **The Site and Its Surrounding Areas**
(Plans A-1 to A-3 and site photos on Plans A-4 and A-5)

- 7.1 The Site is:
- (a) occupied by a 11-storey IB (about 43.62mPD), which is merged from two buildings built in 1965 and 1971 and planned for non-industrial uses upon completion of wholesale conversion;
 - (b) abutting Lee Chung Street and located within a cluster of IBs at the eastern fringe of the Chai Wan "OU(B)" Area; and
 - (c) about 50m northwest of the MTR Chai Wan Station.
- 7.2 The surrounding area has the following characteristics:
- (a) along Lee Chung Street are mainly medium-rise IBs and I-O buildings, and the area opposite to the Site has been redeveloped into an office (data processing centres and computer-related operations) building (known as the E-Trade Plaza);
 - (b) Chai Wan Park is located to the northeast and further beyond to the east is the Island East Corridor; and

- (c) to the south across Lee Chung Street/Ning Foo Street are the Wah Ha Estate (a public housing development converted from a previous flatted factory), bus terminus and the MTR Chai Wan Station together with its topside residential development (known as New Jade Garden).

8. Planning Intention

The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

9. Comments from Relevant Government Departments

- 9.1 The following government bureau/departments (B/Ds) have been consulted and their views on the application are summarised as follows:

Policy Perspective

9.1.1 Comments of the Secretary for Development (SDEV):

- (a) the existing 11-storey building, with a building age of about 49 years, was originally built for industrial purposes. Under the previous scheme of IB revitalisation pursued by the government between 2010 and 2016, the owner applied to LandsD for a special waiver to permit the use of the lot for specified non-industrial purposes upon wholesale conversion. The special waiver was duly executed in June 2016 to permit the lot and the existing building to be used for a list of non-industrial uses, during the lifetime of the existing building, or until the expiry of the lease, or upon the early termination of the waiver. The waiver fee was fully exempted to incentivise the hitherto wholesale conversion. As such, alteration and addition works including those necessary to bring the fire service installations compliant with present-day standards were timely pursued for the wholesale conversion of the existing building, until when the owner submitted a Form BA14 to the Buildings Department (BD) in August 2018 to indicate the completion of such works. BD certified the completion of the wholesale conversion in December 2018;
- (b) in view of above background, he does not very much see this wholesale-converted building on the lot among the targeted aged IBs under the present policy to incentivise IB redevelopment. Given that this wholesale-converted building can now accommodate the prescribed non-industrial uses covered by the special waiver, it should not be taken as a “pre-1987 IB” under the policy. He, therefore, does not think that the policy to

incentivise pre-1987 IBs to upgrade their fire service installations amongst other things through redevelopment is applicable to the subject building;

- (c) notwithstanding the above, when assessing the application in the context of facilitating the market to contribute to the urban renewal in Chai Wan district and the future supply of commercial or industrial GFA, it is noted that the applicant intends to develop a new industrial building on the Site with a PR increase for non-polluting industrial uses, which is in line with the planning intention of the "OU(B)" zone and is compatible with the surrounding modernised industrial/office developments. In view of the increasing long-run shortfall of industrial floor space in Hong Kong under the current projection, there is a case to capitalise on each and every industrial redevelopment project to cater for the demand for industrial space as far as possible. The extra 20% PR provision will bring about additional industrial GFA (or 2,345m²), hence going some way to help address the said shortfall in the territory. In addition, the redevelopment is said to bring certain planning and design merits (e.g. setback of building, enhancement to the pedestrian environment, building separation, etc.) to provide better streetscape and amenity of the locality;
- (d) subject to other departments' assessments of technical feasibility and planning parameters, the subject proposal of redeveloping the wholesale-converted building at a PR of 14.4 (i.e. 20% more than the PR permissible on the OZP) is worthy of his support from the perspective of putting the Site into optimal use to produce the maximum possible industrial space and giving a further impetus to urban renewal; and
- (e) other detailed comments are at **Appendix III**.

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

It is noted that SDEV considers that the application is worthy of his support. According to the 2014 Area Assessments, the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. As such, while DG of TI does not have the technical knowledge on PR restriction, he has no objection to the application given that it would put the Site into optimal use to produce more industrial space.

Land Administration

9.1.3 Comments of the District Lands Officer/Hong Kong East (DLO/HKE), LandsD:

- (a) no objection to the application;
- (b) Johnson Building is erected on Chai Wan Inland Lot Nos. 12 and 43 governed by Conditions of Sale No. 7913 dated 1.4.1963 for

a term of 75 years commencing from 15.9.1963 renewable for 75 years and Conditions of Sale No. 9439 dated 27.1.1969 for a term of 75 years commencing from 27.1.1969 renewable for 75 years respectively subject to a special waiver dated 29.6.2016 ('the special waiver') for conversion of entire IB;

- (c) according to the record, a building was erected on Chai Wan Inland Lot 12 with an OP in 1965 whilst another building was erected on Chai Wan Inland Lot 43 with OP issued in 1971. The A&A works for the conversion project in respect of the previous special waiver issued on 17.4.2012 (superseded by the special waiver issued on 29.6.2016) was completed in March 2015. The special waiver issued on 29.6.2016 was completed in December 2018 as BD certified the completion of the wholesale conversion on 7.12.2018;
- (d) according to Condition No. (2) of the special waiver, the lots and the existing buildings thereon shall not be used for any purpose other than for the permitted purposes and on the terms as set out in the special waiver;
- (e) if the planning application is approved by the Board, the lot owner has to apply to LandsD for a lease modification/land exchange in respect of the lots. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Such application, if approved would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as the Director of Lands considers appropriate; and
- (f) other detailed comments are at **Appendix III**.

Building Matters

9.1.4 Comments of the Chief Building Surveyor/Hong Kong East and Heritage (CBS/HKE&H), BD:

- (a) no objection in principle to the proposed relaxation of PR as the proposed PR and site coverage do not exceed limits as specified in the First Schedule of the B(P)R;
- (b) GFA concessions under PNAP APP-151 (i.e. excluding/disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or site coverage calculation) will only be considered when the pre-requisites in paragraph 6 of PNAP APP-151 have been complied with;
- (c) GFA concession for carparking spaces or loading/unloading areas may be considered when the relevant requirements as laid down in PNAP APP-2 have been complied with; and

- (d) detailed comments under the Buildings Ordinance will be made at building plan submission stage.

Traffic Aspect

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

- (a) no comment on the TIA from traffic engineering viewpoint as:
 - (i) the parking provision has met the upper end of HKPSG requirement; and
 - (ii) the proposed double-deck parking will have sufficient headroom for parking private cars; and
- (b) should the application be approved, it is recommended to impose the following approval condition:

the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the C for T or of the Board
- (c) other detailed comments are at **Appendix III**.

9.1.6 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) no comment on the application from highways maintenance point of view;
- (b) the applicant is reminded that the construction of run-in/out should follow the latest HyD's standards. Agreement from the Transport Department (TD) and LandsD should be sought on the proposed location of run-in/out; and
- (c) other detailed comments are at **Appendix III**.

9.1.7 Comments of the Commissioner of Police (C of P):

- (a) no comment on the application; and
- (b) other detailed comments are at **Appendix III**.

Environment Aspect

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

- (a) based on the information provided, no objection to the application since adverse environmental impact as a result of the proposed redevelopment is not anticipated from environmental planning perspective;

(b) it is noted that the application document is silent on land contamination status of the Site. According to **FI-2**, it is noted that the applicant intends to address the land contamination issue at the later stage under a relevant planning approval condition. In this connection, no strong view on the proposed development and an approval condition on land contamination should be imposed, should the application be approved by the Committee; and

(c) other detailed comments are at **Appendix III**.

9.1.9 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

(a) no comment on the application; and

(b) should the application be approved, it is recommended to impose the following approval condition:

the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Board.

Urban Design, Visual and Air Ventilation Aspects

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

no comment from architectural and visual impact point of view. Based on the information provided, it is noted that the proposed development consists of one tower block with a height not more than 120mPD which complies with the BH restriction permitted in the OZP and may not be incompatible with adjacent developments with BH restriction of 120 mPD.

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

(a) the Site fronts onto Lee Chung Street and is surrounded by industrial and office buildings within the same "OU(B)" zone with BHs ranging from about 44mPD to 148mPD. The applicant seeks planning permission for minor relaxation of maximum PR from 12 to 14.4 (+20%) for redevelopment of an existing IB which is subject to PR restriction of 12 and a BH restriction of 120mPD on the OZP. The proposed development at 120mPD does not exceed the permissible BH restriction. Accommodating additional PR not exceeding BH restriction would unlikely have adverse visual impact on the surrounding areas;

(b) the applicant has proposed several design merits in support of the application, including a 1.1m setback of the podium (up to 15m) from the lot boundary, a 9m separation to the adjacent building from 3/F and above, a podium garden on 3/F with planters for edge

planting, stepped height of 120mPD and 98.725mPD and a podium garden at 21.95mPD (**Drawing A-7**), and a weather canopy along part of the frontage facing Lee Chung Street. Although technically speaking, incorporation of these design measures do not necessarily require additional PR, they represent the applicant's effort in building design improvement;

- (c) the building setback from Lee Chung Street and greenery would help enhance the pedestrian environment and visual amenity along the building frontage;
- (d) it is noted from the FIs that the applicant will try to take into account the advisory suggestions on façade treatment and greenery within setback area and allowing flexibility to help activate the street frontage at the detailed design stage; and
- (e) other detailed comments are at **Appendix III**.

Landscape Aspect

9.1.12 Comments of CTP/UD&L, PlanD:

- (a) no objection to the application from landscape planning perspective; and
- (b) the Site is currently occupied by an existing building. Medium to high rise industrial and commercial buildings are found in the vicinity of the Site. No significant vegetation is found within the Site. Significant change or disturbance arising from the proposed use to the existing landscape character and resource are not envisaged.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Director of Fire Services; and
- (c) District Officer (Eastern), Home Affairs Department.

10. Public Comments Received During Statutory Publication Periods

10.1 During the statutory public inspection periods, a total of 60 public comments were received (**Appendix IV**), including 55 supporting comments from individuals, and 5 objecting comments from a District Councillor and individuals.

10.2 The main grounds of the supporting comments are summarised as follows:

- (a) the proposed development follows the policy on revitalizing the existing IBs and will help to meet the shortage of industrial floor space in Hong Kong. It will also bring along various planning and design merits to improve the environment of the area;

- (b) it creates synergy for the surrounding developments and encourages redevelopment of aged IBs for better utilization of land resources;
- (c) it is in line with the planning intention of the subject “OU(B)” zone and complies with the BH restriction;
- (d) it provides setback from Lee Chung Street with weather canopy to enhance the streetscape and improve pedestrian comfort. A building separation of 9m from adjacent building is also provided;
- (e) it incorporates stepped BH profile and green features such as podium garden and edge planting which would improve the visual and air permeability and contribution to sustainable design; and
- (f) the additional parking facilities would help to reduce illegal on-street parking.

10.3 The major grounds of the objecting comments are summarised as follows:

- (a) the proposed development may cause adverse impacts on traffic, noise, air ventilation, natural light penetration and adjoining building and no assessment on the cumulative impact is provided;
- (b) there are insufficient car parking spaces in the proposed development which may lead to illegal parking and add burden to car parking facilities in the area;
- (c) the podium garden is not open for public use. The weather canopy only covers a short section of the building frontage. No tree planting on pavement or any green measures that benefit the pedestrians;
- (d) the relaxation of PR will lead to additional influx of workers to the district; and
- (e) there is no justification for additional PR.

11. Planning Considerations and Assessments

Planning Intention

11.1 The application is for minor relaxation of PR restriction from 12 to 14.4 (i.e. +2.4 or +20%) for redevelopment of the existing IB at the Site into a 30-storey IB for ‘non-polluting industrial use’. The proposed redevelopment is generally in line with the planning intention of the “OU(B)” zone, which is primarily for general business uses, including non-polluting industrial uses. The proposed redevelopment complies with the BH restriction of 120mPD on the OZP.

Policy Aspect

11.2 The existing 11-storey buildings were built in 1965 and 1971 for industrial purposes. The building was wholesale-converted for non-industrial purposes to bring the fire service installations compliant with present-day standards under

the previous scheme of IB revitalisation pursued by the Government between 2010 and 2016. The wholesale conversion was completed in 2018. In view of the above, SDEV has advised that the present IB revitalisation policy, which is to incentivise pre-1987 IBs to upgrade their fire service installations amongst other things through redevelopment, is not applicable to the existing building. Notwithstanding that, taking into account no adverse impacts on infrastructure/technical aspects and the planning/design merits brought by the proposed development, as mentioned in paragraphs 11.4 to 11.5 below, SDEV in support of the proposal of redeveloping the existing IB with a PR of 14.4 (i.e. 20% more than the PR permissible on the OZP) from the perspective of putting the Site into optimal use to produce the maximum possible industrial space and giving a further impetus to urban renewal.

- 11.3 According to the 2014 Area Assessments, the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. SDEV is supportive to the proposed redevelopment from site optimization perspective, and DG of TI has no objection to the application given that it would put the Site into optimal use to produce more industrial space.

Technical Aspects

- 11.4 The applicant has submitted technical assessments to demonstrate that the proposed development will not cause adverse traffic, air quality and sewerage impacts on the surrounding areas. C for T has no comment to the application as the parking provision has met the HKPSG requirement. Other relevant government departments including DEP and DSD have no objection to/no comment on the application. To address their technical concerns, approval conditions on vehicular access/car parking/L/UL provision, land contamination and sewerage aspects as set out in paragraph 12.2 below are recommended.

