

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K15/132**

- Applicants** : Good Hour International Limited and First Route Limited represented by Arup Hong Kong Limited
- Site** : 4 Tung Yuen Street, Yau Tong, Kowloon
- Site Area** : About 2,419m<sup>2</sup>
- Lease** : Yau Tong Marine Lot (YTML) No. 70  
(a) restricted to industrial or godown purposes  
(b) maximum building height (BH) of 100 feet (i.e. about 30.48m) above Hong Kong Principal Datum
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/27
- Zoning** : “Residential (Group E)” (“R(E)”)  
(a) maximum domestic plot ratio (PR) of 5.0 and a maximum non-domestic PR of 1.0  
(b) maximum BH of 80 metres above Principal Datum (mPD), or the height of the existing building, whichever is the greater  
(c) base on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/BH restrictions may be considered by the Town Planning Board (the Board) on application
- Application** : Proposed Flat and Permitted Shop and Services and Eating Place with Minor Relaxation of PR and BH Restrictions

**1. The Proposal**

- 1.1 The applicants seek planning permission for redevelopment of an existing industrial building (IB), known as Wah Tung Godown, into a composite development with proposed flat use and permitted shop and services and eating place uses at the application site (the Site) (the Proposed Scheme) (**Plan A-1**). The applicants also seek minor relaxation of domestic PR restriction from 5 to 6 (+1 or +20%), resulting in composite development at a total PR of 6.9, and BH restriction (BHR) from 80mPD to 100mPD (+20m or +25%). According to Schedule I (for building other than industrial or industrial-office building) of the Notes of the OZP for the “R(E)” zone, ‘Flat’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board), while ‘Shop and Services’ and ‘Eating Place’ are always permitted on the lowest three floors of a building, taken to include basements but excluding floors containing wholly or mainly car parking, loading/unloading (L/UL) bays and/or plant room. Furthermore, minor relaxation of the PR and BHR may

be considered by the Board on application under section 16 of the Town Planning Ordinance.

- 1.2 The proposed redevelopment consists of one L-shape residential block. The portion fronting Tung Yuen Street has 25 storeys whereas the portion closer to the harbourfront has 19 storeys. The residential block sits atop a 3-storey podium comprising a residential clubhouse and commercial uses (eating place and shop and services), and two basement levels for car parking and L/UL (**Drawings A-1 and A-7**). Various design measures have been incorporated into the Proposed Scheme. A full-height setback of about 1m along the site boundary fronting Tung Yuen Street (hatched red area in **Drawing A-1**) is incorporated as per the requirement of the draft Cha Kwo Ling, Yau Tong and Lei Yue Mun Outline Development Plan (ODP) No. D/K15C/1B-A to effectuate a 3.5m-wide footpath (**Plan A-2**). Additionally, a voluntary full-height setback of 1.5m along Tung Yuen Street (hatched blue area in **Drawing A-1**), a voluntary 15m-wide waterfront promenade at the Site and at-grade 5m-wide covered pedestrian passageway connecting to Tung Yuen Street are proposed (**Drawing A-4**). The setbacks, waterfront promenade (which serves as private open space) and at-grade covered pedestrian passageway will be opened for public enjoyment at all times. The applicants will be responsible for the maintenance and management of the setbacks, covered pedestrian passageway and waterfront promenade, while the ODP-required setback area will be surrendered to the government upon request.
- 1.3 The master layout plan (MLP), floor plans, sections, landscape master plan (LMP), summary of proposed planning and design merits and photomontages submitted by the applicants are at **Drawings A-1 to A-14**. The major development parameters of the Proposed Scheme are summarised as follows:

Development Parameters	Proposed Scheme	
Site Area (m <sup>2</sup> )	About 2,419	
Maximum Total PR <sup>[a]</sup>	6.9	+0.9 (+16.9%)
- Maximum Domestic	6	+1 (+20%)
- Maximum Non-domestic	0.9 <sup>[b]</sup>	-
Total Gross Floor Area (GFA) (m <sup>2</sup> ) <sup>[a]</sup>	16,691.1	+2,419 (+16.9%)
- Domestic	14,514	+2,419 (+20%)
- Non-domestic	2,177.1	-
Maximum BH (at main roof level)	80mPD (waterfront portion) 100mPD (inland portion)	- +20m (+25%)
SC	Not more than 70%	
- Below 15m	Not more than 33.556% <sup>[c]</sup>	
- Above 15m		
No. of Blocks	1	
No. of Storeys	24 (waterfront portion); 30 (inland portion) (incl. two levels of basement carpark/ L/UL)	
No. of Flats	342	
Design Population (about)	855	
Private Open Space (m <sup>2</sup> ) [at G/F and L2]	Not less than 855m <sup>2</sup> (including a voluntary 15m-wide waterfront promenade of not less than 608m <sup>2</sup> for public use)	
Site Greenery Provision	Not less than 20%	

