

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K15/130

- Applicant** : The Hong Kong Ice & Cold Storage Company Limited represented by Arup Hong Kong Limited
- Site** : Various Lots and adjoining Government land (GL) at Yau Tong Bay (YTB), Yau Tong, Kowloon
- Site Area** : About 98,954.75m² (including about 10,248.24m² (or 10.36%) of GL)
- Lease** : Applicant's Site (about 3,000m², 3.03% of the "CDA" zone)
(Phase III Development)
Yau Tong Marine Lot (YTML) 71 (Ice Plant / the Development Site)
(a) To expire on 30.6.2047
(b) Restricted to ice-making and cold storage purposes
- Consortium Lots (about 73,971.79m², 74.75%)
(Phases I and II Developments)
YTML 1, 5, 6 & Ext, 7 & Ext, 8 to 15, 19 to 21 (& their Exts), 22 s.A, s.B & Ext, RP & Ext, 23 & Ext, 24 & Ext, 27 to 29 (& their Exts), 30 to 38, 41 to 46 and 54
(a) To expire on 30.6.2047
(b) Restricted to ship/boat building and/or repairing, and/or sawmill and timberyard
- (Remaining Phases Development)
New Kowloon Inland Lot 6138 (Towngas Cha Kwo Ling Gas Pigging Station)
(a) To expire on 30.6.2047
(b) Restricted to pigging station
- Other Dissenting Lots (about 11,734.72m², 11.86%)
(Remaining Phases Development)
YTML 2 to 4, 25 & Ext and 26 & Ext
(a) To expire on 30.6.2047
(b) Restricted to shipbuilding and/or sawmill and timberyard
- YTML 73 and 74 (Wing Shan Industrial Building (WSIB))
(a) To expire on 30.6.2047
(b) Restricted to industrial or godown purposes or both
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/27

- Zoning** : “Comprehensive Development Area” (“CDA”)
- (a) maximum plot ratio (PR) of 4.5;
 - (b) maximum building height (BH) of 120mPD;
 - (c) provision of a public waterfront promenade (PWP) not less than 15m wide and with a site area not less than 24,700m² (for the whole “CDA” zone);
 - (d) a public vehicle park (PVP), as required by the Government, shall be provided (within the “CDA” zone); and
 - (e) based 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. Under no circumstances shall the total PR exceed 5.0

Application : Proposed Comprehensive Development (including Commenced Phases I and II Developments, and Proposed Phase III and Remaining Phases Development for Residential, Hotel, Commercial, Public Utility Installation (Gas Pigging Station) and Marine Related Facility (Landing Step)) and Minor Relaxation of Plot Ratio Restriction

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed comprehensive development (including commenced Phases I and II developments¹, and proposed Phase III and Remaining Phases development for residential, hotel, commercial, public utility installation (gas pigging station) and marine related facility (landing step)) and minor relaxation of PR restriction from 4.5 to 5 at the application site (**Plan A-1**). According to the Notes of the OZP, development within the “CDA” zone requires planning permission from the Board and shall be made in the form of a Master Layout Plan (MLP). Although the application covers the entire YTB “CDA” zone, the proposal is essentially to redevelop the applicant’s existing ice plant at YTML 71 (the Development Site) into a 34-storey (including two levels of basement carpark) residential tower under a new Phase III of the YTB comprehensive development.

Background

- 1.2 The YTB “CDA” zone consists of various land parcels under multiple ownership, with the Development Site being one of the private lots at the northwestern portion (**Plan A-2**). While the whole “CDA” zone was involved in three previous applications (No. A/K15/96 and 112² and Y/K15/4, **Plan A-1**), they were submitted by a consortium consisting the majority of the lot owners of the “CDA” zone (the Consortium) but excluding the current applicant and owners of other dissenting lots. The current applicant had no intention to develop the Development Site per the Consortium’s last approved MLP (application No.

¹ Commenced Phases I and II developments refer to Phases I and II developments of the last approved Master Layout Plan concerning the subject “CDA” zone (application No. A/K15/112). The major land uses therein include residential, commercial, government, institution or community (GIC), PVP and marine related facility (landing steps). The development thereon is deemed commenced per Town Planning Board Guidelines No. 35D following approval of the first set of general building plans pertaining to the Phases I and II developments in 2017.

² The validity of the permission granted under application No. A/K15/112 was extended once for an additional four years upon approval of Class B Amendment for extension of time for commencement of development under application No. A/K15/112-1.

A/K15/112), under which the existing ice plant was proposed to be redeveloped as a hotel block (known as Tower 17 (T17)) with non-domestic PR of 5 and BH of 69.5mPD to be developed under the Remaining Phases³. Subsequently, the portion of the MLP covering the Remaining Phases sites (i.e. including the Development Site) lapsed on 17.1.2023.

- 1.3 In view of the on-going transformation of the Yau Tong area into a residential neighbourhood and to meet the acute demand for housing, the applicant initiated plans to redevelop the Development Site for residential use. As the Development Site falls within the “CDA” zone and there being no valid MLP covering the Remaining Phases sites (including the Development Site), the current application was submitted in the form of a new MLP covering the entire “CDA” zone (**Drawing A-1**). However, as development at the Consortium-owned Phases I and II sites is deemed commenced (under the last approved MLP) and there being no consensus/resolution with the other dissenting lot owners, the applicant has merely adopted the notional scheme and layout of the last approved MLP for these lots. In short, the current proposed MLP is essentially the same as the last approved MLP, except for changes to the applicant’s Development Site (to facilitate the current proposed residential development) and minor changes in PWP provision for some of the sites under the Remaining Phases (**Drawing A-13**). The development parameters and technical basis for Phases I, II and Remaining Phases developments remain unchanged.