Planning and Design Merits

- 11.5 The applicant proposes a setback of about 1.1m from the lot boundary at ground level fronting Lee Chung Street up to 15m in height, building separation of about 9m from the adjacent Minico Building, a 3-tier stepped height profile of 120mPD, 98.725mPD and 21.95mPD (at podium garden) (**Drawings A-7 and A-8**), planting at podium garden edge and a weather canopy along part of the frontage facing Lee Chung Street to improve the general environment and pedestrian amenity. CTP/UD&L, PlanD considers that the proposed additional PR would unlikely have significant adverse visual impact on the surrounding areas and the proposed setback and greenery would enhance the pedestrian environment and visual amenity along the building frontage. CA/CMD2, ArchSD has also no adverse comment on the application from architectural and visual impact point of view.

Public Comments

- 11.6 Regarding the adverse public comments, the assessment above and departmental comments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.9.2024, 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 suggested for Members' reference:

Approval conditions

- (a) the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a land contamination assessment and remedial plan and implementation of the agreed remedial actions prior to commencement of construction for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio restriction.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application form received on 12.5.2020
Appendix Ia	Supporting planning statement received on 12.5.2020
Appendix Ib	1 st FI vide letter received on 31.7.2020
Appendix Ic	2 nd FI vide letter received on 12.8.2020
Appendix Id	3 rd FI vide letter received on 4.9.2020
Appendix II	Similar applications
Appendix III	Detailed comments of government departments
Appendix IV	Public comments
Appendix V	Recommended advisory clauses
Drawings A-1 to A-7	Floor plans and sectional plans of the proposed development
Drawings A-8 to A-10	Design merits and planning gains of the proposed development
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Building heights in Chai Wan "OU(B)" Area
Plans A-4 and A-5	Site photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**

Similar Applications

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
Kwun Tong Business Area							
1.	S/K14S/22 "OU(B)" A/K14/763 BHR: 100mPD	350 Kwun Tong Road, Kwun Tong (1,782m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with conditions on 22.3.2019	4m (Office)	<ul style="list-style-type: none"> ● Full-height setback along Hang Yip Street and Lai Yip Street in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 357m² (about 20% of Site Area) ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still allow a stepped BH profile in the Area ● Incorporation of refuge floor cum communal sky garden
2.	S/K14S/22 "OU(B)" A/K14/764 <i>(same site as No. A/K14/771)</i> BHR: 100mPD	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 130.2mPD (+30.2%)	<u>Rejected</u> on 22.3.2019 on the following grounds: (I), (II) [see remarks for details]	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 127m² (about 14% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden
3.	S/K14S/22 "OU(B)" A/K14/766 BHR: 100mPD	41 King Yip Street, Kwun Tong (2,042.011m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 126mPD (+26%)	<u>Approved</u> with conditions on 16.8.2019	4.025m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along King Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment. ● Voluntary setback and corner setback (G/F to 1/F) along King Yip Street to provide more ground floor greening and weather protection to the pedestrian ● Curvilinear building design with five layers of edge plantings ● Greening provision of 530 m² (about 26% of Site Area) ● Incorporation of refuge floor cum communal sky garden ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not be incompatible with the planned stepped BH profile in the Area

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
4.	S/K14S/22 "OU(B)" A/K14/771 (same site as No. A/K14/764) BHR: 100mPD	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.7mPD (+19.7%)	<u>Approved</u> with conditions on 16.8.2019	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 197 m² (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Tower deposition to allow building separation at tower with adjoining building to facilitate wind penetration to inland area ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not be incompatible with the planned stepped BH profile in the Area. ● Confined site configuration while the applicant had made effort in the building design to improve the local environment as listed above.
5.	S/K14S/22 "OU(B)" A/K14/774 BHR: 100mPD	7 Lai Yip Street, Kwun Tong (1,026m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with conditions on 13.12.2019	4m (Office)	<ul style="list-style-type: none"> ● Full-height setback along Lai Yip Street and Hang Yip Street in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 222.7m² (about 22% of Site Area) ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing Lai Yip Street ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still allow a stepped BH profile
6.	S/K14S/22 "OU(B)" A/K14/775 BHR: 100mPD	132 Wai Yip Street, Kwun Tong (418.06m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 120mPD (+20%)	<u>Approved</u> with conditions on 3.1.2020	3.9m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 63m² including vertical greenery (about 15% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
7.	S/K14S/22 "OU(B)" A/K14/773 BHR: 100mPD	82 Hung To Road, Kwun Tong (929.03m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.85mPD (+19.85%)	<u>Approved</u> with conditions on 17.1.2020	4.1m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setback along Hung To Road for improving pedestrian environment ● Greening provision of 202.3m² including vertical greenery (about 21.8% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing Hung To Road ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated
8.	S/K14S/22 "OU(B)" A/K14/778 BHR: 100mPD	203 Wai Yip Street, Kwun Tong (935.99m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.1.2020	4.04m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 270m² (about 29% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Weather protection canopy along the frontage facing Wai Yip Street ● Compliance with SBDG and incorporation of green building design measures
9.	S/K14S/22 "OU(B)" A/K14/777 BHR: 100mPD	71 How Ming Street, Kwun Tong (1,271.66m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%)	<u>Approved</u> with conditions on 15.5.2020	5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along How Ming Street, Chong Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing How Ming Street and Chong Yip Street ● Greening provision of about 20% of Site Area ● Compliance with SBDG
10.	S/K14S/22 "OU(B)" A/K14/782 BHR: 100mPD	4 Tai Yip Street, Kwun Tong (557.414m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with conditions on 15.5.2020	3.875m (Shop and Services (Medical-related))	<ul style="list-style-type: none"> ● Full-height setback along Tai Yip Street and Yan Yip Street in accordance with ODP requirement for improving pedestrian environment ● Pedestrian Accesses on G/F facing both Tai Yip Street and Yan Yip Street to enhance pedestrian connectivity ● Greening provision of not less than 20% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal podium garden ● Compliance with SBDG and incorporation of green building design measures

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
11.	S/K14S/22 "OU(B)" A/K14/780 BHR: 100mPD	107-109 Wai Yip Street, Kwun Tong (1,170.578m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 115mPD (+15%)	<u>Approved</u> with conditions on 29.5.2020	4.08m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement and additional above-ground NBA along the back alley for improving pedestrian environment ● 4.4m-wide public passageway on G/F for better connection between Wai Yip Street and the back alley ● Greening provision of about 27% of Site Area ● Compliance with SBDG and incorporation of green building design measures
Kowloon Bay Business Area							
12.	S/K13/29 "OU(B)" A/K13/313 (same site as No. A/K13/320) BHR: 120mPD	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m ²)	O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 120mPD to 141.25mPD (+17.7%)	<u>Rejected</u> on 17.3.2020 on the following grounds: (III), (IV) [see remarks for details]	4.2m (Office)	<ul style="list-style-type: none"> ● Proposed setbacks along Sheung Yuet Road and Wang Tai Road in accordance with ODP requirement for air ventilation, footpath widening and amenity purposes ● Ground floor NBA from the lot boundary abutting Wang Chiu Road in accordance with OZP requirement ● Incorporation of refuge floor cum communal sky garden ● Greenery coverage of 438m² (about 26% of Site Area) excluding 146m² of greenery area at refuge floor at 16/F ● Compliance with SBDG
13.	S/K13/29 "OU(B)" A/K13/316 BHR: 100mPD	33 Tai Yip Street, Kwun Tong, Kowloon (1,070.244m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 109.9mPD (+9.9%)	<u>Approved</u> with conditions on 10.7.2020	4.1m (Office)	<ul style="list-style-type: none"> ● A voluntary ground floor setback of 1.5m from Tai Yip Street and 1.8m to 2.3m from Wai Yip Street in order to improve pedestrian environment ● Greening at G/F, 2/F, 3/F and R/F achieving a total greenery ratio of about 20% ● Compliance with SBDG

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
14.	S/K13/30 "OU(B)" A/K13/320 (same site as No. A/K13/313) BHR: 120mPD	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Deferred</u> on 4.9.2020	4.2m (Office)	<ul style="list-style-type: none"> ● Full-height building setbacks along Wang Chiu Road (in accordance with OZP) to provide better streetscape ● Setback from the lot boundaries along Sheung Yuet Road and Wang Tai Road (both in accordance with setback shown on the ODP) ● Incorporated potential connections on 1/F to the future footbridge system as stipulated on the ODP ● Greening provision of 462m² (about 27% of Site Area) ● Compliance with SBDG
15.	S/K22/6 "C(2)" A/K22/27 BHR: 100mPD	7 Kai Hing Road, Kowloon Bay, Kowloon (4,293m ²)	C/O	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 4.9.2020	4.5m (Office)	<ul style="list-style-type: none"> ● Provision of waterfront promenade for public enjoyment which complies with the OZP requirements ● Allow public access through the G/F entrance lobby to the waterfront promenade during opening hours of the building ● Open-air public passage along south-western site boundary as an alternative access from Kai Hing Road to the waterfront promenade ● Provision of a landscape flat roof on 3/F and landscape areas on G/F, 3/F and the roof ● Compliance with the higher greenery provision requirements of Kai Tak Development
San Po Kong Business Area							
16.	S/K11/29 "OU(B)" A/K11/233 BHR: 120mPD	1 Tsat Po Street, San Po Kong (1,386m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 12.4.2019	3.325m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback in accordance with OZP along Tsat Po Street and Sam Chuk Street for improving pedestrian environment. ● Greening provision of 278 m² (about 20% of Site Area)
17.	S/K11/29 "OU(B)" A/K11/235 BHR: 120mPD	No. 21 Luk Hop Street, San Po Kong, Kowloon (776.1m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 13.12.2019	3.603m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback wider than OZP requirement to achieve a total of 3.4m-wide setback from the lot boundary abutting Luk Hop Street featured with landscape planters ● Greening provision of 278 m² (about 35.8% of Site Area) by inclusion of planters, vertical green wall and green roof ● Incorporation of green building design measures

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
Hung Hom							
18.	S/K9/26 "OU(B)" A/K9/274 BHR: 120mPD	13 Hok Yuen Street, Hung Hom (3,698.8m ²)	C/O	<u>PR</u> 12 to 12.782 (+6.52%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.5.2019	N/A	<ul style="list-style-type: none"> Proposed corner setback at Hok Yuen Street and 4.5m setbacks from adjacent buildings at east and west for improving the pedestrian environment A 26.8m-wide building gap between the two office towers Greening provision of 740 m² (including a landscaped garden on 1/F) (about 20% of Site Area)
Yau Tsim Mong Area							
19.	S/K3/31 "OU(B)" A/K3/582 BHR: 110mPD	107-111 (Odd Numbers Only) Tung Chau Street, Tai Kok Tsui, Kowloon (386.5m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.3.2020	4.025m (Workshop)	<ul style="list-style-type: none"> Setback above 15m measured from the mean street level along Maple Street in accordance with OZP requirement Full-height setback along Tung Chau Street Greening ratio of about 33.4% (about 129m²) with greening on G/F (about 11m²) and 3/F (about 48m²) as well as vertical greening (about 70m²) Incorporation of landscaped area at the setback on G/F Incorporation of a sky garden with edge planters on 3/F Provision of vertical greening features on the podium façade along Tung Chau Street Compliance with SBDG and incorporation of green building design measures
20.	S/K3/32 "OU(B)" A/K3/588 BHR: 110mPD	100-114 Bedford Road, Kowloon (932.925m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 29.5.2020	3.73m (Office)	<ul style="list-style-type: none"> Voluntary Full-height setback from the south-eastern part of the lot boundary abutting Bedford Road Greening ratio of about 25.87% (about 241.39m²) with greening on 3/F (about 116m²) and R/F (about 80m²) as well as green wall on lower floors (about 45.39m²) Incorporation of a sky garden on 3/F Compliance with SBDG and incorporation of green building design measures
Cheung Sha Wan							
21.	S/K5/37 "OU(B)" A/K5/813 BHR: 120mPD	822 Lai Chi Kok Road, Cheung Sha Wan (1318.3m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 120mPD to 125.7mPD (+4.75%)	<u>Approved</u> with conditions on 6.3.2020	4.375m (Office)	<ul style="list-style-type: none"> Full-height setbacks along Lai Chi Kok Road and Cheung Lai Street in accordance with ODP requirement for street widening and streetscape improvement Voluntary setback at G/F and 1/F along Cheung Yee Street to provide shading and to enhance pedestrian connectivity and comfort Incorporation of refuge floor cum communal sky garden Incorporation of flat roofs/recessed terraces with greenery Greenery coverage of 263.891m² (about 20% of Site Area) with an additional 50m² vertical greening Compliance with SBDG and incorporation of green building design measures

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ⁽¹⁾	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
22.	S/K5/37 "OU(B)" A/K5/816 BHR: 130mPD	121 King Lam Street, Cheung Sha Wan (509.4m ²)	I	12 to 14.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 21.8.2020	4.5m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setback along King Lam Street in addition to setback in accordance with ODP requirement for improving pedestrian circulation ● Voluntary full-height setback along eastern boundary to facilitate manoeuvring of vehicles ● Incorporation of podium garden for cross ventilation and visual permeability ● Greenery provision at G/F, 3/F and roof, with greenery coverage of 76.75m² (about 15.07% of site area) ● Compliance with SBDG
Kwai Chung							
23.	S/KC/29 "OU(B)" A/KC/460 BHR: 130mPD	57 – 61 Ta Chuen Ping Street, Kwai Chung (2,261m ²)	I-O	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 5.7.2019	N/A	<ul style="list-style-type: none"> ● Full-height setback along Ta Chuen Ping Street wider than OZP requirement for long-term road widening and improving air ventilation
24.	S/KC/29 "OU(B)" A/KC/464 BHR: 105mPD	20-24 Kwai Wing Road, Kwai Chung (1,579m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 29.11.2019	4.2m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setbacks at the northern portion of site and along Castle Peak Road - Kwai Chung for improving pedestrian environment, air ventilation and visual permeability ● Greening provision of 316m² (about 20% of Site Area) ● Provision of communal escalator with universal accessible lift and staircase open to the public for improving pedestrian connectivity, accessibility and comfort ● Compliance with SBDG and incorporation of green building design measures