Development Parameters	Proposed Scheme
Parking Spaces	
• Private Car (accessible)	66 (2)
• Motorcycle	6
L/UL Spaces	3
Tentative Completion Year	2032

Notes:

- [a] On top of the PR/GFA set out above, the applicants have indicated that bonus PR of about 0.081 (equivalent to a GFA of about 197.93m<sup>2</sup>) will be claimed for the surrender of 39.586m<sup>2</sup> of ODP-required setback areas. While the bonus PR will be subject to approval by the Building Authority under Building (Planning) Regulations (B(P)R) 22(2), the bonus PR has been incorporated in the building bulk (including BH) of the Proposed Scheme and adopted in the technical assessments.
- [b] The Proposed Scheme does not fully utilise the non-domestic PR of 1.0 permitted under the OZP. According to the applicants, the building bulk would only accommodate a non-domestic PR of 0.9 due to site constraints and potential implication on land premium. The submitted technical assessments are conducted based on the Proposed Scheme at a total PR of 6.9.
- [c] Inclusive of bonus SC of 0.256% in pursuant of [a] above.

- 1.4 To form a continuous waterfront promenade from the Site to Yau Tong Bay (YTB) which is segregated by the Yau Tong Sewage Pumping Station (YTSPS), the applicants propose to design and construct a waterfront promenade at the 4.3m-wide setback area<sup>[1]</sup> at YTSPS. This will allow access from the Site to Ko Fai Road via the YTSPS (**Plan A-2**). The design of the promenade will be developed at detailed design stage. As the setback area at the YTSPS falls within Government land, the Government will undertake the management and maintenance of the concerned section of waterfront promenade upon the completion of works to the satisfaction of the relevant government bureau/departments (B/Ds).
- 1.5 The main entrance and the vehicular ingress/egress of the proposed redevelopment are located at Tung Yuen Street. The Traffic Impact Assessment (TIA) has assessed the traffic impacts on the surrounding traffic network, parking and ingress/egress provisions of the proposed development and concludes that the traffic impact generated by the proposed development is insignificant and could be accommodated by the surrounding road networks. Given that the Site is located between the YTSPS and a concrete batching plant (CBP), the Environmental Assessment (EA) and the Air Quality Impact Assessment (AQIA) have assessed the air quality (including odour) and noise impacts arising from the operation of its neighbouring facilities. The EA concludes that the proposed development would not be subject to adverse air quality and noise impacts with the adoption of various mitigation measures, including single aspect building design at the side facing the CBP, vertical acoustic fin, acoustic windows/balcony (baffle type) and acoustic doors. Moreover, other technical assessments, including Landscape Master Plan (LMP) and Tree Treatment Proposal, Drainage and Sewerage Impact Assessment (DSIA), Air Ventilation Assessment (AVA) and Visual Impact Assessment (VIA) have demonstrated that no adverse impacts are anticipated from the proposed development.
- 1.6 In support of the application, the applicants have submitted the following documents:
- (a) Application Form received on 9.1.2025 **(Appendix I)**
- (b) Consolidated Supporting Planning Statement (SPS) received **(Appendix Ia)**  
on 8.8.2025

<sup>[1]</sup> Based on DSD's estimate, the width of setback for opening the waterfront promenade is around 4.3m at the existing YTSPS adjoining the Site.

*(Supporting Planning Statement received on 9.1.2025 as well as Further Information (FI) received on 28.1.2025\*, 25.4.2025#, 24.6.2025#, 25.7.2025\*, 1.8.2025\* and 8.8.2025\* were superseded and are attached at Appendices Ib, Ic, Id, Ie, If, Ig and Ih respectively.)*

*Remarks*

*\* accepted and exempted from publication and recounting requirement*

*# accepted but not exempted from publication and recounting requirement*

- 1.7 On 28.2.2025 and 20.6.2025, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicants.

## **2. Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are set out in the consolidated SPS in **Appendix Ia**, which are summarised as follows:

### *In line with Government Policy to Optimise Flat Supply*

- 2.1 Increasing housing supply has been the utmost policy priority of successive administrations. According to the Chief Executive's 2014 Policy Address, the government considered it feasible to boost housing land supply by generally increasing the maximum domestic PR by 20% for some density zones in the Main Urban Areas and new towns. The proposed minor relaxation of domestic PR by 20% echoes this policy initiative and would facilitate the additional provision of about 60 flats at the Site (as compared with about 282 flats under the OZP-conforming scheme). Furthermore, the proposal is in line with recent policy objectives to optimise the development potential of land especially in urban areas.

