

Similar Applications

Approved Applications (13 cases)

No.	Application No.	Address	Applied Use	Proposed Minor Relaxation in Plot Ratio	Date of Consideration by MPC	Approval Conditions
1.	A/KC/454^	43 Container Port Road	Proposed Minor Relaxation of Plot Ratio (PR) Restriction for Permitted 'Information Technology and Telecommunications Industries (IT&TI) (Data Centre)' Use	9.5 to 10.269 (+8.1%)	1.2.2019	1 to 2
2.	A/KC/465	22 Yip Shing Street	Proposed Minor Relaxation of PR Restriction for Permitted Industrial Use	9.5 to 11.4 (+20%)	12.6.2020	3 to 7
3.	A/KC/474	45-51 Tai Lin Pai Road		9.5 to 11.4 (+20%)	23.7.2021	3, 4, 7 and 8
4.	A/KC/475	14-15 Yip Shing Street		9.5 to 11.4 (+20%)	15.10.2021	3 to 7
5.	A/KC/480	45-51 Tai Lin Pai Road	Proposed Minor Relaxation of PR and Building Height (BH) Restrictions for Permitted IT&TI Use (Proposed Data Centre Development)	9.5 to 11.4 (+20%)	24.12.2021	3 to 7 and 9
6.	A/KC/485	13-17 Wah Sing Street	Proposed Minor Relaxation of PR Restriction for Permitted Industrial Use	9.5 to 11.4 (+20%)	4.3.2022	3 to 7 and 10
7.	A/KC/488^	11-19 Wing Yip Street	Proposed Minor Relaxation of PR Restriction for Wholesale Conversion of Permitted IT&TI Use (Data Centre)	9.5 to 10.19 (+7.3%)	15.7.2022	3, 5, 6 and 11

8.	A/KC/491	13-17 Wah Sing Street	Proposed Minor Relaxation of PR Restriction for Permitted IT&TI Use (Proposed Data Centre Development)	9.5 to 11.4 (+20%)	26.8.2022	3 to 7
9.	A/KC/496	7-11 Wing Kin Road	Proposed Minor Relaxation of PR and BH Restrictions for Permitted Warehouse (excluding Dangerous Goods Godown)	9.5 to 11.4 (+20%)	14.7.2023	3, 5 to 7, 12 and 13
10.	A/KC/497	14-15 Yip Shing Street	Proposed Minor Relaxation of PR Restriction for Permitted Industrial Use	9.5 to 11.4 (+20%)	31.3.2023	3, 5 to 7 and 11
11.	A/KC/502[^]	43 Container Port Road	Proposed Minor Relaxation of PR Restriction for Permitted 'IT&TI (Data Centre)' Use	9.5 to 10.263 (+8%)	11.8.2023	3
12.	A/KC/505	13-17 Wah Sing Street	Proposed Minor Relaxation of PR Restriction for Permitted Warehouse Use (excluding Dangerous Goods Godown)	9.5 to 11.4 (+20%)	24.5.2024	3, 5 to 7 and 11
13.	A/KC/510	7-11 Wing Kin Road	Proposed Minor Relaxation of PR and BH Restrictions for Permitted IT&TI (Data Centre)	9.5 to 11.4 (+20%)	10.10.2025	3, 5 to 7, 12 to 14

[^] Not related to the Revitalisation Scheme for Industrial Building

Approval Conditions

1. the minor relaxation of PR is granted for the life time of the building;
2. the provision of fire service installations and water supplies for fire-fighting before commencement of the proposed development to the satisfaction of the Director of Fire Services or of the Town Planning Board (the Board);