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
25.	S/KC/29 "OU(B)" A/KC/463 BHR: 105mPD	Kwai Chung Town Lot (KCTL) 49 and Ext. RP, 45-51 Kwok Shui Road, Kwai Chung, New Territories (Gross Site Area: 1,324.3m ² Net Site Area ^[3] : 1,181.727m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.3.2020	4.20m (Workshop)	<ul style="list-style-type: none"> ● 2m Voluntary full-height setback along Kwok Shui Road for proposed pedestrian footpath and landscaped area ● Weather protection canopy along the northern and western facades ● Greening ratio of about 28.37% (335m²) ● Incorporation of landscaped area at G/F, 1/F, 3/F and the rooftop ● Compliance with SBDG and incorporation of green building design measures
26.	S/KC/29 "OU(B)" A/KC/466 BHR: 130mPD	2-16 Lam Tin Street (1,858m ²)	Information Technology and Telecommunications Industries	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> 130mPD to 146.5mPD (+12.7%)	<u>Approved</u> with conditions on 29.5.2020	5.5m (data centre)	<ul style="list-style-type: none"> ● Full-height NBAs along Lam Tin Street and Chun Pin Street in accordance with OZP requirement to cater for the long-term road widening proposal and enhance the air permeability of the area ● Incorporation of landscape area at B1/F, G/F, 1/F, 3/F and R/F and vertical greening at the low zone of the building along the western and eastern façades ● Greening ratio of about 22.69% (421.501m²) ● Compliance with SBDG and incorporation of green building design measures
Tsuen Wan							
27.	S/TW/33 "Industrial" A/TW/505 BHR: 100mPD	14-18 Ma Kok Street, Tsuen Wan (1,858.1m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 1.11.2019	3.5m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setback along Ma Kok Street for improving pedestrian environment ● Greening at G/F (with 0.6m setback) along Tsuen Yip Street ● Greening provision of 389 m² (about 20% of Site Area) ● Compliance with SBDG and incorporation of green building design measures

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
28.	S/TW/33 "Industrial" A/TW/509 BHR: 100mPD	8-14 Sha Tsui Road, Tsuen Wan (4,645.16m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 13.12.2019	4.95m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback along Sha Tsui Road, Pun Shan Street and back alley ● Building setback above 1/F ● Landscape and seating provided in setback area along Sha Tsui Road and Pun Shan Street ● Substantial vertical greenery in front facade and total greenery coverage of not less than 20% ● Compliance with SBDG and incorporation of green building design measures
29.	S/TW/33 "OU(B)" A/TW/508 BHR: 100mPD	18-20 Pun Shan Street, Tsuen Wan (2,322.557m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 17.1.2020	3.85m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback along Pun Shan Street in accordance with ODP requirement for improving pedestrian environment ● Setback from G/F to 3/F along the service lane at the west of the application site ● Landscape area provided at 1/F, 2/F and roof floor ● Greenery provided at entrance foyer and run-in/out, and total greenery coverage of not less than 20% ● Compliance with SBDG and incorporation of green building design measures
30.	S/TW/33 "Industrial" A/TW/514 BHR: 100mPD	Tsuen Wan Town Lot 85 and Lot 486 in D.D. 443, Fui Yiu Kok Street, Tsuen Wan (593 m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 29.5.2020	3.5m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback along Fui Yiu Kok Street ● Upgrading works at G/F setback area and adjoining public footpath ● Provision of a continuous glass canopy structure facing Fui Yiu Kok Street above the pavement ● Incorporation of a communal podium garden at 1/F ● Total greenery provision of about 119.378m² (not less than 20% of site area) ● Compliance with SBDG and incorporation of green building design measures
31.	S/TW/33 "Industrial" A/TW/516 BHR: 100mPD	24-32 Fui Yiu Kok Street, Tsuen Wan (973.6 m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Approved</u> with conditions on 12.6.2020	4.08m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback along Fui Yiu Kok Street ● Incorporation of landscape area at the flat roof at 1/F ● Total greenery provision of about 201.8m² (about 20.7% of site area) ● Compliance with SBDG and incorporation of green building design measures

Notes

- [1] Proposed Uses: Industrial (I), Commercial/ Office (C/O), Office (O) and Industrial-Office (I-O)
- [2] For back alleys, in addition to a 1.5m full-height setback, a 1.5m non-building area (NBA) from ground level with clear headroom of 5.1 are required, which basement structures as well as cantilevered structures projecting above the minimum 5.1m headroom are allowed.
- [3] The Site comprises parent lot KCTL No.49 (about 1,181.727m²) and Ext. RP (about 142.6m²). The extension area was granted after the building plans for the existing Topy Tower were approved in 1974. Under the lease, no structure other than boundary walls and fences is permitted to be erected within the extension area except with prior approval of the Director of Lands, and the extension area shall not be PR/site coverage accountable. Hence, only the area of KCTL 49, i.e. about 1,181.727m² should be accountable for PR/GFA calculation.

Rejection Reasons

- (I) The applicant failed to demonstrate that there were sufficient planning and design merits to justify the proposed minor relaxation of building height restriction.
- (II) The approval of the application would set an undesirable precedent for similar applications for minor relaxation of building height restriction in the area, the cumulative effects of approving similar applications would have adverse visual impact on the area.
- (III) The applicant failed to demonstrate that the proposed minor relaxation of BH restriction will not create adverse visual impact on the area.
- (IV) The applicant had not provided strong justifications for the proposed minor relaxation of BH restriction.

Detailed Comments of Government Departments

1. Comments of the Secretary for Development (SDEV):

as announced in the PA 2018, the Government is implementing a set of measures to incentivise redevelopment or wholesale conversion of aged IBs in the territory. One of these measures is to incentivise private owners to redevelop pre-1987 IBs by relaxation of the maximum permissible non-domestic PR upon redevelopment on a time-limited and case-by-case basis. The increase in development intensity upon such incentivised redevelopments does not come as of right, because every application for PR relaxation is to be considered on its own merits by the Board, with reference to a host of urban planning, land use, transport, environmental, sustainability, and other relevant considerations. The policy targets pre-1987 IBs, instead of any IBs in the territory, as IBs built before 1987 are subject to fire safety standards lower than those applicable these days (for example, many do not have automatic sprinkler systems or other modern fire service installations). It is envisaged that any redevelopment initiated by the private owner in respect of these pre-1987 IBs would help eradicate the fire safety problem once and for all, and at the same time utilise the existing lot optimally to better meet the city's future economic and industrial needs.

2. Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

(a) salient conditions governing the respective lots are as follows:

Chai Wan Inland Lot No. 12

- i. the lot is restricted for industrial and/or godown purposes excluding offensive trade (S.C. 2(a));
- ii. no building shall be erected on the lot except a factory and/or a warehouse, ancillary offices and quarters for persons essential to the safety and security of the building, the number of such quarters and persons to be subject to the special approval of the Commissioner of Labour (S.C. 2(b));
- iii. space shall be provided within the lot to the satisfaction of the Director of Public Works for the parking, loading and unloading of motor vehicles at the rate of not less than one vehicle for each 10,000 or part of 10,000 square feet of floor area but in any event not less than one vehicle for each 5,000 or part of 5,000 square feet of site area. The space so provided shall not be used for any other purpose (S.C. 10);

Chai Wan Inland Lot No. 43

- iv. the lot is restricted for industrial and/or godown purposes excluding offensive trade;
- v. no building shall be erected on the lot except a factory and/or a warehouse, ancillary offices and such quarters as may be required for watchmen or

caretakers who, in the opinion of the Commissioner of Labour, are essential to the safety and security of the buildings. The number of watchmen and caretakers to be accommodated in any such quarters and the number and size of the quarters shall be subject to the approval of the said Commissioner, and the floor area of any such quarters shall in any event not exceed 45 square feet for each person to be accommodated. Any such quarters shall not be used for any purpose other than the residential accommodation of such watchmen or caretakers (S.C. 2(b));

- vi. space shall be provided within the lot to the satisfaction of the Director of Public Works for the simultaneous parking, loading and unloading of goods vehicles at the rate of not less than one vehicle for each 10,000 square feet or part thereof of gross floor area, excluding any floor area to be used for parking, loading and unloading or not less than one vehicle for each 5,000 square feet or part thereof of the site area whichever is the greater one (S.C. 11); and
 - vii. no part of any structure to be erected on the lot shall exceed a height of 300 feet above the site level of the lot (S.C. 13);
- (b) as the current planning application is to facilitate redevelopment into a 30-storey (including basement for car park and L/UL) IB with a maximum BH of 120mPD, the applicant is reminded that according to Condition No. (1) of the special waiver, the special waiver shall expire upon the demolition of the existing buildings. Pursuant to Condition No. (13) of the special waiver, upon expiration of the special waiver, the lots shall cease to be used for the permitted purposes under the special waiver and shall thereafter be subject to all the general and special conditions in the relevant Conditions of Sale including the provisions in respect of the respective users of the lots;
- (c) the 'non-polluting industrial' use in planning terms covers a wide range of uses and will constitute uses in breach of the 'industrial' user restriction under the lease. Besides, the proposed single building with a maximum BH of 120mPD straddling over the lots would be in breach of the type of building and height restrictions in the respective Conditions of Sale as mentioned above. Comment on the provision of parking, loading and unloading spaces under the relevant Conditions of Sale is reserved; and
- (d) it is noted car parking, loading and unloading use on G/F, B1/F and B2/F is proposed in the **FI-1**. The proposed car parking, loading and unloading layout on CWIL 43 did not match with that of the existing layout plan registered in the Land Registry on 16.9.1972 under S.C. (12) of the Conditions of Sale for CWIL 43. Comments on the provision of parking, loading and unloading spaces under the relevant Conditions of Sale is reserved.

3. Comments of Commissioner for Transport (C for T):

the parking provision has met the upper value of HKPSG requirement:

Provisions	Proposed by applicant	HKPSG requirement
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Private Car	24	Min: 19 Max: 24
Motorcycle	3	Min: 1 Max: 3
L/UL Bays	HGV: 4 LGV: 7	HGV: 4 LGV: 7

4. Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) the applicant should observe the comments from TD on the parking and loading/unloading provisions from traffic engineering and management point of view;
- (b) the applicant is reminded that the weather canopy shall comply with the requirements as stipulated in regulation 10 under Cap. 123F B(P)R. In particular the following:
 - i. every canopy erected within 600mm of the outer edge of a footpath, or projecting over a road, shall have a clear space of not less than 5.5m beneath every part thereof;
 - ii. every canopy erected over a footpath shall have a clear space of not less than 3.3m beneath every part thereof; and
 - iii. every canopy shall be provided with adequate surface water drainage; and
- (c) should there be any proposed works on public footpath surrounding the proposed redevelopment, the details of such proposed works should be submitted to HyD for comment.

5. Comments of the Commissioner of Police (C of P):

- (a) the applicant is advised that he does concern the possible traffic impact caused during the construction stage and completion of proposed works. If the project proponent considers any comments/agreement of him is subsequently required before the commencement of the actual works, the applicant may furnish him a set of updated, specific and detail submission of Temporary Traffic Arrangement plan, arrangements of lighting-signing-and-guarding of road works in order to facilitate his further assessment; and
- (b) it is advised that the proposal should not cause adverse traffic obstruction in or beyond the Site.

6. Comments of the Director of Environmental Protection (DEP):

- (a) according to the information provided, it is noted that the application seeks permission for the proposed minor relaxation of PR to facilitate the redevelopment of the existing IB at the Site to a 30-storey building for non-

polluting industrial use. The Site, with an area of about 980m², is currently zoned "OU(B)". The applicant has confirmed that the proposed development will be equipped with central air-conditioning and will not rely on opened windows for ventilation;

- (b) since the proposal involves building demolition, the applicant is advised to minimize the generation of construction and demolition (C&D) materials, and reuse and recycle the C&D materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
- (c) the calculation of sewage loading for Chai Wan Industrial Centre in Appendix B of the Sewerage Impact Assessment (SIA) submitted under the application is not correct based on the gross floor area and occupancy density. However, this will not affect the conclusion of the SIA.

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

the applicant is advised to consider the following:

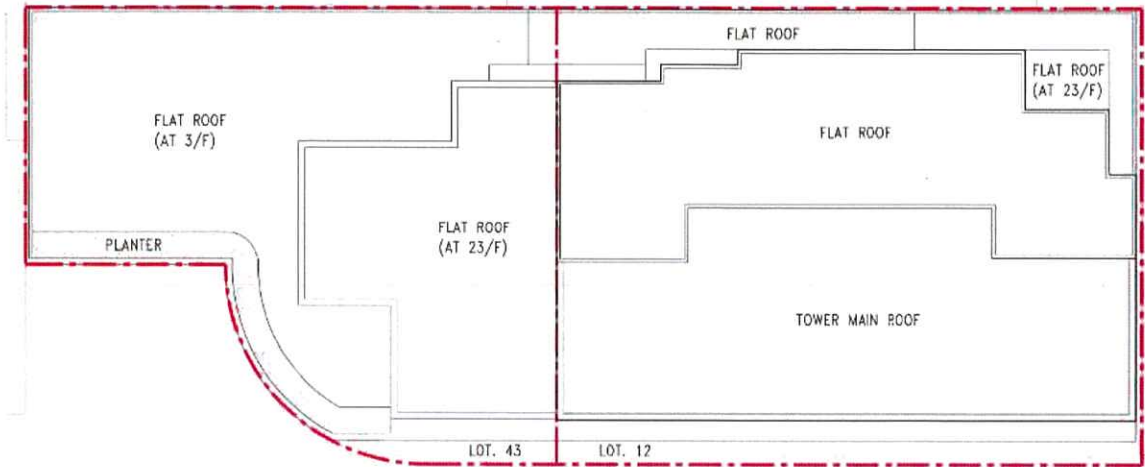
- (a) to explore design treatment or measures to create visual interest at the building's low zone considering the long building facade (about 50m) with, for example, vertical greening and articulations to the facade;
- (b) with provision of proposed setback of 1.1m from the lot boundary, the pavement would have an overall width of about 4m. There seems to be scope to incorporate greenery within the setback area along Lee Chung Street to enhance streetscape, pedestrian amenities and opportunity to increase the greenery provision; and
- (c) in the current proposal, the first two floors of the proposed development are for M&E, L/UL area and lobby, which may fit the intended functionality of the proposed development but will not contribute much to the public realm/pedestrian environment. Given that there is a wide range of permissible uses within the "OU(B)" zone that would help activate the street frontage, the applicant may consider designing the building in a way that allow for flexibility to accommodate future change of building uses on the lower floors.