### *In line with Government Policy to Enhance Living Space*

- 2.2 In response to growing public aspirations, the government stipulated a minimum flat size requirement of 26m<sup>2</sup> (about 280ft<sup>2</sup>, in saleable area) for all land sale sites, railway property development projects, Urban Renewal Authority projects, and lease modification and land exchange applications by private developers in 2022. The Proposed Scheme thus strives to enhance both the quantity and quality of private residential flats through the proposed minor relaxation of domestic PR and BHRs. As a result of the increase in domestic PR and BH, 342 residential units with an average flat size of 43m<sup>2</sup> could be provided by 2032.

### *In line with the Planning Intention and Compatible with the Surrounding Area*

- 2.3 Over the past two decades, Yau Tong Industrial Area (YTIA) has undergone significant transformation from an industrial area to an emerging residential neighbourhood with supporting commercial uses. The proposal to redevelop an obsolete IB for a composite development is fully in line with the planning intention of the "R(E)" zone and would spur the on-going transformation of the area. The proposed residential use is compatible with the existing and emerging land use character of the YTIA.

### *A Continuous Waterfront Promenade in Kowloon East*

- 2.4 In order to contribute to a continuous waterfront promenade in Kowloon East for public enjoyment to celebrate the iconic view of Victoria Harbour, the applicants voluntarily provide a not less than 15m-wide open-air waterfront promenade<sup>[2]</sup> along the western fringe of the Site, which respects the OZP requirements of the surrounding “Comprehensive Development Area” (“CDA”) sites at YTIA. The waterfront promenade will be opened at all times for public access and the applicants are committed to taking up the management and maintenance responsibility of the waterfront promenade. As the proposed waterfront promenade will occupy about one-fourth of the Site, the applicants seek minor relaxation of BHR to accommodate the Proposed Scheme. Besides, the applicants undertake to build a waterfront promenade at the setback area of the adjoining YTSPS so as to form a continuous section of waterfront promenade in the locality.

### *Planning and Design Merits*

- 2.5 The existing footpaths abutting Tung Yuen Street are narrow and not conducive to walkability. About 1m full-height setback along Tung Yuen Street is proposed to meet the provision of a 3.5m-wide footpath under the ODP. Furthermore, the applicants voluntarily propose additional 1.5m-wide setback for the provision of a 5m-wide footpath in total. In addition, the applicants propose a 5m-wide at-grade covered public passageway connecting Tung Yuen Street and the proposed waterfront promenade with retail shops on both sides. Under the Proposed Scheme, the non-domestic PR of 0.9 will be utilised for retail and eating place uses on G/F and L1/F along Tung Yuen Street and waterfront promenade, which would provide an active frontage to support a vibrant neighbourhood.
- 2.6 Landscape treatment in the form of 7 compensatory trees, shrub planting and peripheral planting at G/F and on 2/F podium (**Drawing A-9**). The Proposed Scheme fully complies with the requirements of the Sustainable Building Design Guidelines and building setbacks, and not less than 20% SC of greenery will be provided within the primary zone (**Drawings A-9 and A-10**).

### *Respecting the District Gradation of BH Profile towards the Harbourfront and Compatibility with the Surrounding Context*

- 2.7 Minor relaxation of BH is considered necessary to accommodate the additional flat units and provide the voluntary waterfront promenade for public enjoyment. The proposed stepped BH profile descending from 100mPD at inland portion along Tung Yuen Street to 80mPD towards the Victoria Harbour will be in line with the BHR of 100mPD on the other side of Tung Yuen Street, and the overall pattern of stepped BH at Yau Tong Industrial Area would be maintained.

### *No Adverse Impact on the Surrounding Areas*

- 2.8 Various technical assessments concluded that, with mitigation measures (see paragraph 1.5), the proposed development is technically feasible and would not generate adverse impacts to the surrounding area.

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<sup>[2]</sup> The voluntary waterfront promenade of not less than 15m-wide (608m<sup>2</sup>) is proposed by referencing to the statutory requirement on waterfront promenade for “CDA(1)” to “CDA(5)” zones in the area.

### 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicants are sole “current land owners” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

### 4. **Background**

Prior to 1998, vast majority of private lots at YTIA (including the Site) were originally zoned “Industrial” (“I”) on the OZP. Following the recommendations of the Central and East Kowloon Development Statement, the “I” zones at YTIA were rezoned to “CDA” zones (including the Site) and two “Commercial” zones in August 1998. In November 1999, the areas along/around Sze Shan Street, Shung Tak Wai and the northwestern end of Tung Yuen Street (including the Site), were rezoned to “R(E)” to facilitate early phasing out of industrial uses. The draft OZP was subsequently approved in 2000 and the boundaries of the “R(E)” zones have hitherto remain unchanged. In May 2008, following the findings of a BH review, BHRs were stipulated for YTIA which generally ascends from 80mPD (including the Site) along the waterfront to 120mPD/140mPD further inland.

