

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

**APPLICATION NO. A/K13/326**

- Applicant** : Food and Environmental Hygiene Department (FEHD) represented by Townland Consultants Limited
- Sites** : (a) Site A: Government Land at the Junction of Tai Yip Street and Tai Yip Lane, Kowloon Bay  
(b) Site B: Government Land at Tai Yip Lane beneath the Kai Fuk Road Flyover, Kowloon Bay
- Site Area** : (a) Site A: 351.0m<sup>2</sup> (about)  
(b) Site B: 153.3m<sup>2</sup> (about)
- Land Status** : Government Land
- Plan** : Approved Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/32
- Zoning** : Areas shown as 'Road'
- Application** : Proposed Government Refuse Collection Point (RCP)

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application sites (the Sites) for reprovisioning the existing Lai Yip Street RCP (LYS RCP) in Kwun Tong (**Drawing A-1**). The Sites (i.e. Sites A and B) fall within areas shown as 'Road' on the approved Ngau Tau Kok and Kowloon Bay OZP No. S/K13/32 (**Plan A-1**). According to the Covering Notes of the OZP, in any area shown as 'Road', all uses or developments except those specified in the Covering Notes require planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, the proposed RCP is divided into two portions (**Drawing A-2**). Site A will house a two-storey<sup>[1]</sup> RCP main building (with

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<sup>[1]</sup> The RCP main building has two main storeys (i.e. G/F and 1/F) (about 6.15m in total) with rooftop structures (for odour control equipment, ventilation and electrical and mechanical (E&M) facilities) of about 3.2m. According to Joint Practice Note No. 5, rooftop ancillary structures exceeding 3.0m are counted towards the building height, resulting in the total building height of about 9.35m.

a total floor area of about 177.8 m<sup>2</sup>) with refuse collection vehicle (RCV) loading bay, refuse storage area, store room, staff toilet & shower room and E&M facilities on G/F (**Drawing A-3**), control room, store room and E&M facilities on 1/F (**Drawing A-4**), with odour control equipment, ventilation and E&M facilities as well as shrub planters on R/F (**Drawings A-5 and A-6**). The remaining open-air area will accommodate the material recovery point, refuse/junk storage area as well as RCV ingress/egress and circulation spaces (**Drawing A-3**). Greening is proposed for the RCP main building, including vertical greening on the building façade and shrubs planting on the rooftop (**Drawings A-11 to A-14**). Site B will house a single-storey (about 3.25m) ancillary building (with a total floor area of about 70.9 m<sup>2</sup>) with staff changing rooms and toilets, pantry/resting room and store room underneath Kai Fuk Road Flyover (**Drawings A-7 and A-10**). The floor plans, section plans and artist's impressions/photomontages of the proposed RCP are at **Drawings A-3 to A-7, A-8 to A-10, and A-11 and A-12** respectively. The vehicular run-in and run-out will only be available at Site A which are on Tai Yip Street and Tai Yip Lane respectively (**Drawing A-16**). The construction of the proposed RCP is scheduled to commence in mid-2023 for completion by 2025.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 12.4.2023 (**Appendix I**)
- (b) Supporting Planning Statement received on 12.4.2023 (**Appendix Ia**)
- (c) Further Information (FI) received on 30.5.2023 (**Appendix Ib**) enclosing responses to departmental comments, revised location plan and layout plan as well as replacement pages of Supporting Planning Statement and related drawings  
*(exempted from publication and recounting requirements)*

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Supporting Planning Statement (**Appendix Ia**) and FI (**Appendix Ib**) and summarised as follows:

- (a) To take forward the 2017 Policy Agenda which called for land use review of a site at Lai Yip Street, Kwun Tong (where the LYS RCP is located) (**Drawing A-1**), the Energizing Kowloon East Office (EKEO) of Development Bureau (DEVB) commenced the technical study for the Lai Yip Street site which recommended the site for commercial use<sup>[2]</sup>. To make way for the development, the existing LYS RCP (with a site area of

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<sup>[2]</sup> In-situ reprovisioning of LYS RCP may create compatibility and interface issues with the future commercial development on site, and therefore off-site reprovisioning is considered necessary.

about 130m<sup>2</sup>) is proposed to be relocated to the Sites, which could retain the full services of the LYS RCP<sup>[3]</sup> to continue serving the catchment area of Kowloon East. For a seamless transition of RCP service, the existing LYS RCP will only be demolished after the completion of the proposed RCP at the Sites by 2025.