Recommended Advisory Clauses

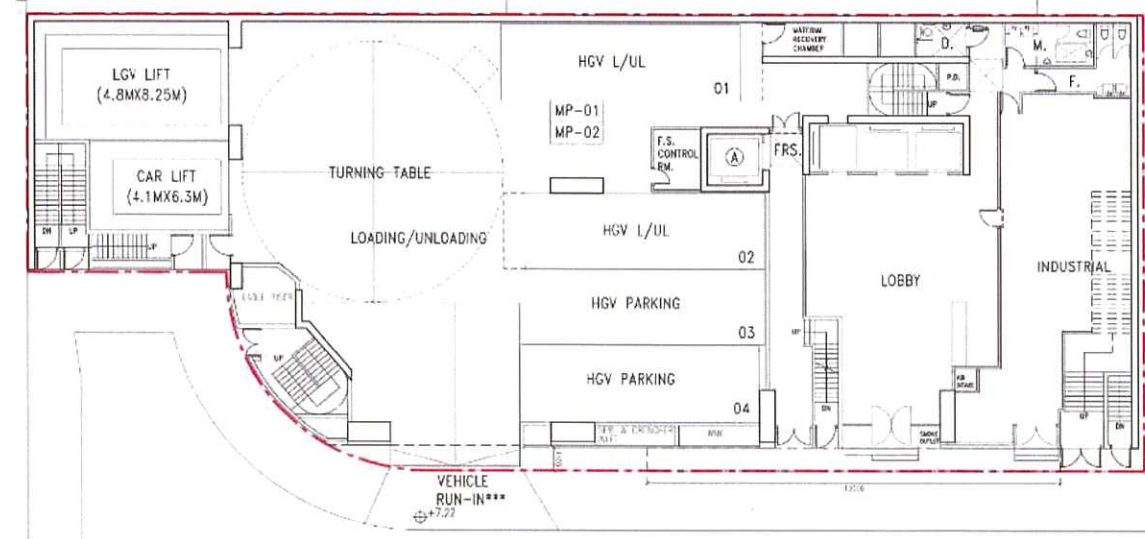
- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) that:
- (i) to apply to LandsD for a lease modification/land exchange in respect of the lots. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Such application, if approved would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as the Director of Lands considers appropriate; and
 - (ii) as the current planning application is to facilitate redevelopment into a **30 28**-storey (including basement for car park and L/UL) industrial building with a maximum building height (BH) of 120mPD, the applicant is reminded that according to Condition No. (1) of the special waiver, the special waiver shall expire upon the demolition of the existing buildings. Pursuant to Condition No. (13) of the special waiver, upon expiration of the special waiver, the lots shall cease to be used for the permitted purposes under the special waiver and shall thereafter be subject to all the general and special conditions in the relevant Conditions of Sale including the provisions in respect of the respective users of the lots.
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department that:
- (i) GFA concessions under PNAP APP-151 (i.e. excluding/disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or site coverage calculation) will only be considered when the prerequisites in paragraph 6 of PNAP APP-151 have been complied with;
 - (ii) GFA concession for carparking spaces or loading/unloading areas may be considered when the relevant requirements as laid down in PNAP APP-2 have been complied with; and
 - (iii) detailed comments under the Buildings Ordinance will be made at building plan submission stage;
- (c) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD) that:
- (i) the applicant is reminded that the construction of run-in/out should follow the latest HyD's standards. Agreement from the Transport Department (TD) and LandsD should be sought on the proposed location of run-in/out;

- (ii) the applicant should observe the comments from TD on the parking and loading/unloading provisions from traffic engineering and management point of view;
 - (iii) the applicant is reminded that the weather canopy shall comply with the requirements as stipulated in regulation 10 under Cap. 123F B(P)R. In particular the following:
 - 1. every canopy erected within 600mm of the outer edge of a footpath, or projecting over a road, shall have a clear space of not less than 5.5m beneath every part thereof;
 - 2. every canopy erected over a footpath shall have a clear space of not less than 3.3m beneath every part thereof; and
 - 3. every canopy shall be provided with adequate surface water drainage; and
 - (iv) should there be any proposed works on public footpath surrounding the proposed redevelopment, the details of such proposed works should be submitted to HyD for comment;
- (d) to note the comments of the Commissioner of Police that:
- (i) he does concern the possible traffic impact caused during the construction stage and completion of proposed works. If the applicant considers any comments/agreement from him is subsequently required before the commencement of the actual works, the applicant may furnish him a set of updated, specific and detail submission of Temporary Traffic Arrangement plan, arrangements of lighting-signing-and-guarding of road works in order to facilitate his further assessment; and
 - (ii) the proposal should not cause adverse traffic obstruction in or beyond the Site;
- (e) to note the comments of the Director of Environmental Protection that since the proposal involves building demolition, the applicant is advised to minimize the generation of construction and demolition (C&D) materials, and reuse and recycle the C&D materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development;
- (f) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that the length of the existing sewers among the various manholes appears to be out of proportion to the relative positions shown in the revised Sewerage Impact Assessment (SIA), although the figure indicates "not to scale". The applicant should review if the lengths of these sewers correctly reflect the reliable estimated pipe capacity using Colebrook-White Equation, for example the sewer segments between FMH7034984 and FMH7034991, FMH7035052 and FMH7035049; and the revised SIA needs to meet the full satisfaction of the Environmental Protection Department (EPD), the planning authority of sewerage infrastructure. The applicant is advised that the above comments on the revised SIA are subject to the agreement of EPD; and

- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that:
- (i) to explore design treatment or measures to create visual interest at the building's low zone considering the long building facade (about 50m) with, for example, vertical greening and articulations to the facade;
 - (ii) with provision of proposed setback of 1.1m from the lot boundary, the pavement would have an overall width of about 4m. There seems to be scope to incorporate greenery within the setback area along Lee Chung Street to enhance streetscape, pedestrian amenities and opportunity to increase the greenery provision; and
 - (iii) in the current proposal, the first two floors of the proposed development are for M&E, L/UL area and lobby, which may fit the intended functionality of the proposed development but will not contribute much to the public realm/ pedestrian environment. Given that there is a wide range of permissible uses within the "OU(B)" zone that would help activate the street frontage, the applicant may consider designing the building in a way that allow for flexibility to accommodate future change of building uses on the lower floors.



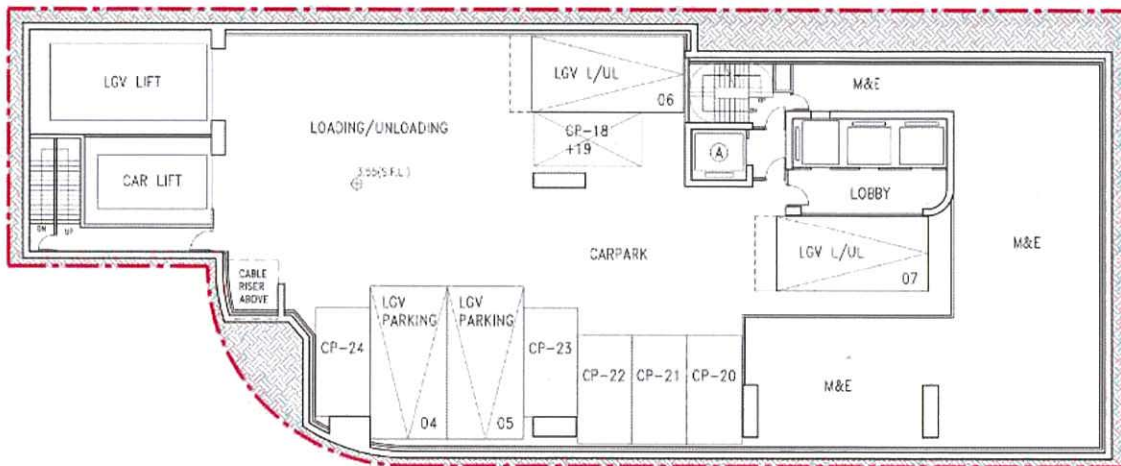
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			Rev	0	Date	Jul 2020
			Scale		Figure	3.1



Aedas	Title	G/F Plan	Checked	DH	Drawn	P/W
			Rev	0	Date	Jul 2020
			Scale		Figure	3.4

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

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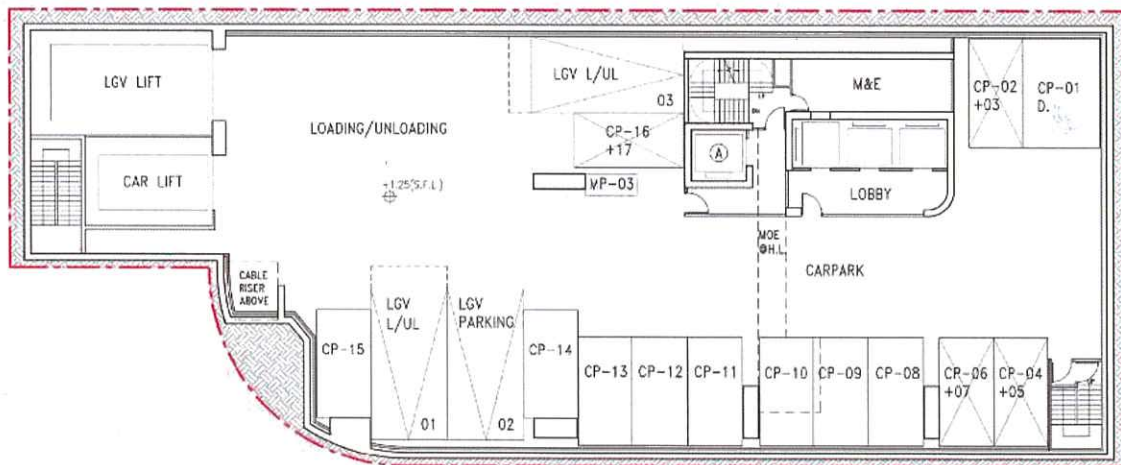


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B2/F Plan

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Rev	0	Date	Jul 2020
Scale		Figure	3.2



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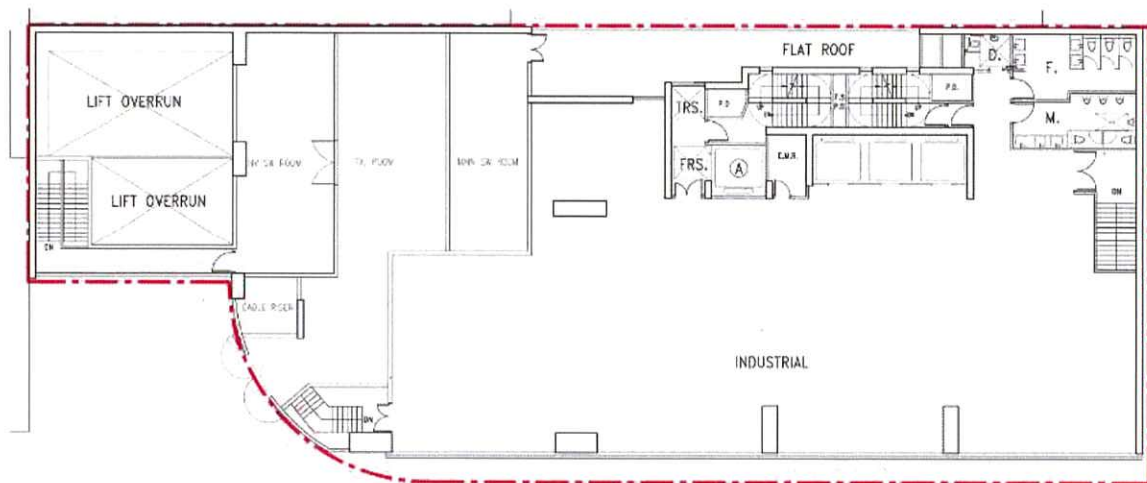
B1/F Plan

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Rev	0	Date	Jul 2020
Scale		Figure	3.3

參考編號
REFERENCE No.
A/H20/195

繪圖
DRAWING
A - 2

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

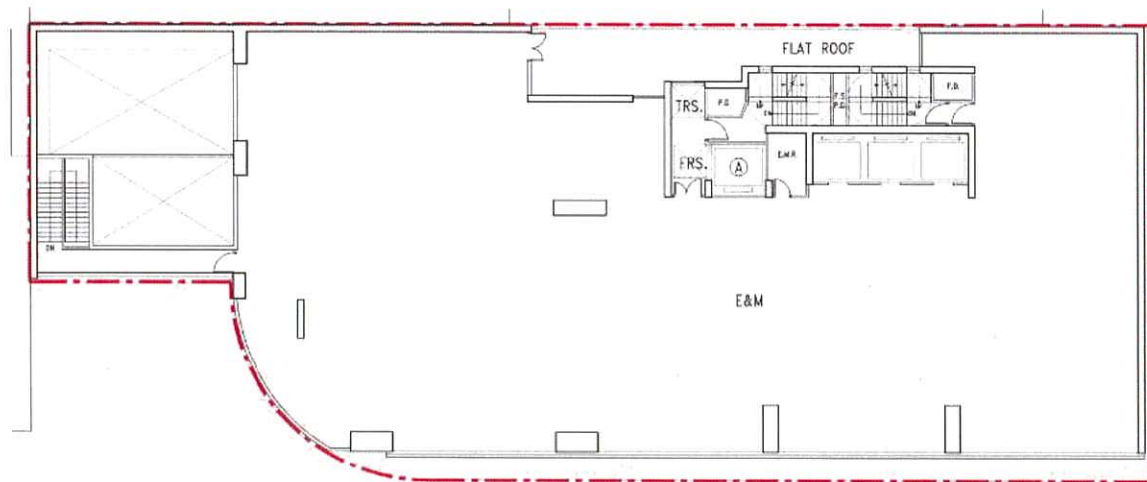


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Title

1/F Plan

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Rev	0	Date	Jul 2020
Scale		Figure	3.5