### 5. **Previous Application**

There is no previous application concerning the Site.

### 6. **Similar Applications**

- 6.1 There is no similar application for proposed minor relaxation of both PR and BHRs or BHR in the “R(E)” zones on the OZP.
- 6.2 There is one similar application (No. A/K15/129) for proposed flat use and permitted shop and services, eating place and social welfare facility (day care centre for the elderly (DE)) with minor relaxation of domestic PR restriction from 5 to 6 (+1 or +20%) and non-domestic PR restriction from 1 to 1.301 (+0.301 or +30.1%) in an inland “R(E)” zone (**Plan A-1**). The application was approved with conditions by the Committee on 26.1.2024 mainly on the considerations that the proposed domestic PR after relaxation (i.e. 6) was lower than that of the public housing developments in new town in general (i.e. 6.5); and the proposed non-domestic PR after relaxation (i.e. 1.301) was mainly to accommodate the proposed DE.
- 6.3 Furthermore, there have been 21 similar applications for flat use covering seven sites within the YTIA “R(E)” zones since 2000 (**Plan A-1**). Sixteen were approved with conditions by the Committee mainly on the considerations that the proposed redevelopments/developments were in line with the planning intention of the “R(E)” zone; and the proposals would not cause any adverse environmental and traffic impacts. Pursuant to the planning approvals, five residential developments have been completed, namely Peninsula East, Maya, The Spectacle, Ocean One and Canaryside (**Plan A-3**).
- 6.4 The remaining five applications covering four sites were rejected by the Committee or the Board on review mainly on the grounds that the applications had failed to demonstrate that the proposed developments would be environmentally acceptable in the light of potential industrial/ residential (I/R) interface problems; and there was insufficient information to

justify the excessive BHs (120mPD to 166.45mPD) of the proposed developments (for three of the applications considered prior to the imposition of BHR for the area). Details of the similar applications are at **Appendix II**. These four sites have subsequently obtained planning approvals mentioned in the paragraph 6.3 above.

## **7 The Site and Its Surrounding Areas (Plans A-1 to A-8)**

### **7.1 The Site:**

- (a) is occupied by the 7-storey Wah Tung Godown (completed in 1978), which is currently used as warehouses; and
- (b) abuts Tung Yuen Street and the Victoria Harbour.

### **7.2 The surrounding areas have the following characteristics:**

- (a) YTIA is currently undergoing gradual transformation to a residential neighbourhood with five completed residential developments as stated in paragraph 6.3 above;
- (b) the Site is sandwiched between the YTSPS and a “R(E)” site currently occupied by an enclosed private CBP<sup>[3]</sup>. Four of the five YTIA “CDA” zones along the waterfront are covered with valid planning permissions for residential developments, of which the development at “CDA(5)” zone, namely Montego Bay, is completed and two of the “CDA” sites are under construction (i.e. “CDA(1)” and “CDA(3)” zones, the waterfront portion of “CDA(1)” has been completed, namely The Coast Line 1) (**Plan A-3**). Two other private CBPs within the “CDA(4)” zone have ceased operations<sup>[4]</sup>. The “CDA(2)” site is occupied by Kwun Tong Wholesale Fish Market and a cooked food centre. No planning application has been received for the “CDA(2)” site;
- (c) opposite to the Site across Tung Yuen Street are an existing IB, namely Gloria Weaving & Knitting Factory which is undergoing conversion into a temporary transitional housing project for completion in 2026 and a completed residential development, namely Peninsula East (147mPD) (**Plans A-3 and A-8**);
- (d) a sand depot currently in operation is located at further north of the Site and is part of the YTB “CDA” zone located at Ko Fai Road and Cha Kwo Ling Road for proposed comprehensive development (**Plan A-2**); and
- (e) MTR Yau Tong Station is located about 600m to the northeast of the Site.

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<sup>[3]</sup> As advised by the Environmental Protection Department (EPD), the CBP at No. 6 Tung Yuen Street adjacent to the Site is operated by the Redland Concrete Limited (“Redland”) with a Specific Process Licence (SPL) issued under the Air Pollution Control Ordinance (“APCO”). The SPL is valid till 23.8.2025 and the application for renewal has not yet been received.

<sup>[4]</sup> As advised by EPD, the two CBPs at Nos. 20 and 22 Tung Yuen Street operated by the China Concrete Company Limited have ceased operations in early April 2025.

## **8. Planning Intention**

- 8.1 The “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board.
- 8.2 According to the Explanatory Statement of the OZP, developments within the “R(E)” zone are subject to specific control on PRs as stipulated in the Notes in order to restrain traffic growth which will otherwise overload the existing and planned transport network. To provide design/architectural flexibility, minor relaxation of the PR/BHRs may be considered by the Board on application. Each application will be considered on its individual merits.