- (b) The Sites are considered the only suitable site for reprovisioning of LYS RCP, taking into account that (i) the reprovisioning site should not be located too far away from the existing catchment area of LYS RCP or too close to the other public RCPs (**Drawing A-1**); (ii) the site should be close to working locations of FEHD cleansing staffs to maintain work efficiency; and (iii) the site should avoid abutting trunk / primary distributor roads to ensure road safety.
- (c) The RCP use at the Sites is compatible with the surrounding area predominantly occupied by industrial and government, institution or community (GIC) uses (**Drawing A-1**). Site B overlaps with the existing Rehabus parking area of the Hong Kong Society for Rehabilitation (HKSR) currently under short term tenancy (STT) No. KX2296 (**Plan A-2**). An extension portion underneath Kai Fuk Road Flyover has been granted to HKSR following Lands Department (LandsD)'s approval on the STT boundary adjustment to compensate the loss due to the proposed development at Site B.
- (d) According to the Tree Preservation and Landscape Proposal (**Appendix 2 of Appendix Ia**), vertical greening is proposed at the curved façade of the proposed RCP building in Site A to soften the building edges and mass, whereas shrubs planting area is proposed on R/F of the said RCP building<sup>[4]</sup> (**Drawings A-11 to A-14**). Besides, among 10 existing trees (of common species in Hong Kong) identified within Site A<sup>[5]</sup> (no trees identified at Site B), eight of them will be felled and compensated off-site at 1:1 compensation ratio, and two of them will be transplanted off-site (**Drawing A-15**). The compensatory / transplanted trees would be at the nearby Wai Yip Street/Sheung Yee Road Sitting-out Area, road dividers along Sheung Yuet Road, road kerb at Lam Lok Street and amenity area adjacent to Wang Chiu Road/Hoi Bun Road (**Plans A-1 and A-2**) tentatively, and the details (including the locations, species, sizes and quantities) are subject to agreement with Leisure and Cultural Services Department (LCSD), Highways Department (HyD) and EKEO.
- (e) According to the Traffic Review (**Appendix 3 of Appendix Ia**), there are a total of six RCV trips<sup>[6]</sup> to/from the LYS RCP daily. The RCV trip generation/attraction of the proposed RCP is expected to be similar, and therefore its traffic impact on the nearby road network is anticipated to be

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<sup>[3]</sup> Apart from serving as a RCP, the existing LYS RCP also accommodates a roll call point/control centre of FEHD's in-house cleansing team and ancillary storage area for cleansing gears. These functions will be retained in the new RCP at the Sites.

<sup>[4]</sup> No landscape area is proposed at the Upper R/F of RCP building at Site A, since it cannot be reached by proper maintenance access (only by cat ladder). Considering that Site B is largely underneath by Kai Fuk Road Flyover and subject to limited sunlight, no landscape area is proposed.

<sup>[5]</sup> One tree just outside the boundary of Site A will be retained in-situ.

<sup>[6]</sup> Four trips are between 7am to 8am, and two trips are at around 11pm.

minimal. Head-in and head-out movements of the RCVs are allowed at Site A (**Drawing A-16**). To avoid the potential conflict between the proposed egress point and the existing pedestrian crossing at Tai Yip Lane, the pedestrian crossing is proposed to be shifted westward by 10m (**Drawing A-16**) to ensure sufficient sight distance for motorists on Tai Yip Lane.

- (f) The Preliminary Environmental Review (PER) (**Appendix 4 of Appendix Ia**) indicates that with the implementation of proper pollution control measures (such as installation of activated oxygen air purifier to minimise odour nuisances and ensuring sewage discharge to public sewer), no insurmountable impact on air quality, odour, noise, water quality, waste management aspects will be resulted from the proposed development. The design and operation of the proposed RCP will adhere to the Hong Kong Planning Standards and Guidelines (HKPSG) and FEHD's Handbook on Standard Features for RCPs. Besides, no adverse drainage and waterworks impact is anticipated.

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

As the Sites involve Government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

### **4. Background**

The technical study for the Lai Yip Street site recommended the site (**Drawing A-1**) for integrated commercial development (with a maximum plot ratio of 12 and a maximum building height of 100mPD) with possibility of providing space for arts, culture and creative industries uses. While the G/F is proposed to accommodate mainly retail / food and beverages and internal transport facilities, the 1/F would link up with the proposed elevated walkway network along Wai Yip Street and towards MTR Ngau Tau Kok Station and Kai Tak Runway Tip, forming part of the Multi-modal Environmentally Friendly Linkage System (MMEFLS) in Kowloon East. The proposed commercial uses of the LYS Site align with the “Conceptual Master Plan 6.0”, and the above study recommendations will be incorporated into the relevant OZP in due course.