Aedas

Title

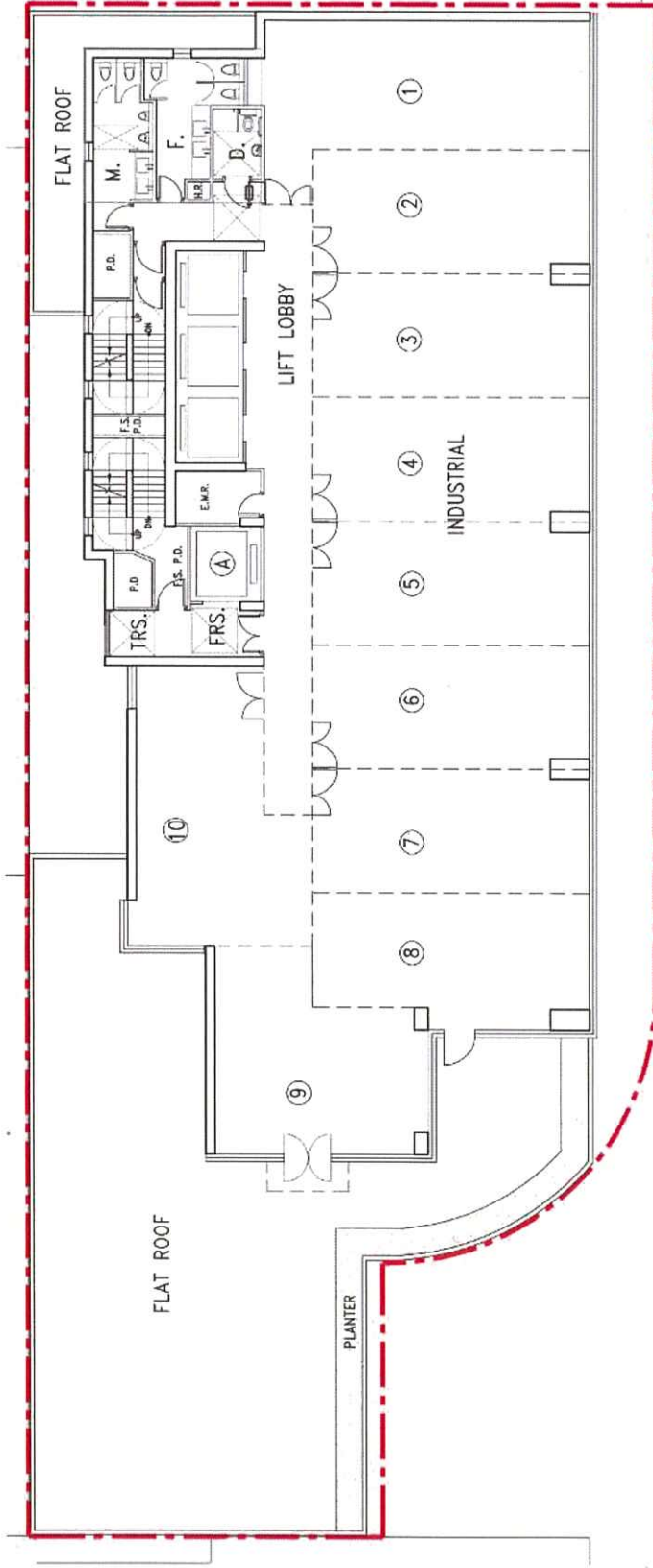
2/F Plan

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Rev	0	Date	Jul 2020
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參考編號
REFERENCE No.
A/H20/195

繪圖
DRAWING
A - 3

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

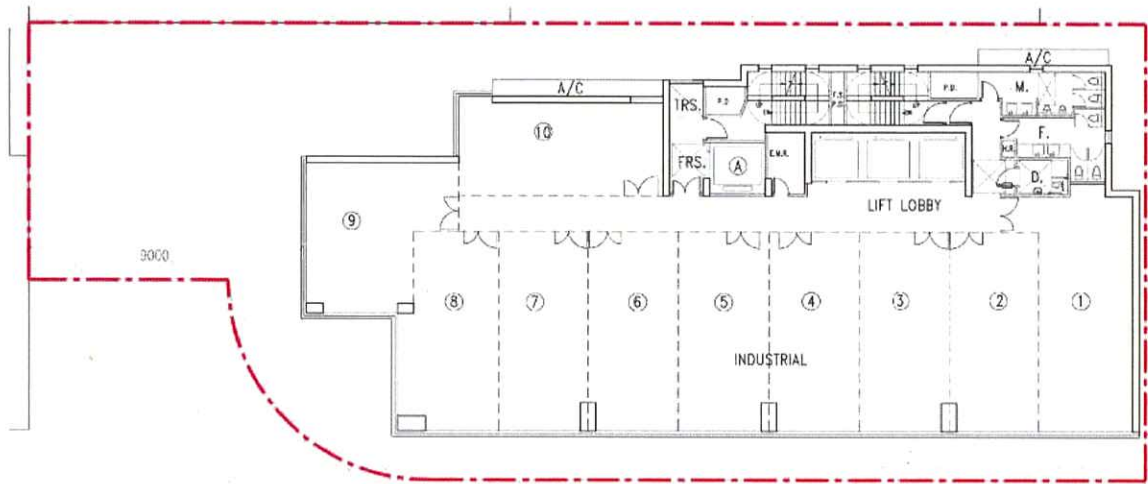


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Title	
+ +	Aedas
3/F Plan	

繪圖
DRAWING
A - 4

參考編號
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A/H20/195
(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

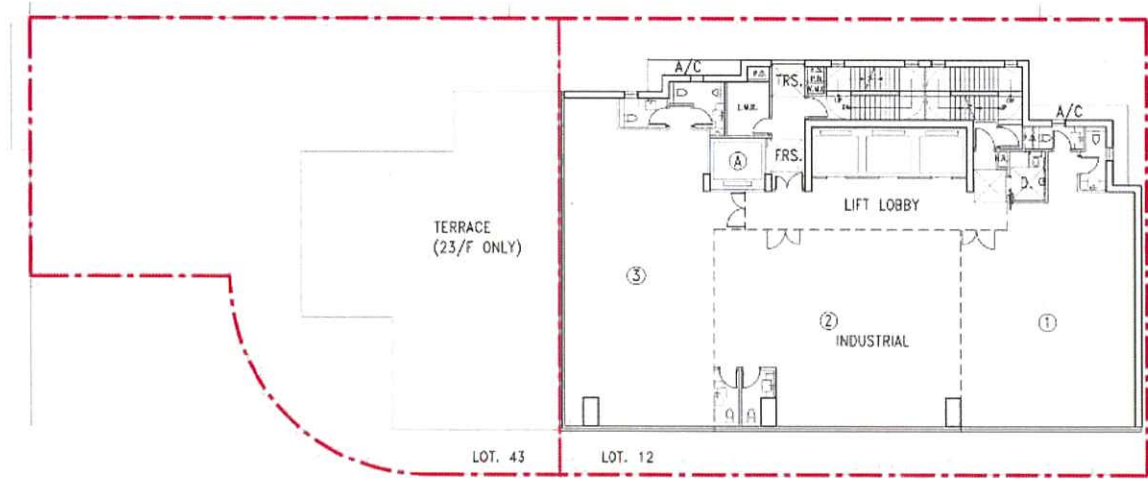


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Title

Typical Floor Plan (4/F - 22/F)

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Scale		Figure	3.8



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Title

Typical Floor Plan (23/F - 27/F)

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Rev	0	Date	Jul 2020
Scale		Figure	3.9

參考編號

REFERENCE No.

A/H20/195

繪圖

DRAWING

A - 5

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

B.L.

B.L.

13.95MPD

27 E

26 F

25 F

24 E

23 E

22 E

21 E

20 E

19 E

18 E

17 E

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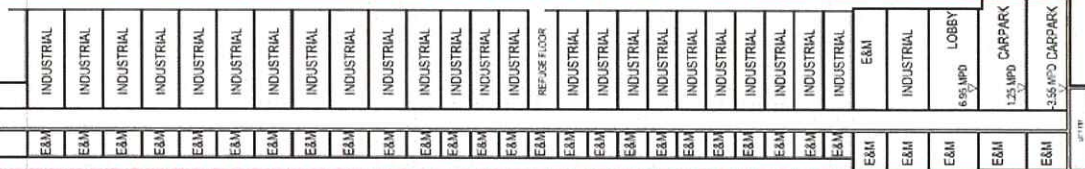
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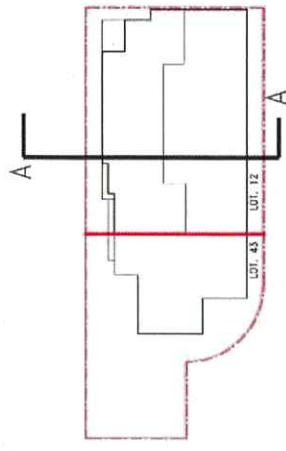
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200



LEE CHUNG STREET



27.07.2020
0 1.2 5 10 20m

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Scale			Figure
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Section Plan A-A

Title

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REFERENCE No.

A/H20/195

繪圖

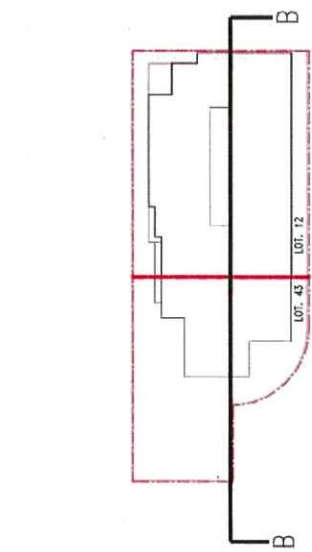
DRAWING

A - 6

(資料來源：由申請人提供)

(SOURCE : SUBMITTED BY THE APPLICANT)

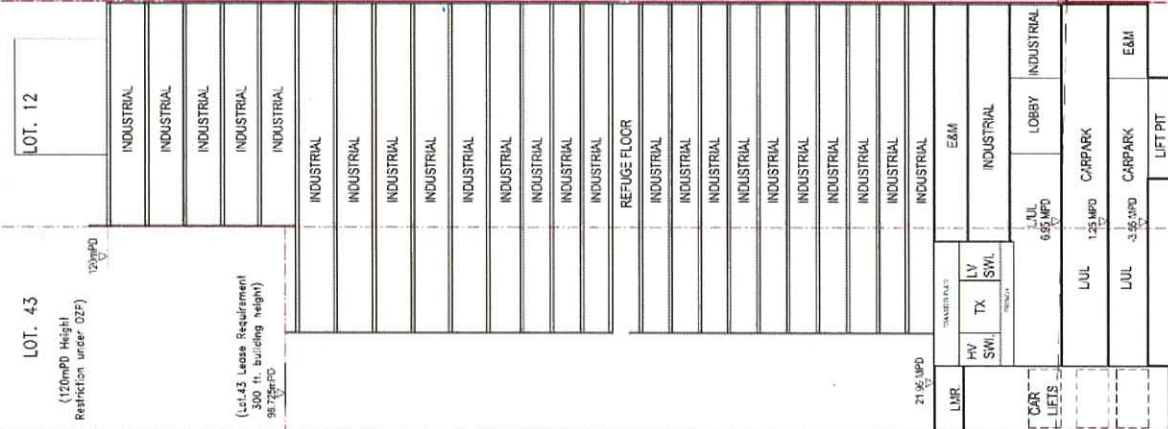
B.L. LOT. 43 (120mpd High) Restriction under DZF 120mpd



LOT. 12

B.L.