## **9. Comments from Relevant B/Ds**

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

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Kowloon East, Lands Department (LandsD):
  - (a) the Site is located at YTML No. 70 which is restricted for industrial purposes requiring direct access to the sea as may be approved by the then Director of Commerce and Industry, or godown purposes or both excluding the storage of bulk oil and petroleum products and offensive trade with a BHR of not exceeding 100 feet above Hong Kong Principal Datum; and
  - (b) the proposed redevelopment for residential, shop and services, eating place uses is in conflict with the existing lease conditions. If the planning application is approved by the Board, the lot owners have to apply to the LandsD for a lease modification to implement the proposal. The terms of the proposed modification would be considered during the processing stage of the lease modification application. However, there is no guarantee that the lease modification application will be approved. Such application, if received by the LandsD, will be considered by the LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by the LandsD. The applicants should note his detailed comments at **Appendix IV**.

### **Environmental Aspect**

- 9.1.2 Comments of the Director of Environmental Protection (DEP):
  - (a) he has no in-principle objection to the application as the proposed development would have no insurmountable environmental impact and mitigation measures are available to mitigate potential environmental

impacts;

- (b) on air quality, the proposed development is subject to vehicular emissions from nearby roads, marine vessels and industrial emission from CBP and sand depot. Based on the findings of the AQIA, it is predicted that cumulative air quality impacts on the proposed residential development (all residential portion except some portion at 4/F-5/F facing the CBP which have no air intake and openable windows) would comply with Air Quality Objectives. The fresh air intake for the non-domestic use of the Proposed Development is recommended to be located at or above 1.5m above ground. Nonetheless, since the AQIA has not fully addressed the outstanding technical comments, including the assessment on odour generated from daily operation of YTSPS, approval condition on the submission of a revised EA to include an updated AQIA to address the outstanding technical comments and to quantitatively assess the odour issues prior to the commencement of the construction works for the proposed development should be imposed;
- (c) on noise, the proposed development would be subject to potential traffic noise generated by nearby roads including Tung Yuen Street and Ko Fai Road and potential fixed noise source from nearby IBs. According to the submitted EA, full compliance with the Hong Kong Planning Standards and Guidelines can be achieved with proposed noise mitigation measures. Mitigation measures such as proper building orientation/design, acoustic windows and acoustic balconies are available for mitigating the potential noise impact and no insurmountable noise impact is anticipated. Approval condition on the submission of a revised EA to include an updated Noise Impact Assessment to address potential noise issue in detailed design stage with implementation of appropriate mitigation measures should be imposed to mitigate the potential noise impact and achieve full compliance with the relevant noise standards;
- (d) on land contamination, the submitted EA indicated that land contamination within the Site arising from historical and existing uses is not anticipated. However, there are potential land contamination issues as the CBP is located immediately south of the Site. As such, approval condition on the submission of a land contamination assessment for conducting further site appraisal and soil sampling (if required) to determine whether the site is contaminated and the implementation of the remediation measures identified therein prior to the commencement of the construction works for the proposed development should be imposed; and
- (e) on sewerage impact, the submitted SIA has demonstrated that no insurmountable sewerage impact will be arising from the proposed development with proposed connection and upgrading works. However, the SIA has not fully addressed the outstanding technical comments, hence approval conditions on submission of an updated SIA in the detailed design stage to assess the potential impacts on the local/nearby public sewerage system and recommend appropriate mitigation measures for the development should be imposed.

### **Traffic Aspect**

#### 9.1.3 Comments of the Commissioner for Transport (C for T):

- (a) she has no in-principle objection to the application from district traffic engineering viewpoint; and
- (b) she has no comment on the submitted TIA but considers approval conditions on the submission of a revised TIA and implementation of traffic mitigation measures identified therein for the proposed development; and the design and provision of vehicular access, vehicle parking spaces, loading/unloading facilities and maneuvering spaces for the proposed development should be imposed.

### **Harbourfront Planning**

#### 9.1.4 Comments of the Commissioner for Harbourfront, Development Bureau:

- (a) the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing (the Task Force) of Harbourfront Commission (HC) was consulted on the application on 14.3.2025. Comments from Task Force members conveyed to the applicants were mainly on the justification for proposed minor relaxation of PR and BHR, design of the voluntary waterfront promenade and 5m-wide public passage and connecting the voluntary waterfront promenade within the Site to nearby harbourfront (YTB) as public gain;
- (b) having considered the applicants' responses (**R-to-C table at FI3 in Appendix Ie**) that they will take up the design and construction of a waterfront promenade at the setback area at the YTSPS to form a continuous waterfront to Ko Fai Road, she has no objection/ further comment on the application because the proposal is in line with the policy of improving harbourfront connectivity (**Plan A-2**) and is anticipated to contribute to building a connected and accessible harbourfront; and
- (c) should the application be approved by the Board, approval conditions (g) and (h) in paragraph 12.2 below about provision and design of waterfront promenade should be imposed.

