

Previous s.12A Applications covering the Application Site

Rejected Application

<u>No.</u>	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Conditions</u>
1.	Y/TW/11	To rezone the application site from "Comprehensive Development Area (5)" to "Other Specified Uses" annotated "Business (2)"	10.11.2017 Rejected by MPC	(a), (b), (c)

Rejection Reasons

- (a) The "Comprehensive Development Area (5)" ("CDA(5)") zone for the Site is considered appropriate as the planning intention is for comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities, open space and other supporting facilities so as to facilitate the land use restructuring and upgrading of Tsuen Wan East Industrial Area and address the industrial/residential interface problem.
- (b) The approval of the application will result in a permanent loss of land available for residential development, which will affect the supply of housing land in meeting the pressing housing demand over the territory.
- (c) The approval of the application will set an undesirable precedent for similar applications and the cumulative impact of approving similar applications will defeat the planning intention of comprehensive development/redevelopment of the "CDA" zones in rezoning the northern part of the Tsuen Wan East Industrial Area.

Previous s.16 Applications covering the Application Site

Approved Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Conditions</u>
2.	A/TW/183	Composite Industrial-Office Building and minor Plot Ratio Relaxation from 9.5 to 10.026	17.12.1993 Approved by MPC	(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) (k)
3.	A/TW/185	Composite Industrial-Office Building and minor Plot Ratio Relaxation from 9.5 to 10.026	21.1.1994 Approved by MPC	(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) (k)
4.	A/TW/196	Composite industrial-office building and minor plot ratio relaxation from 9.5 to 10.026 to accommodate the additional GFA generated by surrendering part of the site for road widening	6.5.1994 Approved by MPC	(a), (b), (c), (d), (e), (f), (h), (i), (j) (k)
5.	A/TW/286	Proposed Composite Industrial-Office Building and Minor Plot Ratio Relaxation from 9.5 to 10.026	19.5.2000 Approved by MPC	(a), (b), (c), (e), (f), (h), (i), (k), (l)

Approval Conditions

- (a) Every unit within the composite Industrial-Office (I-O) building should be designed, constructed and made suitable for both industrial and office uses. A pure office building or a pure industrial building or a building with discrete horizontal and/or vertical segregation into purely office and industrial portions will not be allowed. Where building design requirements for industrial and office buildings differ, the more stringent requirements must be adopted. The building design should be to the satisfaction of the Director of Buildings or of the Town Planning Board.
- (b) Both heavy and noxious industrial operations and pure office activities unrelated to any industrial operations will not be permitted.
- (c) The provision of parking facilities for cars and goods vehicles as well as loading/unloading spaces in accordance with the Hong Kong Planning Standards and Guidelines as if the whole building were an industrial building and to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

- (d) The provision of parking facilities for private cars of office users in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (e) The design of the layout of the area designated for the parking of private cars and for the parking, loading/unloading and manoeuvring of goods vehicles to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (f) The provision of separate entrances and lift lobbies for goods and for passengers to the satisfaction of the Director of Buildings or of the Town Planning Board.
- (g) The use of gaseous fuels only, the dispositioning of fresh air intakes, the provision of suitable glazing to insulate against external noise sources and the provision of insulation to protect the office uses against the machinery generating significant noise/vibration, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (h) The calculation of bonus plot ratio for land surrendered for road widening purpose in accordance with Building (Planning) Regulation 22(2)(b) to the satisfaction of the Director of Buildings or of the Town Planning Board.
- (i) The set-back of the lot boundary along _____ for widening purpose to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (j) The design and implementation of access arrangement to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- (k) The permission shall cease to have effect on _____ unless prior to the said date either the development hereby permitted is commenced or this permission is renewed.
- (l) The submission of a revised traffic impact assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board

**Similar s.16 Applications within “CDA” zone
on the Approved Tsuen Wan OZP No. S/TW/33**

Approved Applications

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (MPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/TW/424	Proposed Temporary Information Technology and Telecommunications Industries For a Period of 5 Years	17.6.2011 Approved by MPC	(a), (b)
2.	A/TW/454*	Proposed Temporary Information Technology and Telecommunications Industries For a Period of 5 Years	21.3.2014 Approved by MPC	(a), (b)
3.	A/TW/456	Renewal of Planning Permission for Temporary "Information Technology and Telecommunications Industries" For a Period of 3 Years	9.5.2014 Approved by MPC	(c)
4.	A/TW/465	Temporary Information Technology and Telecommunications Industries (Data Centre) for a Period of 3 Years	16.1.2015 Approved by MPC	(a), (b)
5.	A/TW/472	Temporary Information Technology and Telecommunications Industries (Data Centre) and Ancillary Office for a Period of 3 Years	17.7.2015 Approved by MPC	(a)
6.	A/TW/493	Renewal of Planning Approval for Temporary Information Technology and Telecommunications Industries (Data Centre) for a period of 3 years	12.1.2018 Approved by MPC	(a), (b)

*denotes permission revoked

Approval Conditions

- (a) the submission and implementation of fire service installations and water supplies for firefighting proposals in the application premises within ___ months;
- (b) if any the planning conditions is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice;
- (c) the provision of fire service installations and water supplies for firefighting

Recommended Advisory Clauses

- (a) to note the comments of District Lands Officer/Tsuen Wan and Kwai Tsing of Lands Department that the proposed “ITTI (data centre) and ancillary office” use is not permissible under lease. If planning approval is given, the owner will need to apply to the Lands Department (LandsD) for a waiver for implementation of the above proposal. The proposal will only be considered upon our receipt of formal application from the owner. There is no guarantee that the application, if received by LandsD, will be approved. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of waiver fee and administrative fee.;
- (b) to note the comments of the Chief Building Surveyor/ New Territories West of Buildings Department that the applicant should be reminded that under the Buildings Ordinance (BO), no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works unless they are exempted under s.41 of the BO, or fall within minor works under the Building (Minor Works) Regulation. Detailed checking will be made at plan submission stage; and
- (c) to note the comments of the Director of Fire Services that detailed Fire Services requirements will be formulated upon receipt of formal submission of general building plans.