- 27
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27.07.2020

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Scale		Figure	3.11

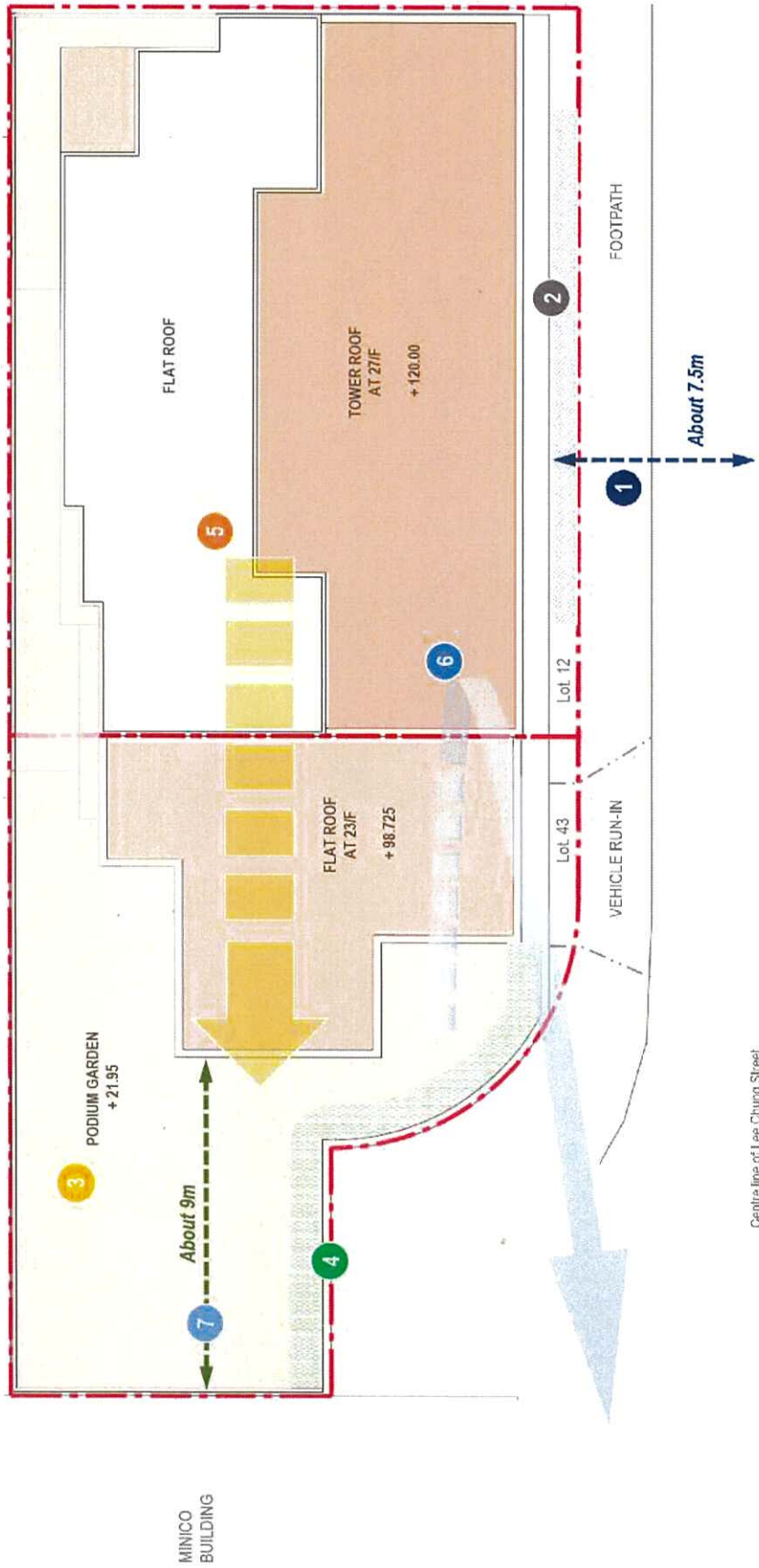
Section Plan B-B

Title
Aedas

繪圖
DRAWING
A - 7

參考編號
REFERENCE No.
A/H20/195

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)



Planning Gains and Design Merits

1. Set-back of the building at G/F (up to 15m of the building) improves the public realm along Lee Chung Street
2. A weather canopy of about 19m long along the building frontage facing Lee Chung Street provides better comfort for the pedestrians
3. Podium Garden provides breathing space for the users of the building and to serve as a visual relief of the users of the surrounding buildings
4. Edge planting enriches building envelope, softens edges of the building and improves the landscape and visual amenity for the public when viewing from Lee Chung Street
5. A stepped building height profile with 3-tier height band renders visual interests and a more interesting building height profile
6. Stepping down of height in the same direction of the air path along Lee Chung Street towards Chat Wan Park facilitates air ventilation
7. An about 9m building separation from the adjoining Minico Building would be provided to break down visual bulk perceived by the public and hence improve the townscape from an urban design perspective

Title		Checked		MH		Drawn		JL	
		Rev		Scale		Date		JUL 2020	
		N/A		N/A		Figure		3.12	

Overview of Design Merits and Planning Gains

繪圖
DRAWING
A - 8

參考編號
REFERENCE No.
A/H20/195

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)



Edge Planting

To enrich building envelope, soften edges of building and visually benefit pedestrians.

Canopy

The canopy above the building main entrance provides a weather protection for pedestrians and users.

Setback

The setback from the footpath enhances pedestrian walking experience.

Title

Aedas

Visual Perspective 1 showing Design Merits

Checked	DH	Drawn	PW
Rev	0	Date	Apr 2020
Scale		Figure	3.10

參考編號
REFERENCE No.
A/H20/195

繪圖
DRAWING
A - 9

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

Edge Planting

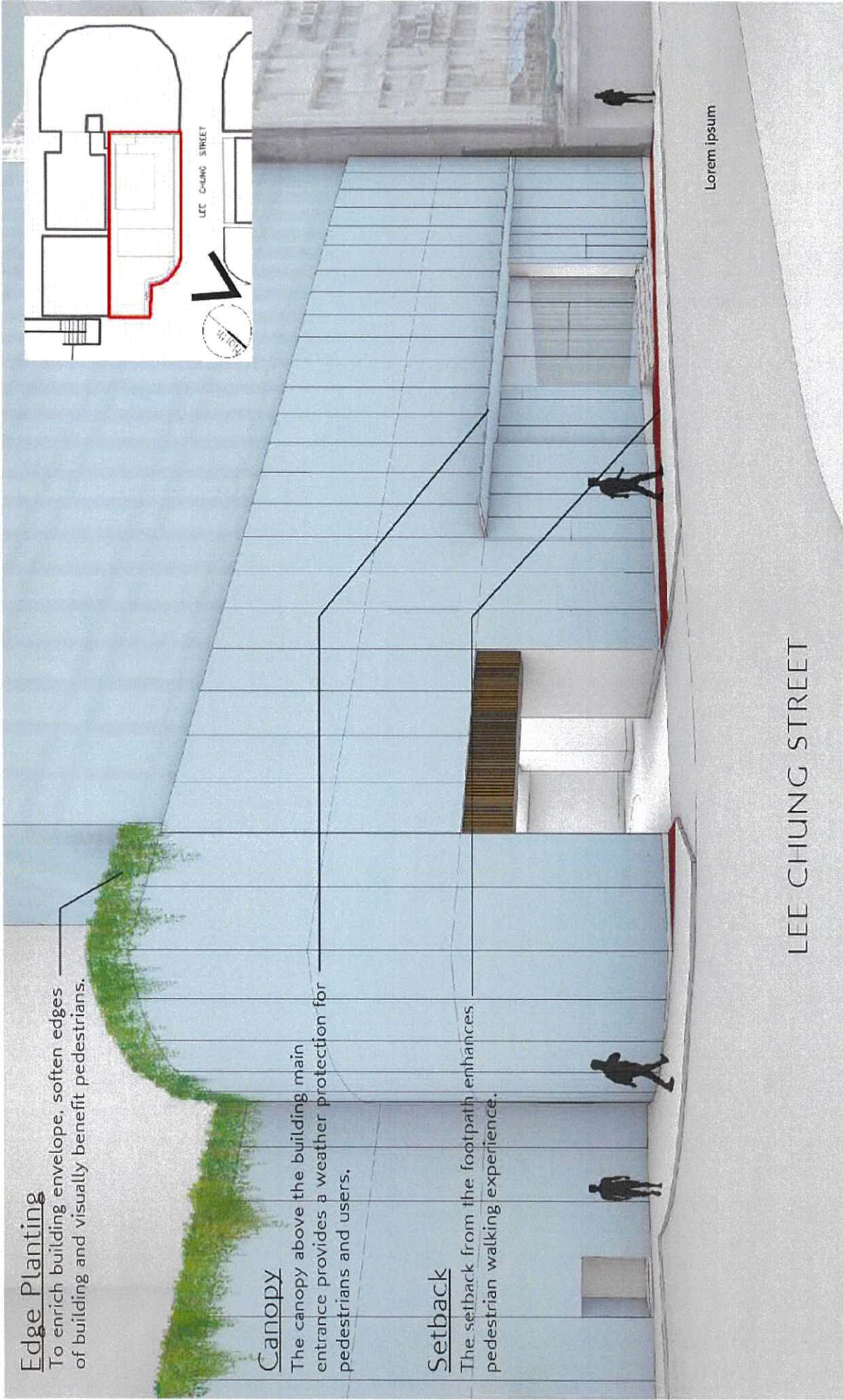
To enrich building envelope, soften edges of building and visually benefit pedestrians.

Canopy

The canopy above the building main entrance provides a weather protection for pedestrians and users.

Setback

The setback from the footpath enhances pedestrian walking experience.



Title

Aedas

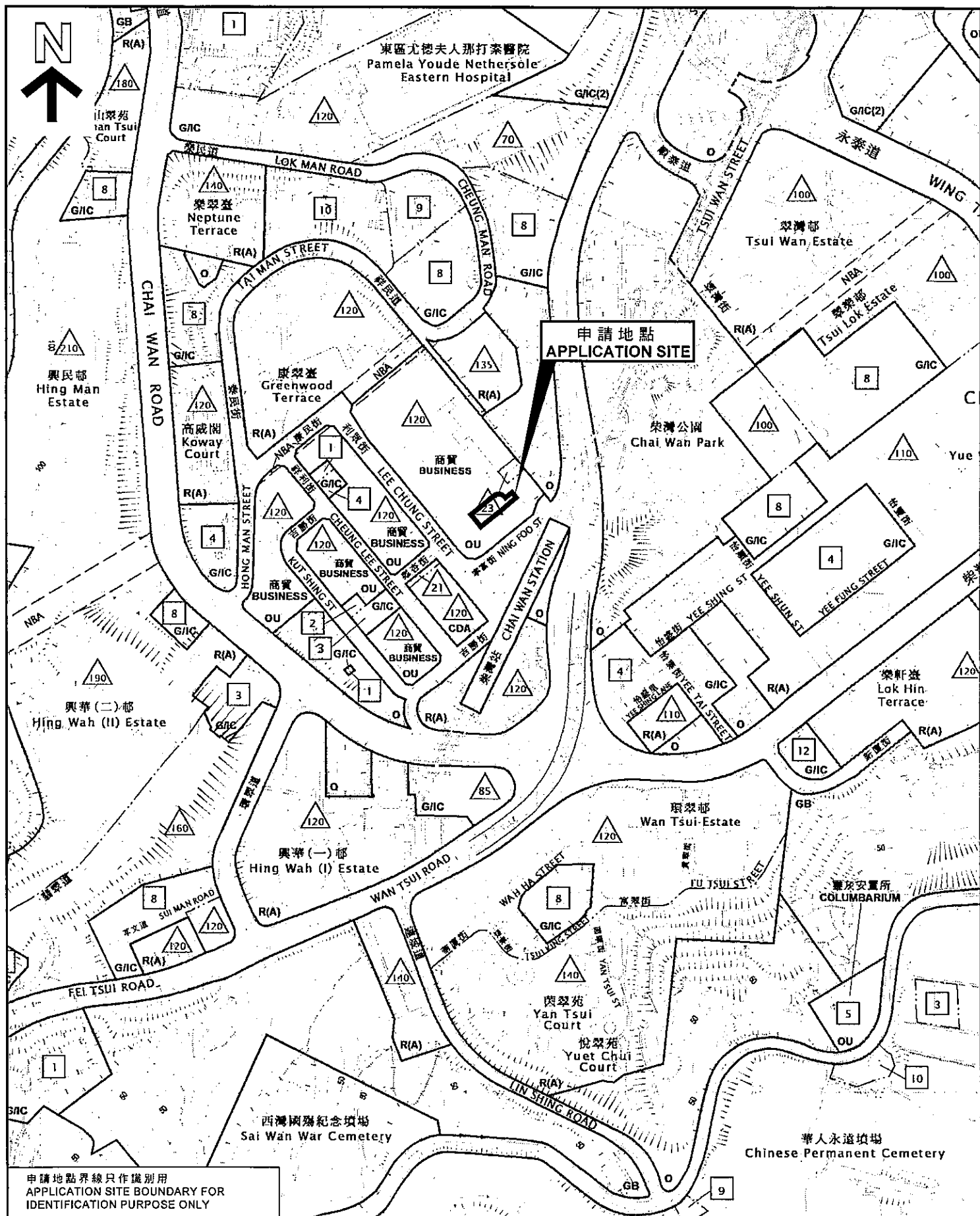
Visual Perspective 2 showing Design Merits

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Rev	0	Date	Apr 2020
Scale		Figure	3.11

參考編號
REFERENCE No.
A/H20/195

繪圖
DRAWING
A - 10

(資料來源：由申請人提供)
(SOURCE : SUBMITTED BY THE APPLICANT)

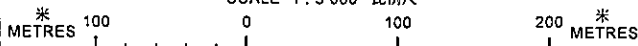


申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

擬略為放寬地積比率，以作准許的非污染工業用途
香港柴灣利眾街14-16號
PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR PERMITTED NON-POLLUTING INDUSTRIAL USE 14-16 LEE CHUNG STREET, CHAI WAN, HONG KONG

SCALE 1:5 000 比例尺



規劃署
PLANNING DEPARTMENT



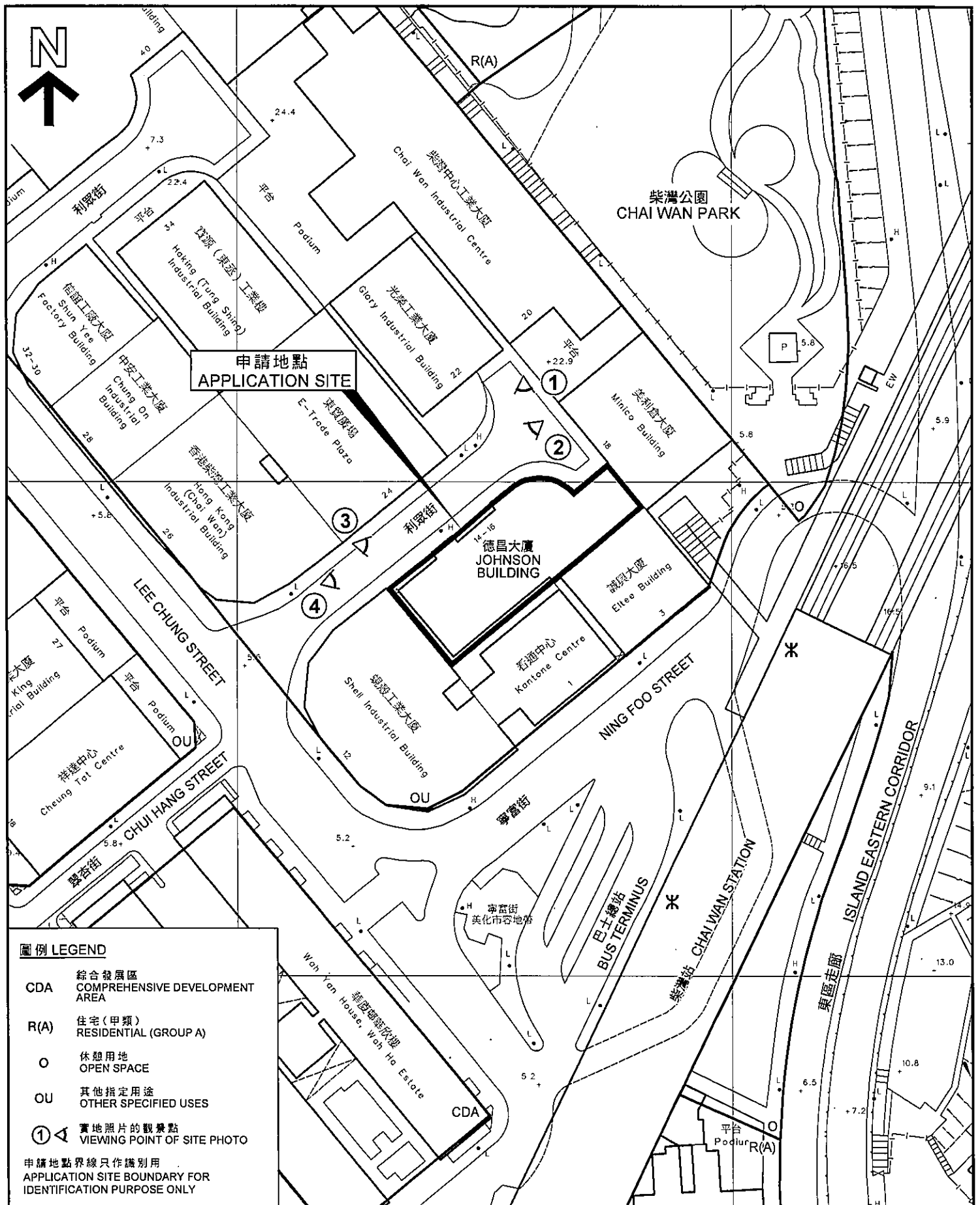
參考編號
REFERENCE No.