#### 9.1.5 Comments of the Chief Engineer/Electrical and Mechanical Branch, DSD:

- (a) the existing YTSPS, despite without relocation programme, is scheduled for underground utilities upgrading work resulting in about 4.3m-wide setback from the waterfront and he anticipates that the setback area could be released by Q3 2026 the earliest; and
- (b) the applicants should note his detailed comments at **Appendix IV**.

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

- (a) he has no objection to the application. The future management and maintenance responsibilities related to the proposed waterfront promenade within the setback area of DSD's YTSPS would be decided at a later stage subject to agreement of relevant B/Ds; and
- (b) the applicants should note his advisory comments at **Appendix IV**.

**Urban Design, Visual Impact, Air Ventilation and Landscape Provision**

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

- (a) she has no adverse comment on the application from urban design, visual impact, air ventilation and landscape provision perspectives;

*Urban Design, Visual Impact and Air Ventilation*

- (b) given the context and as illustrated in the photomontages of the VIA, the proposed development with a maximum BH of 100mPD at its inland portion and 80mPD near the waterfront may slightly weaken the intended descending BH towards the harbourfront, but would unlikely induce significant adverse effects on the visual character of the surrounding townscape;
- (c) the applicants propose various design measures including (i) a voluntary 15m-wide waterfront promenade with a 5m-wide at-grade covered public passage from Tung Yuen Street across the southeastern portion of the Site to the proposed waterfront promenade, (ii) full-height and aboveground setbacks along Tung Yuen Street (iii) landscape treatment in the form of trees, shrub planting and peripheral planting at G/F and on the podium at 2/F. These measures may enhance pedestrian connectivity, promote visual interest and pedestrian comfort;
- (d) given the Site is relatively small in scale and the frontage to the sea is only about 40m, the proposed development will unlikely induce significant adverse air ventilation impact to the surrounding pedestrian environment;

*Landscape Provision*

- (e) the Site is situated in the southwestern fringe of YTIA. An existing CBP is located to its southeast and Victoria Harbour to its southwest. The proposed residential development and landscaping and tree planting works are not incompatible with the surrounding landscape environment;
- (f) a total of seven existing trees are identified within the Site and all the existing trees are proposed to be removed. Seven new trees (including six trees on promenade and one tree on setback) are proposed to be planted in the proposed promenade within the Site. The proposed promenade is intended for public entry from Tung Yuen Street via the public passage

within the Site. In this regard, significant adverse landscape impact is not anticipated; and

- (g) the applicants should note her advisory comments at **Appendix IV**.

9.2 The following B/Ds have no comment on/no objection to the application, and their advisory comments, if any, are at **Appendix IV**:

- (a) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Chief Highway Engineer/Lighting Division, Highways Department;
- (d) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (e) Chief Engineer/Construction, Water Supplies Department;
- (f) Chief Engineer/Port Works, Civil Engineering and Development Department (CEDD);
- (g) Director of Fire Services (D of FS);
- (h) Chief Building Surveyor/Kowloon, Buildings Department;
- (i) Project Manager (East), CEDD;
- (j) Head of Geotechnical Engineering Office, CEDD (H of GEO, CEDD);
- (k) Director of Electrical and Mechanical Services;
- (l) District Officer (Kwun Tong), Home Affairs Department;
- (m) Commissioner of Police; and
- (n) Director of Marine.

## **10. Public Comments Received During the Statutory Publication Periods**

10.1 During the statutory publication periods, a total of 27 public comments from individuals were received, including six supporting comments (**Appendix IIIa**), sixteen objecting comments (**Appendix IIIb**) and five expressing views (**Appendix IIIc**).

### *Supporting Comments (Six Comments)*

10.2 The supporting comments opine that the relaxation of PR and BHR would increase the housing supply, optimize the utilization of the site and facilitate the redevelopment to provide retails along public passageway and open space at waterfront promenade; the footpath widening at Tung Yuen Street would enhance the pedestrian experience and safety; and the proposed development would improve the aesthetic coherence of waterfront and the permeability along the waterfront as well as increase its appeal to both locals and tourists.

### *Objecting Comments (Sixteen Comments)*

10.3 The objecting comments argue that the proposed minor relaxation of BHR would create 'wall effect' and would obstruct the private views of inland developments along Tung Yuen Street e.g. the temporary transitional housing and Peninsula East (**Plan A-3**); it is not in line with the stepped building height profile of BHR of the OZP and would set a precedent case; the existing community facilities, including schools, hospitals and open space, could not meet the increasing demands in the area; and the proposal would induce adverse air quality, visual, air ventilation and traffic impacts.