### **5. Previous Application**

There is no previous application at the Sites.

### **6. Similar Application**

There is no similar application within areas shown as ‘Road’ on the OZP.

**7. The Sites and their Surrounding Areas (Plans A-1 and A-2 and site photos on Plans A-3 and A-4)**

**7.1 The Sites are:**

- (a) occupied by Tai Yip Street/Tai Yip Lane Planting Area currently under temporary government land allocation (TGLA) No. GLA-TNK 764 granted to Home Affairs Department (HAD) (for Site A) (**Plan A-2**), and the Rehabus parking area currently under STT No. KX2296 granted to HKSR (for Site B) (**Plan A-2**);
- (b) underneath Kai Fuk Road Flyover (i.e. the southeastern tip of Site A and the whole area of Site B<sup>[7]</sup>) (**Plan A-2** and **Drawings A-10 to A-12**); and
- (c) directly accessible from Tai Yip Street and Tai Yip Lane (**Plan A-2**).

**7.2 The surrounding areas have the following characteristics (Plans A-1 and A-2):**

- (a) to the north is an industrial building known as Sunshine Kowloon Bay Cargo Centre zoned “Other Specified Uses” annotated “Business” (“OU(B)”), and to further north and northeast are Ngau Tau Kok Ambulance Depot, Telephone Exchange, Electricity Substation, Vocational Training Council Kowloon Bay Complex and Hong Kong Institute of Construction Kowloon Bay Campus all zoned “Government, Institution or Community(1)” (“G/IC(1)”);
- (b) to the east and south are Government Logistics Department Training & Testing Centre and Water Supplies Department (WSD) Kowloon East Regional Building zoned “G/IC(1)”, as well as Tai Yip Street Sitting-out Area and Tai Yip Street Garden; and
- (c) to the west across Wai Yip Street are an existing commercial development known as Capital Tower zoned “OU(B)” and planned commercial developments at Kowloon Bay Action Area zoned “Commercial (1)” and “Commercial (2)”.

**8. Comments from Relevant Government Departments**

**8.1 The following Government departments have been consulted and their views on the application are summarized as follows:**

**Policy Aspect**

**8.1.1 Comments of Head/EKEO, DEVB:**

To take forward the policy initiative as promulgated in the 2017 Policy Agenda of reviewing the land uses of a site at Lai Yip Street

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<sup>[7]</sup> The headroom beneath the Flyover is about 6.0m (for Site A) and about 3.3m-5.0m (for Site B).

(**Drawing A-1**) near the Kwun Tong harbourfront, a study was commissioned in 2019 and the Lai Yip Street site was recommended to change for commercial development to optimise its land use. In view that the proposed RCP at the Sites is for reprovisioning of the existing LYS RCP within the proposed Lai Yip Street commercial site which is critical to make way for the land disposal and implementation of the proposed commercial development, the application is supported from the Energizing Kowloon East policy perspective.

### **Land Administration**

#### 8.1.2 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) The Sites (i.e. Site A and Site B) would affect (i) government land allocation (GLA) of GLA-TNK 764 for a sitting-out area held by HAD and (ii) STT of KX 2296 for parking of Rehabuses held by HKSR (**Plan A-2**). While the permanent GLA (PGLA) of GLA-NK 876 for the proposed RCP to FEHD is being processed, the applicant (i.e. FEHD) shall, in collaboration with EKEO, liaise with HAD and HKSR for timely handover of the affected portions to facilitate the construction of the proposed RCP.
- (b) It is noted in paragraph 2.1.2 of the Planning Statement (**Appendix Ia**) that HKSR has agreed to carve out a portion of its STT parking site to facilitate the proposed RCP project. Application for such excision together with other amendments of the existing Rehabus' STT was approved by LandsD on 27.4.2023.
- (c) It is noted from the FI (**Appendix Ib**) that FEHD and EKEO will continue to liaise with his office on the setting out of PGLA boundary in detail design stage.

### **Traffic**

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

No further comment on the application from the traffic engineering perspective, having regard to the FI (**Appendix Ib**) enclosing the revised plan showing the proposed run-in/out and relocated pedestrian crossing (**Drawing A-16**).