A/H20/195

圖 PLAN

A - 1

本摘要圖於2020年8月24日擬備，
所根據的資料為於2020年6月19日
展示的分區計劃大綱圖編號S/H20/24
EXTRACT PLAN PREPARED ON 24.8.2020
BASED ON OUTLINE ZONING PLAN
No. S/H20/24 EXHIBITED ON 19.6.2020



申請地點
APPLICATION SITE

圖例 LEGEND

- CDA 綜合發展區
COMPREHENSIVE DEVELOPMENT AREA
- R(A) 住宅(甲類)
RESIDENTIAL (GROUP A)
- 休憩用地
OPEN SPACE
- OU 其他指定用途
OTHER SPECIFIED USES
- ① 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

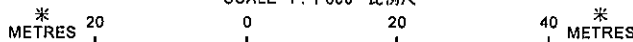
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APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

平面圖 SITE PLAN

擬略為放寬地積比率，以作准許的非污染工業用途
香港柴灣利眾街14-16號

PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR PERMITTED NON-POLLUTING INDUSTRIAL USE 14-16 LEE CHUNG STREET, CHAI WAN, HONG KONG

SCALE 1:1 000 比例尺



規劃署
PLANNING DEPARTMENT



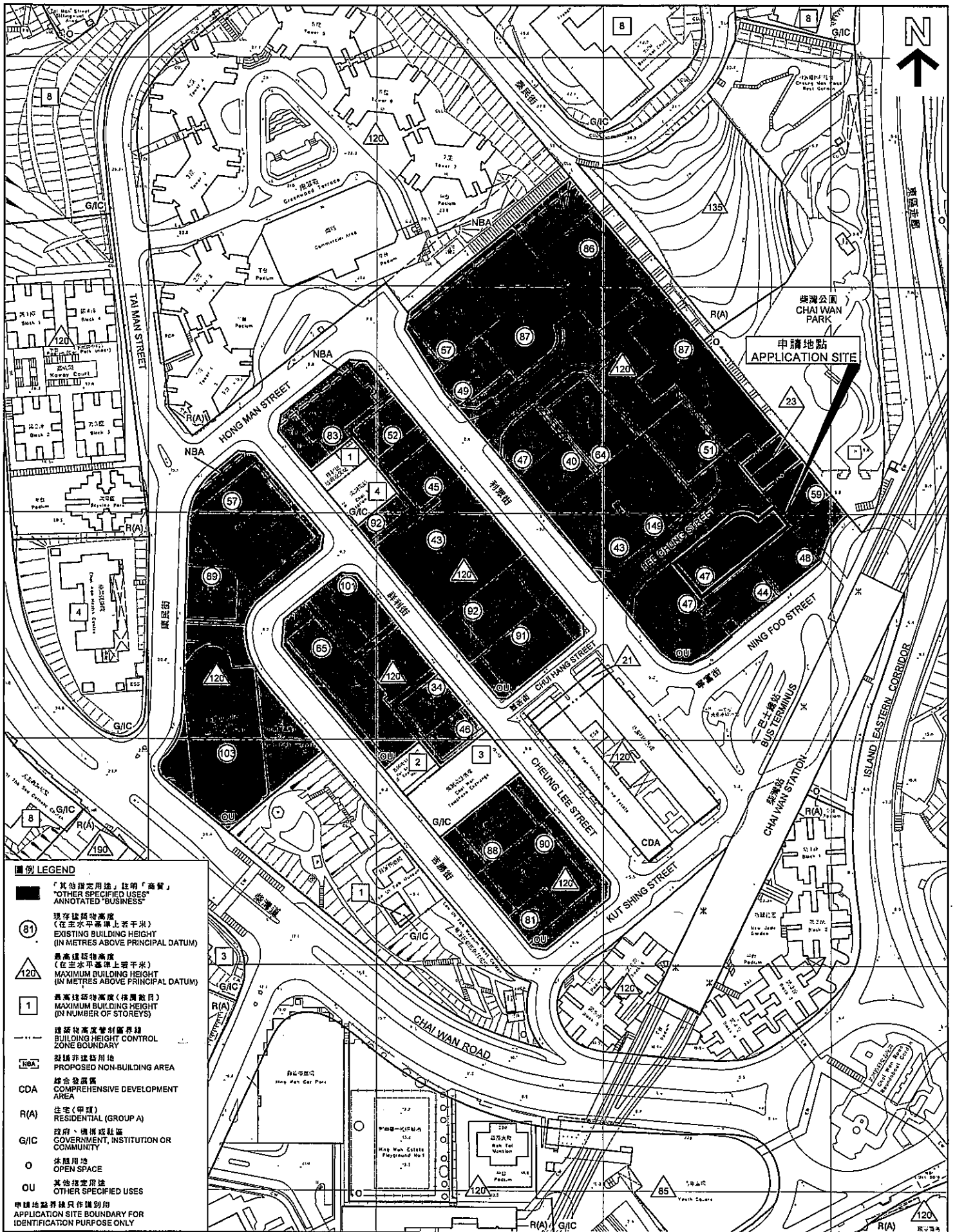
參考編號
REFERENCE No.

A/H20/195

圖 PLAN

A - 2

本摘要圖於2020年9月2日擬備，
所根據的資料為測量圖編號
11-SE-19A
EXTRACT PLAN PREPARED ON 2.9.2020
BASED ON SURVEY SHEET No.
11-SE-19A



圖例 LEGEND

- 其他指定用途註明「商業」
"OTHER SPECIFIED USES ANNOTATED "BUSINESS"
- 81 現存建築物高度
(在室外平基面上零米)
EXISTING BUILDING HEIGHT
(IN METRES ABOVE PRINCIPAL DATUM)
- 120 最高建築物高度
(在室外平基面上零米)
MAXIMUM BUILDING HEIGHT
(IN METRES ABOVE PRINCIPAL DATUM)
- 1 最高建築物高度(樓層數目)
MAXIMUM BUILDING HEIGHT
(IN NUMBER OF STOREYS)
- 建築高度管制界線
BUILDING HEIGHT CONTROL
ZONE BOUNDARY
- NBA 擬議非建築用地
PROPOSED NON-BUILDING AREA
- CDA 綜合發展區
COMPREHENSIVE DEVELOPMENT
AREA
- R(A) 住宅(甲類)
RESIDENTIAL (GROUP A)
- G/C 政府、機構或社區
GOVERNMENT, INSTITUTION OR
COMMUNITY
- 休憩用地
OPEN SPACE
- 其他指定用途
OTHER SPECIFIED USES

申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR
IDENTIFICATION PURPOSE ONLY

平面圖 SITE PLAN

擬議為放寬地積比率，以作准許的非污染工業用途
 香港柴灣利東街14-16號
 PROPOSED MINOR RELAXATION OF
 PLOT RATIO RESTRICTION
 FOR PERMITTED NON-POLLUTING INDUSTRIAL USE
 14-16 LEE CHUNG STREET, CHAI WAN, HONG KONG

SCALE 1:1500 比例尺



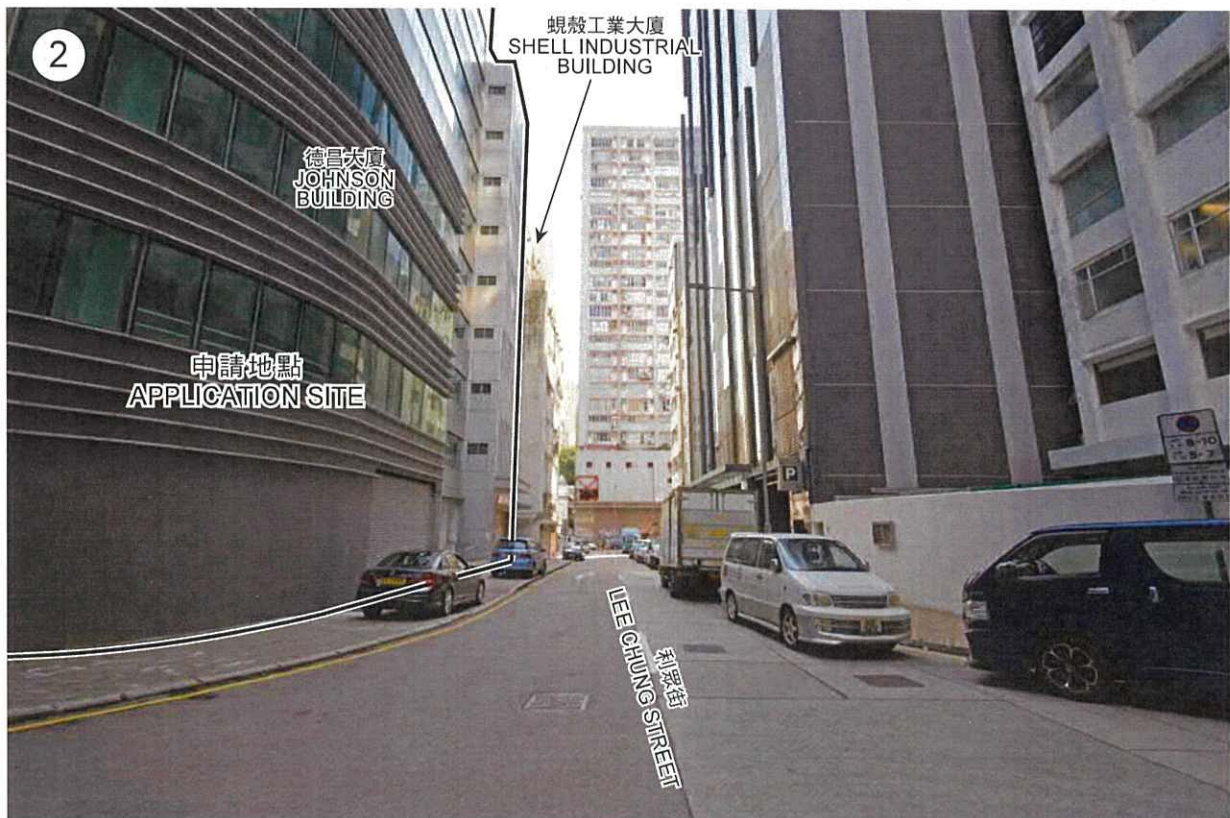
本摘要圖於2020年9月2日製備。
 所根據的資料為測量圖編號
 11-SE-19A及C
 EXTRACT PLAN PREPARED ON 2.9.2020
 BASED ON SURVEY SHEETS No.
 11-SE-19A & C

規劃署
 PLANNING
 DEPARTMENT



參考編號
 REFERENCE No.
 A/H20/195

圖 PLAN
 A - 3



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2020年8月31日擬備，所根據的資料為攝於2020年5月19日的實地照片
EXTRACT PLAN PREPARED ON 31.8.2020
BASED ON SITE PHOTOS TAKEN ON 19.5.2020