*Expressing Views (Five Comments)*

- 10.4 The comments expressing views consider that the proposed development should be developed with the adjacent lot currently occupied by the CBP and it should respect the stepped BH profile; and raise concerns about the adverse impact to the surroundings induced by the adjacent CBP.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for redeveloping the Site for a composite development with proposed flat use and permitted shop and services and eating place uses. The applicants also seek minor relaxation of domestic PR restriction from 5 to 6 (+1 or +20%) resulting in a development at a total PR of 6.9 and BHR from 80mPD to 100mPD (+20m or +25%).

### **Planning Intention and Land Use Compatibility**

- 11.2 The proposed redevelopment is in line with the planning intention of the “R(E)” zone, which is primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential uses. The Site is located at YTIA which is undergoing transformation from an industrial area into an emerging residential neighbourhood. The proposed flats with complementary commercial use at its podium is considered compatible with the planned land uses and existing residential developments in the surrounding area. The applicants also propose mitigation measures to ensure the Proposed Development would not be to subject to adverse impacts generated by the existing industrial uses including the CBP and the YTSPS.

### **I/R Interface and Environmental Considerations**

- 11.3 The requirement to submit planning application for residential uses within “R(E)” zones on the OZP is primarily to ensure that the future residents would not be subject to adverse I/R interface problems posed by extant industrial uses during the interim period of the land use transformation as it would take time to fully complete. The Site is situated between the YTSPS and the CBP. As there is no relocation programme for the YTSPS and the CBP, it is vital to ensure that appropriate measures are adopted in the Proposed Scheme to address the possible I/R interface issues, notably air quality (including odour) and noise impact from the neighbouring facilities. As shown in **Drawings A-1 and A-15**, the residential towers are setback from Tung Yuen Street with single aspect building design at the side facing the CBP. The disposition of the block is designed in such a manner that windows for sensitive uses are openable on sides facing Tung Yuen Street and the waterfront, while non-sensitive uses like lift lobby, common corridors, kitchens and bathrooms would be located close to the industrial installations. The EA and AQIA have concluded that the Proposed Scheme would not be subject to insurmountable environmental problems with suitable mitigation measures to address the potential noise and air quality impacts as detailed in paragraphs 1.5 and 9.1.2 (b) and (c). DEP has no objection to the application and his technical concerns on air, odour, noise, sewerage and land contamination aspects can be addressed by way of approval conditions. On other technical aspects, concerned departments, including D of FS, CE/MS, DSD and CE/Port Works, CEDD, have no objection/no adverse comment on the application.

### Minor Relaxation of Domestic PR and BHR

- 11.4 The application applies for an increase in domestic PR from 5 to 6 (+20%) resulting in a total PR of 6.9 and BHR from 80mPD to 100mPD (+25%). The resultant domestic PR of 6 is in keeping with the character of the area under transformation. The additional 60 flats would not create adverse impact on the infrastructure, as supported by the technical assessments (including TIA). Relevant departments including C for T have no-principle objection to the proposed domestic PR increase. C for T has proposed the imposition of relevant approval conditions on revised TIA and internal transport facilities. As the open-air voluntary waterfront promenade occupies about one-fourth of the Site (i.e. about 608m<sup>2</sup>) and full-height setback as per the ODP requirement and the voluntary further setback along Tung Yuen Street would be incorporated, the applicants propose a minor relaxation of BHR from 80mPD to 100mPD (+25%) to accommodate the additional GFA. Having taken account of the BHRs at YTIA, the applicants have created in the Proposed Scheme a building band ascending from 80mPD near the waterfront to 100mPD at its inland portion. It is considered that the proposed BH profile will not be incompatible with BHRs stipulated at YTIA in achieving stepped BHs at YTIA (**Plan A-8**). CTP/UD&L, PlanD considers that the Proposed Scheme would unlikely induce significant adverse effects on the visual character of the surrounding townscape and she has no adverse comment to the proposed increase in BHR.