#### 8.1.4 Comments of the Chief Highway Engineer/Kowloon, HyD (CHE/K, HyD):

- (a) No objection to the application from highways maintenance point of view.
- (b) As the proposed RCP will be in the vicinity of Kai Fuk Road Flyover, the lease conditions in relation to the protection of

highways structures (**Annex I of Appendix II**) shall be included in the future GLA and followed by the applicant.

- (c) The works for the proposed vehicular ingress/egress and relocation of pedestrian crossing shall be carried out by the applicant.

### **Urban Design, Visual, Air Ventilation and Landscape**

#### *Urban Design, Visual and Air Ventilation Aspects*

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

- (a) The Site is surrounded by GIC uses and commercial/industrial developments with existing building heights ranging from about 25mPD to about 120mPD. Judging from the photomontages provided in the submission (**Drawings A-11 and A-12**), significant adverse visual impact induced by the proposed development is not anticipated given the low-rise nature of the proposed development.
- (b) Given that the Sites are relatively small and do not fall within any identified airpath/breezeway, the proposed development is not expected to create any significant adverse air ventilation impact.

##### 8.1.6 Comments of the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

No comment on the application from architectural and visual impact point of view, noting that (i) the proposed RCP mainly consists of two blocks at the Sites with building height ranging from one to two storeys and not more than 15m; and (ii) the adjacent “G/IC(1)” areas with building height restriction ranging from 15m to 60m (**Plan A-1**) are permitted under the OZP.

#### *Landscape Aspect*

##### 8.1.7 Comments of the CTP/UD&L, PlanD:

- (a) No comment on the application from landscape planning perspective.
- (b) The Sites are situated in an area of high-rise commercial/residential complexes landscape character predominated by industrial and commercial buildings (**Plan A-1**). With reference to the Planning Statement (**Appendix Ia**) and the Tree Preservation and Landscape Proposal (**Appendix 2 of Appendix Ia**), 10 existing trees are located within Site A boundary, of which eight are proposed to be felled, two to be transplanted off-site and eight new trees to be planted off-site. Vertical greening at G/F and some shrub planting at the edge of R/F are proposed to the RCP building at Site A (**Drawings A-11 to A-14**) to enhance the visual appeal of the development

and to soften building edges. Site B is located entirely underneath a flyover without any existing landscape resources. The proposed development is considered not incompatible with the landscape character in the vicinity.

- (c) The applicant is reminded that approval of the application under Town Planning Ordinance does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to relevant authority for approval. Similarly for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant is reminded to approach relevant authority direct to obtain the necessary approval, where appropriate.

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

- (a) No comment on the application.
- (b) The planting plan/works should comply with the “General Standards and Maintenance Requirements for Landscape Works to be Handed Over to LCSD for Horticultural Maintenance”, all related Technical Circulars and Tree Management Office guidelines.
- (c) To allow sufficient space for the establishment and healthy growth of the trees up to maturity, at least 5m spacing is recommended for all compensatory trees.

8.1.9 Comments of the District Officer/Kwun Tong, HAD:

No objection to the application. He agrees to release the Tai Yip Street/Tai Yip Lane Planting Area site under TGLA No. GLA-TNK 764 (**Plan A-2**) to the concerned department when the site works commence, knowing that there will be no re-provisioning of the said planting area.

**Environmental**

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

- (a) No in-principle objection to the application.
- (b) Based on the PER (**Appendix 4 of Appendix Ia**), provided that the RCP is properly designed with incorporation of suitable environmental mitigation measures, adverse environmental impacts are not anticipated.

**Building Matters**

8.1.11 Comments of the Chief Building Surveyor/Kowloon, BD (CBS/K, BD):



No comment on the application under the Buildings Ordinance (BO) on the understanding that the proposed RCP is a building belonging to the Government and shall be exempted from the provisions of the BO under section 41(1)(a) of the BO.

### **Fire Safety**

#### 8.1.12 Comments of the Director of Fire Services (D of FS):

- (a) No specific comment on the application subject to water supplies for firefighting and fire service installations being provided to the satisfaction of D of FS.
- (b) The emergency vehicular access (EVA) provision shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011.

#### 8.2 The following Government departments have no objection to / no adverse comment on the application.

- (a) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (b) Chief Engineer/Construction, WSD (CE/C, WSD);
- (c) Director of Electrical and Mechanical Services;
- (d) Project Manager/East, Civil Engineering and Development Department;
- (e) Commissioner of Police.