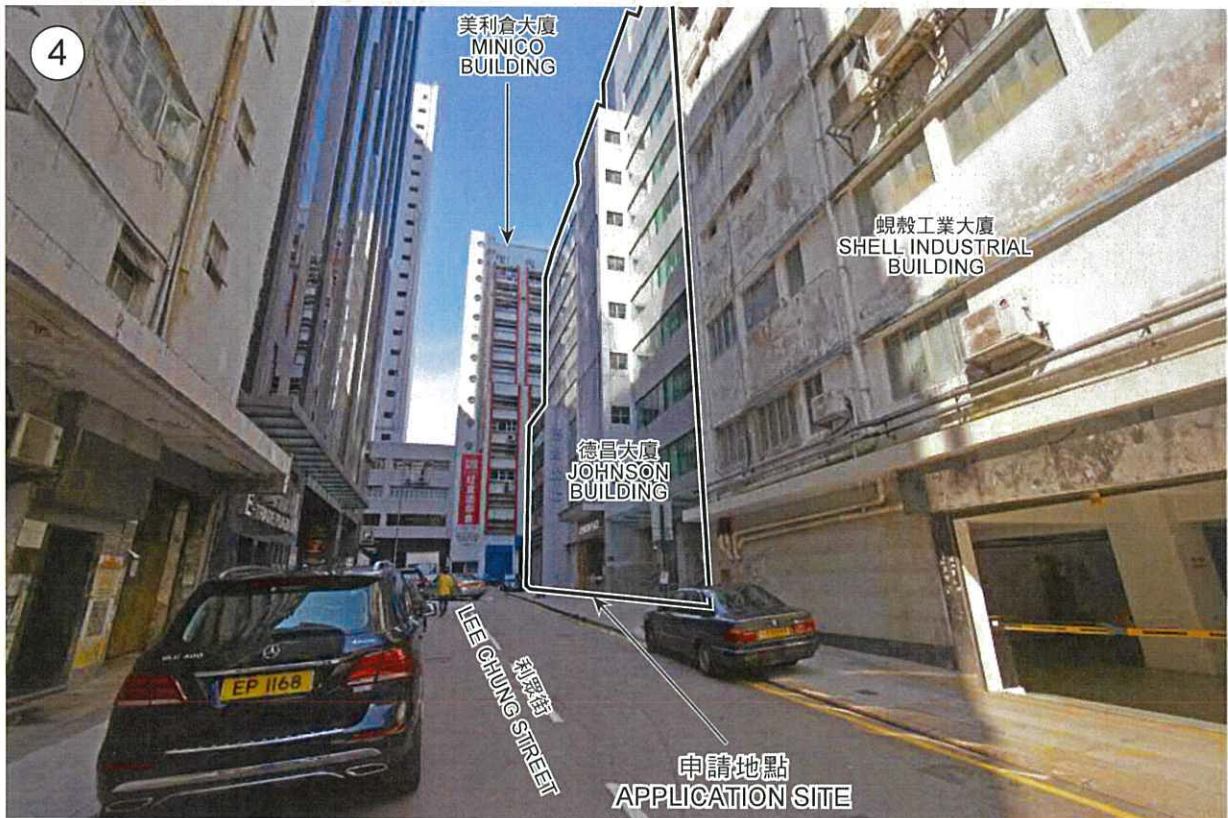
擬略為放寬地積比率，以作准許的非污染工業用途
香港柴灣利眾街14-16號
PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR PERMITTED NON-POLLUTING INDUSTRIAL USE 14-16 LEE CHUNG STREET, CHAI WAN, HONG KONG

規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
A/H20/195

圖 PLAN
A - 4



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

擬略為放寬地積比率，以作准許的非污染工業用途
香港柴灣利眾街14-16號
PROPOSED MINOR RELAXATION OF
PLOT RATIO RESTRICTION
FOR PERMITTED NON-POLLUTING INDUSTRIAL USE
14-16 LEE CHUNG STREET, CHAI WAN, HONG KONG

規畫署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H20/195

圖 PLAN
A - 5

本圖於2020年8月31日擬備，所根據的資料為攝於2020年5月19日的實地照片
EXTRACT PLAN PREPARED ON 31.8.2020
BASED ON SITE PHOTOS TAKEN ON
19.5.2020

25. ~~After deliberation, the Committee decided to reject the application. The reasons were:~~

- ~~“(a) the proposed development would frustrate the intention of designating part of the site as area shown as ‘Pedestrian Precinct/Street’, which is to facilitate the provision of a safe and convenient pedestrian network for the area;~~
- ~~(b) the applicant fails to demonstrate that the proposed development would not cause adverse traffic, pedestrian circulation and visual impacts on the surrounding area; and~~
- ~~(c) the applicant fails to demonstrate strong planning and design merits to justify the proposed minor relaxation of the building height restriction within the “Commercial (1)” zone.”~~

~~[The Chairman thanked Mr Vincent W.Y. Wong, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]~~

~~[Mr Ng Tak Wah, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]~~

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/195 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use in “Other Specified Uses” annotated “Business” Zone, 14-16 Lee Chung Street, Chai Wan, Hong Kong
(MPC Paper No. A/H20/195A)

26. The Secretary reported that the application site was located in Chai Wan. Llewelyn-Davies Hong Kong Limited (LD) and Aedas Limited (Aedas) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Raymond K.W. Lee (Chairman) - his spouse owning a workshop in an industrial building in Chai Wan;
- Mr Thomas O.S. Ho - having past business dealings with LD; and
- Mr Alex T.H. Lai - his former firm having business dealings with Aedas.

27. As the property owned by Mr Raymond K.W. Lee's spouse had no direct view of the application site and Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

28. The Committee noted that a replacement page (p.1 of Appendix V of the Paper) rectifying a typographical error had been tabled/issued for Members' reference.

Presentation and Question Sessions

29. With the aid of a PowerPoint presentation, Mr Ng Tak Wah, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) for permitted non-polluting industrial use;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 60 public comments were received, including 55 supporting comments from individuals, and five objecting comments from a District Council member and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The building was wholesale-converted for non-industrial purposes under the previous scheme of industrial building (IB) revitalisation pursued by the Government between 2010 and 2016, and the wholesale conversion was completed in 2018. The Secretary for Development (SDEV) advised that the present IB revitalisation policy was not applicable to the current case as the subject building was wholesale-converted for non-industrial purposes under the previous scheme of IB revitalisation. Notwithstanding that, taking into account no adverse impacts on infrastructure/technical aspects and the planning/design merits brought by the proposed development, SDEV was in support of the application from site optimisation and urban renewal perspectives. The Director-General of Trade and Industry had no objection to the application given that it would put the site into optimal use to produce more industrial space. On planning and design merits, the Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD considered that the proposed development would unlikely have significant adverse visual impact on the surrounding areas and the proposed building setback and greenery would enhance the pedestrian environment and visual amenity along the building frontage. Relevant government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessment above were relevant.

30. The Chairman and some Members raised the following questions:
- (a) the definition and common types of non-polluting industrial uses;
 - (b) noting that the applicant did not apply for minor relaxation of building height (BH) restriction for the proposed development, as compared with the existing building, whether there was an increase in BH upon redevelopment;
 - (c) the planning gains and design merits of the proposed development;

- (d) whether there was any setback requirement on the statutory and administrative plan in the area; and
- (e) whether any structure would be erected on the setback area, the ownership and arrangement of the setback area, and how the street frontage could be activated as claimed by the applicant.

31. In response, Mr Ng Tak Wah, STP/HK, made the following main points:

- (a) non-polluting industrial uses referred to any industrial use which did not involve activities that were detrimental to the occupants of the building and amenity of the area by environmental nuisance. It generally included workshop, storage and distribution of goods and material without general environmental pollution and nuisance to neighbours, etc.;
- (b) the application site was currently occupied by a 11-storey IB with a BH of about 43.62mPD and the proposed scheme had a BH of not more than 120mPD;
- (c) a setback of about 1.1m from the lot boundary or about 7.5m from the centre line of Lee Chung Street upto 15m in height would be provided on the G/F to widen part of the public footpath along Lee Chung Street from 2.6m to 3.7m. A canopy of about 1.1m in width would be provided at the entrance of the building. A podium garden with planting along the podium edge would be included on the 3/F of the proposed development to enhance visual amenity. A building separation of about 9m from the adjacent building, and a 3-tier stepping BH profile from above podium level to roof top level would be incorporated into the design to mitigate the visual bulkiness, to facilitate cross-ventilation and to improve visual amenity of the industrial area;
- (d) the building setback was proposed on a voluntary basis as there was no requirement for building setback on the statutory or administrative plan; and

- (e) according to the submission, staircases/ramp at the entrance to the proposed development were included within the setback area and, at the current stage, there was no detailed proposal on the design of the setback area which would be used as a circulation space. The proposed setback area would continue to be owned and managed by the applicant. The applicant would further explore a flexible building design on lower floors to allow some permissible uses under the “OU(B)” zone in order to activate the street frontage. Design treatments (e.g. colours, architectural features, materials articulations) to further enhance design interests would be explored at the detailed design stage.

[Mr Alex T.H. Lai left the meeting at this point.]

Deliberation Session

32. A Member pointed out that the application site was located at the end of an internal street which occupied a less prominent location. The application could be approved as it was applying for minor relaxation of PR restriction only and voluntary building setback was proposed by the applicant to enhance the pedestrian environment. The application was generally in line with the planning intention and the Government’s latest policy on IB revitalisation. Nonetheless, other Members generally had reservation on the application. A Member considered that there were limited planning and design merits in the proposed development in comparison with similar applications in other districts and considered that the applicant should provide further information on the design of the setback area and greening measures to demonstrate how the proposed development could enhance the pedestrian environment. Another Member pointed out that part of the proposed setback area was occupied by staircases and there was concern that the setback area could not cater for pedestrian circulation. A Member opined that the proposed edge planting at podium level could not benefit the general public. Another Member pointed out that the proposed BH profile could be stepping down towards Lee Chung Street instead of the adjoining building to offer better visual interests to the pedestrians. Noting that the subject application was the first application for minor relaxation of PR restriction relating to the IB revitalisation policy in Chai Wan area, a Member considered that the applicant should be encouraged to adopt a quality design to set a desirable precedent for similar applications in the area.

33. After deliberation, the Committee decided to defer a decision on the application, pending the applicant's submission of further information and clarification on building design and landscaping treatment especially within the setback area at pedestrian level under the proposed scheme.

[The Chairman thanked Mr Ng Tak Wah, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Professor Jonathan W.C. Wong left the meeting at this point.]

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/783 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Proposed Hotel Use in "Other Specified Uses" annotated "Business" Zone, 1 Tai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/783B)

34. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item for having past business dealings with LD.

35. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

~~36. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K,~~

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) that:
- (i) to apply to LandsD for a lease modification/land exchange in respect of the lots. However, there is no guarantee that the lease modification/land exchange application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Such application, if approved would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as the Director of Lands considers appropriate; and
 - (ii) as the current planning application is to facilitate redevelopment into a 30-storey (including basement for car park and loading/unloading) industrial building with a maximum building height (BH) of 120mPD, the applicant is reminded that according to Condition No. (1) of the special waiver, the special waiver shall expire upon the demolition of the existing buildings. Pursuant to Condition No. (13) of the special waiver, upon expiration of the special waiver, the lots shall cease to be used for the permitted purposes under the special waiver and shall thereafter be subject to all the general and special conditions in the relevant Conditions of Sale including the provisions in respect of the respective users of the lots.
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department that:
- (i) GFA concessions under PNAP APP-151 (i.e. excluding/disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or site coverage calculation) will only be considered when the pre-requisites in paragraph 6 of PNAP APP-151 have been complied with;
 - (ii) GFA concession for carparking spaces or loading/unloading areas may be considered when the relevant requirements as laid down in PNAP APP-2 have been complied with;
 - (iii) access and facilities for persons with disability in compliance with Regulation 72 of Building (Planning) Regulations and Design Manual: Barrier Free Access 2008 should be provided;
 - (iv) the proposed setback and greenery areas should comply with the requirements as stipulated in PNAP APP-152. The applicant's attention is drawn particularly to paragraph 8 of PNAP APP-152 that the setback area should be open without any permanent building structures. The proposed weather canopy if complied with paragraph 8(a) of PNAP APP 152 may be accountable for gross floor area and site coverage calculation;

- (v) any proposed vertical greening may be accountable for site coverage and gross floor area calculation unless exempted;
 - (vi) fireman's lift(s) should be provided in accordance with regulation 41B of Building (Planning) Regulations. The passage from the fire service access point to the firemen's lift should be well separated from the remainder of the ground storey complying with the Code of Practice for Fire Safety in Buildings 2011; and
 - (vii) detailed comments on compliance with the Buildings Ordinance will be made at building plan submission stage;
- (c) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD) that:
- (i) the applicant is reminded that the construction of run-in/out should follow the latest HyD's standards. Agreement from the Transport Department (TD) and LandsD should be sought on the proposed location of run-in/out;
 - (ii) the applicant should observe the comments from TD on the parking and loading/unloading provisions from traffic engineering and management point of view;
 - (iii) the applicant is reminded that the weather canopy shall comply with the requirements as stipulated in regulation 10 under Cap. 123F B(P)R. In particular the following:
 - 1. every canopy erected within 600mm of the outer edge of a footpath, or projecting over a road, shall have a clear space of not less than 5.5m beneath every part thereof;
 - 2. every canopy erected over a footpath shall have a clear space of not less than 3.3m beneath every part thereof; and
 - 3. every canopy shall be provided with adequate surface water drainage; and
 - (iv) should there be any proposed works on public footpath surrounding the proposed redevelopment, the details of such proposed works should be submitted to HyD for comment;
- (d) to note the comments of the Commissioner of Police that:
- (i) he does concern the possible traffic impact caused during the construction stage and completion of proposed works. If the applicant considers any comments/agreement from him is subsequently required before the commencement of the actual works, the applicant may furnish him a set of updated, specific and detail submission of Temporary Traffic Arrangement plan, arrangements of lighting-signing-and-guarding

of road works in order to facilitate his further assessment; and

- (ii) the proposal should not cause adverse traffic obstruction in or beyond the Site;
- (e) to note the comments of the Director of Environmental Protection that since the proposal involves building demolition, the applicant is advised to minimize the generation of construction and demolition (C&D) materials, and reuse and recycle the C&D materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that:
 - (i) to explore design treatment or measures to create visual interest at the building's low zone considering the long building facade (about 50m) with, for example, vertical greening and articulations to the facade;
 - (ii) with provision of proposed setback of 1.1m from the lot boundary, the pavement would have an overall width of about 4m. There seems to be scope to incorporate greenery within the setback area along Lee Chung Street to enhance streetscape, pedestrian amenities and opportunity to increase the greenery provision; and
 - (iii) in the current proposal, the first two floors of the proposed development are for M&E, loading/unloading area and lobby, which may fit the intended functionality of the proposed development but will not contribute much to the public realm/ pedestrian environment. Given that there is a wide range of permissible uses within the "OU(B)" zone that would help activate the street frontage, the applicant may consider designing the building in a way that allow for flexibility to accommodate future change of building uses on the lower floors.