### Planning and Design Merits

- 11.5 The applicants propose a 15m-wide open-air voluntary waterfront promenade (**Drawing A-4**) for public enjoyment at all times, and a 5m-wide covered pedestrian passageway linking it with the widened setback at Tung Yuen Street via the shops within the Site. Setting back of the site for waterfront promenade is to respect the OZP requirements on the surrounding “CDA” sites at YTIA and YTB for the provision of a waterfront promenade of the same width. According to the applicants, the proposed waterfront promenade will also serve as private open space for the future residents. To further improve waterfront connectivity, the applicants undertake to design and construct a waterfront promenade at the setback area (about 160m<sup>2</sup>) at the adjoining YTSPS to effectuate a continuous waterfront to YTB via Ko Fai Road. As the proposed waterfront promenade within the Site and the undertaking to extend the waterfront promenade to the YTSPS site will bring enhanced public benefits, the Task Force of HC and the Commissioner for Harbourfront have no adverse comment on/no objection to the captioned application.
- 11.6 In addition to providing full-height setback along the site boundary abutting Tung Yuen Street to meet the requirements of the ODP, the applicants have voluntarily incorporated additional setback of 1.5m wide to effectuate a 5m-wide footpath. Landscape treatment at G/F and podium level will also be provided. CTP/UD&L, PlanD considers such measures may enhance pedestrian connectivity, promote visual interest and pedestrian comfort in the area.

### Similar Applications

- 11.7 There is no similar application for minor relaxation of both PR and BHR for flat uses within the “R(E)” zones on the OZP. However, the Committee has approved a similar application for minor relaxation of domestic PR restriction from 5 to 6 for a “R(E)” site (paragraph 6.2 above). Besides, the Committee has previously approved 16 similar applications for residential (flat) uses with/without commercial uses within the “R(E)” zones at YTIA on the grounds that the proposals were in line with the planning intention and there were no

adverse comments from concerned departments. The Committee had rejected five similar applications within the “R(E)” zone at YTIA with the reasons mentioned in paragraph 6.4 above. The rejected applications were under planning circumstances different from the current one and the concerned sites were subsequently granted planning approvals (i.e. among the 16 similar applications mentioned in this paragraph). Overall, approval of the current application is generally in line with the Committee’s previous decisions.

### Public Comments

- 11.8 For the objecting comments, the considerations and assessments in paragraphs 11.2 to 11.6 above are relevant. The impact on the provision of the community facilities in the area would be insignificant in view of the small scale of the development and resultant minor increase in the residential units and population.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11, and having taken into account the public comments as mentioned in paragraph 10, the Planning Department 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 15.8.2029, 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 submission of a revised environmental assessment to address the potential air quality and noise impacts, and the implementation of the environmental mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of a revised land contamination assessment and the implementation of the remediation measures identified therein prior to the commencement of the construction works for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the of the local sewerage upgrading/sewerage connection works identified in the revised sewerage impact assessment under approval condition (c) to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a revised traffic impact assessment and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (f) the design and provision of vehicular access, vehicle parking spaces, loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the design and provision of the waterfront promenade at the Application Site, as proposed by the applicants, to the satisfaction of the Commissioner for Harbourfront and the Director of Leisure and Cultural Services or of the Town Planning Board; and
- (h) the design and provision of the waterfront promenade at the setback area of the Yau Tong Sewage Pumping Station for providing a continuous waterfront promenade, as proposed by the applicants, to the satisfaction of the Commissioner for Harbourfront or of the Town Planning Board.

### Advisory Clauses

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

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

There are no strong justifications for the proposed minor relaxation of plot ratio and building height restrictions.

## **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 applicants.

## **14 Attachments**

<b>Appendix I</b>	Application Form
<b>Appendix Ia</b>	Consolidated SPS received on 8.8.2025
<b>Appendix Ib</b>	SPS received on 9.1.2025
<b>Appendix Ic</b>	1 <sup>st</sup> FI received on 28.1.2025
<b>Appendix Id</b>	2 <sup>nd</sup> FI received on 25.4.2025
<b>Appendix Ie</b>	3 <sup>rd</sup> FI received on 24.6.2025
<b>Appendix If</b>	4 <sup>th</sup> FI received on 25.7.2025
<b>Appendix Ig</b>	5 <sup>th</sup> FI received on 1.8.2025
<b>Appendix Ih</b>	6 <sup>th</sup> FI received on 8.8.2025
<b>Appendix II</b>	Similar Applications
<b>Appendices IIIa to IIIc</b>	Public Comments

**Appendix IV****Recommended Advisory Clauses**

<b>Drawing A-1</b>	MLP
<b>Drawings A-2 to A-6</b>	Floor Plans
<b>Drawings A-7 to A-8</b>	Sections
<b>Drawing A-9</b>	Illustration of Planning and Design Merits
<b>Drawing A-10</b>	LMP
<b>Drawings A-11 to A-14</b>	Photomontages
<b>Drawing A-15</b>	Location of Noise Sensitive Receivers extracted from EA
<b>Plans A-1 and A-2</b>	Location Plans on OZP and ODP
<b>Plan A-3</b>	Site Plan
<b>Plan A-4</b>	Aerial Photo
<b>Plans A-5 to A-7</b>	Site Photos
<b>Plan A-8</b>	BH Profile in the Vicinity of the Site

**PLANNING DEPARTMENT  
AUGUST 2025**