## **9. Public Comment Received During the Statutory Publication Period**

On 21.4.2023, the application was published for public inspection. During the first three weeks of statutory public inspection period which ended on 12.5.2023, no public comment was received.

## **10. Planning Considerations and Assessment**

10.1 The application is for proposed Government RCP use at the Sites (i.e. Sites A and B) falling within areas shown as 'Road' on the OZP (**Plan A-1**) for the reprovisioning of the existing LYS RCP in Kwun Tong (**Drawing A-1**). The existing LYS RCP site will then be vacated for an integrated commercial development to take forward the policy initiative as promulgated in the 2017 Policy Agenda. The Head/EKEO, DEVB supports the application from the Energizing Kowloon East policy perspective. The Sites are considered as the most suitable location for reprovisioning of the RCP taking into account the criteria as stated in paragraph 2(b) above. As the Sites would make use of the residual land adjacent to / underneath Kai Fuk Road Flyover (currently occupied by HAD's temporary planting area and HKSR's temporary Rehabus parking area), the proposed RCP development would not affect any existing/planned roads. C for T and CHE/K, HyD have no adverse

comment on the application.

- 10.2 The proposed RCP development of not more than 9.35m (or two storeys) is considered not incompatible with industrial and GIC uses (mainly Government office/depot and education/training facilities) in the area which are not sensitive uses, with existing building heights ranging from about 25mPD to about 120mPD (**Plans A-1 and A-2**). Judging from the photomontages (**Drawings A-11 and A-12**), the proposed development of low-rise nature with part of it underneath the flyover is not anticipated to induce significant adverse visual impact. Noting that vertical greening and shrub planting will be introduced on site to enhance the visual appeal of the development and to soften building edges, as well as the existing trees to be felled/affected on site will be compensated/transplanted off-site as stated in paragraph 2(d) above, significant adverse landscape impact is not anticipated. CTP/UD&L, PlanD, DLCS and CA/ASC, ArchSD have no adverse comment on the application from urban design, visual, landscape and architectural perspectives.
- 10.3 The proposed RCP will be properly designed with incorporation of proper pollution control measures as stated in the PER. Technical assessments as submitted demonstrated that the proposed RCP would not have adverse impacts in respect of environmental, drainage and traffic aspects. All relevant government departments including DEP, CE/MS, DSD and C for T have no adverse comment / no objection to the application. To address the concerns from D of FS, an approval condition on fire service installations and water supplies for firefighting as stated in paragraph 11.2 below is suggested.
- 10.4 There is no public comment on the application.

## **11. Planning Department's Views**

- 11.1 Based on the assessments made in paragraph 10 above, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 9.6.2027, 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 condition of approval and advisory clauses are suggested for Members' reference:

### Approval condition

the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

### Advisory clauses

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

11.3 There is no strong reason to recommend rejection of the application.

## **12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions(s) and advisory clause(s), if any, to be attached to the permission, and the date when validity of the permission should expire.
- 12.3 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.

## **13. Attachments**

<b>Appendix I</b>	Application Form received on 12.4.2023
<b>Appendix Ia</b>	Supporting Planning Statement received on 12.4.2023
<b>Appendix Ib</b>	FI received on 30.5.2023
<b>Appendix II</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Location Plan of LYS RCP and other RCPs in the Surrounding Area
<b>Drawing A-2</b>	Master Layout Plan
<b>Drawing A-3</b>	Ground Floor Plan (Site A)
<b>Drawing A-4</b>	First Floor Plan (Site A)
<b>Drawing A-5</b>	Roof Floor Plan (Site A)
<b>Drawing A-6</b>	Upper Roof Floor Plan (Site A)
<b>Drawing A-7</b>	Ground Floor Plan (Site B)
<b>Drawings A-8 and A-9</b>	Section Plans (Site A)
<b>Drawing A-10</b>	Section Plan (Site B)
<b>Drawing A-11</b>	Artist's Impression/Photomontage (Site A)
<b>Drawing A-12</b>	Artist's Impression/Photomontage (Sites A and B)
<b>Drawing A-13</b>	Landscape Master Plan (Site A Ground Floor)
<b>Drawing A-14</b>	Landscape Master Plan (Site A Roof Floor)
<b>Drawing A-15</b>	Tree Treatment Plan (Site A)
<b>Drawing A-16</b>	Proposed Run-in/out and Relocated Pedestrian Crossing
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 and A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JUNE 2023**