3. the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport (C for T) or of the Board;
4. the design and implementation of traffic measures as proposed by the applicant at his own cost prior to occupation of the proposed development to the satisfaction of the C for T or of the Board;
5. the submission of an updated Sewerage Impact Assessment (SIA) for the proposed development to the satisfaction of the Director of Environmental Protection (DEP) or of the Board;
6. the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA to the satisfaction of the Director of Drainage Services or of the Board;
7. the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of DEP or of the Board;
8. the submission and implementation of a landscape proposal for LG/F level of the development to the satisfaction of the Director of Planning or of the Board;
9. the design and provision of canopies at Tai Lin Pai Road and Wah Sing Street to the satisfaction of the Director of Planning or of the Board;
10. the submission of a revised design of the canopy to the satisfaction of the Director of Planning or of the Board;
11. the submission of a Noise Impact Assessment and the implementation of the noise mitigation measures identified therein to the satisfaction of the DEP or of the Board;
12. the submission of a revised Traffic and Transport Impact Assessment to the satisfaction of the C for T or of the Board;
13. the submission of a Landfill Gas Hazard Assessment and the implementation of the mitigation measures identified therein before operation of the use to the satisfaction of the DEP or of the Board; and
14. the submission of a revised Water Supply Impact Assessment and the implementation of diversion, modification and upgrading works identified therein to the satisfaction of the Director of Water Supplies or of the Board.

Recommended Advisory Clauses

- (a) the approval should be for the lifetime of the building. The additional plot ratio granted under the approved scheme shall not be taken as forming part of the ‘existing building’ upon future redevelopment of the application site (the Site);
- (b) to note the comments of the Secretary for Innovation, Technology and Industry and the Commissioner for Digital Policy that the applicant should assess the availability and acquire for sufficient provision of water, power supply and telecommunications network for the proposed data centre development;
- (c) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) that:
 - (i) the proposed conversion does not comply with the existing lease conditions of Kwai Chung Town Lot No. 524 (the Lot). A formal application for lease modification by the lot owner to LandsD is required. Every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that the lease modification application will eventually be approved by LandsD. If application for lease modification is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee(s); and
 - (ii) LandsD reserves comment on the proposed schematic design which would only be examined in detail during the building plan submission stage. There is no guarantee that the schematic design presented in the subject application will be acceptable under lease if it is so reflected in future building plan submission(s);
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) the Site is within Area Number 3 (i.e. railway protection areas along Mass Transit Railway lines) of the Scheduled Areas in Schedule 5 to the Buildings Ordinance (BO). All building works is subject to the requirements under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-24;
 - (ii) before any new non-exempted building works (except minor works under the Minor Works Control System) are to be carried out at the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (iii) the Site abuts on a specified street (Wing Kei Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the Building (Planning) Regulations at the building plan submission stage;
 - (iv) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and

when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO; and

- (v) detailed comments under the BO will be provided at building plan submission stage;
- (e) to note the comments of the Director of Fire Services that:
 - (i) detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans or referral from the relevant licensing authority;
 - (ii) the provision of emergency vehicular access in the subject work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011; and
 - (iii) pursuant to Section 6 of the Dangerous Goods Ordinance (Cap. 295), any person who manufactures any amount of dangerous goods or stores, conveys or uses any dangerous goods in excess of its statutory exempt quantity shall be required to obtain a Dangerous Goods Licence. Separate siting approval and Dangerous Goods Licence is required;
- (f) to note the comments of the Director of Environmental Protection that any fixed plant associated with the proposed development should be properly designed, installed and operated in compliance with the Noise Control Ordinance (Cap. 400);
- (g) to note the comments of the Commissioner of Police that:
 - (i) the west side of the building (i.e. the carpark entrance area) may be used for installation of large transformers or electronic mainframes, etc. as they cannot be transported via elevators. A plan is required to set up lifting cranes whilst the carpark entrance is being block; and
 - (ii) noting that a fuel tank room is proposed adjacent to a light goods vehicle (LGV) loading/unloading (L/UL) space, safety measures must be put in place to prevent the LGV from reversing into the LGV1 L/UL space and accidentally puncturing the fuel tank, causing leakage or fire;
- (h) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that any road modification/improvement works due to the proposed development shall be carried out by the applicant. The design of any road modification/improvement works shall be approved by the Transport Department and be constructed to HyD's standard; and
- (i) to note the comments of the Chief Engineer/Railway Development 1-1, Railway Development Office, HyD that the Site falls within the railway protection boundary of the Tuen Ma Line. With reference to Development Bureau Technical Circular (Works) No. 1/2019 and/or PNAP APP-24, MTR Corporation Limited should be consulted with respect to the operation, maintenance, safety and any future works required for the existing railways.