Current Proposed MLP and Revised Phasing

- 1.4 Similar to the last approved MLP, the current proposed MLP will be implemented by phases. While the last approved MLP proposed three development phases, the current applicant has further excised their own lot (YTML 71) from the Remaining Phases to form a new Phase III development (for the Development Site only) (**Plan A-2** and **Drawing A-2**). The four development phases include the deemed commenced Phases I and II developments by the Consortium (unchanged from the last MLP, and currently at the land exchange stage); the newly proposed Phase III development for the Development Site; and the Remaining Phases development for the other dissenting lots and GL (unchanged from the last MLP, and the development progress of each lot would be determined by the individual landowners). Comparisons of the MLP, section, phasing, circulation arrangement, PWP and landscape master plan (LMP) of the last approved MLP and the current proposed MLP are at **Drawings A-9 to A-14**. A breakdown of the construction, management and maintenance responsibilities of the various facilities/works proposed under the current MLP as submitted by the applicant is at **Drawing A-22**.
- 1.5 Given that the Phases I, II and Remaining Phases developments are largely identical to the last approved MLP, the discussion in the preceding paragraphs will primarily focus on the current proposal at the newly proposed Phase III development for the Development Site. Nevertheless, a detailed comparison of the last approved MLP and the current proposed MLP is at **Appendix II** and the key changes are summarised as follows:

³ Under the last approved MLP, the YTB “CDA” would be developed under three phases, with the Consortium lots to be developed under Phases I and II, and the GL and dissenting lots (including the Development Site) would be developed under the Remaining Phases.

Key Development Parameters for the whole YTB “CDA” Site	Latest Approved MLP (No. A/K15/112) (a)	Current Proposed MLP (b)	Differences (b) - (a)
Total Site Area (about) (m²)	98,954.75	98,954.75	--
Total Gross Floor Area (GFA) (m²)	494,773.75	494,773.75	--
- Domestic GFA	398,665.04	413,665.04	+15,000 (+3.8%)
- Non-domestic GFA	96,108.71	81,108.71	-15,000 (-15.6%)
Overall PR	5	5	--
- Domestic PR	4.03	4.18	+0.15 (+3.8%)
- Non-domestic PR	0.97	0.82	-0.15 (-15.6%)
Residential Flats	6,556	7,078	+522 (+8.0%)
Hotel Guestrooms	889	733	-156 (-17.5%)
Open Space Provision (m²)			
- Private Open Space	≥ 19,668	≥ 20,973	+1,305 (+6.64%)
- Public Open Space (PWP)	≥ 24,700	≥ 24,700	--

The Proposed Scheme

- 1.6 Under the current MLP, the Development Site is proposed to be redeveloped for a residential tower at a PR of 5 (GFA of about 15,000m²), consisting of 29 storeys of flats (with typical floor-to-floor height of about 3.15m) and three storeys of lobby/clubhouse, atop 2-storeys of basement car parking and loading/unloading (L/UL) (the Proposed Scheme). Due to the incorporation of various planning and design measures (such as PWP and building setbacks per the endorsed Planning Brief (PB)), the applicant considers a BH of 115mPD necessary to accommodate the proposal. The vehicular access will be via Cha Kwo Ling (CKL) Road.
- 1.7 The applicant will comply with the requirements of the extant “CDA” zone and the endorsed PB for YTB “CDA” zone (**Appendix IV**), notably the provision of a PWP⁴ of not less than 15m in width with an area of about 895m². In addition to the PB requirements, the applicant also proposes to provide a 3m-wide at-grade pedestrian path connecting the PWP and CKL Road to access the waterfront. Both the PWP and pedestrian path will be opened for use by the public at all times. The applicant will take up the construction, management and maintenance responsibility of the PWP until it is surrendered upon request by the Government, while the pedestrian path will be managed and maintained by the future developer. The proposed indicative MLP, G/F layout, sections, LMP, photomontages and artist’s impressions of the PWP for the Proposed Scheme are at **Drawings A-4 to A-8 and A-17 to A-21**. A comparison of the development parameters of the Development Site between the last approved MLP (application No. A/K15/112) and the current Proposed Scheme are summarised as follows:

Development Parameters at the Development Site	Per the Last Approved MLP (No. A/K15/112) (a)	Current Proposed Scheme (No. A/K15/130) (b)	Differences (b) - (a)
Proposed Land Use	Hotel	Flats	Change in use
Site Area (m²)	About 3,000	About 3,000	--

⁴ According to the Notes of the OZP, the total site area of the PWP should not be less than 24,700m² for the whole “CDA” zone, which is measured at a width of 20m along the entire stretch of the waterfront. On a pro-rata basis, the Development Site should provide a PWP of not less than 894m² in size.

Development Parameters at the Development Site	Per the Last Approved MLP (No. A/K15/112) (a)	Current Proposed Scheme (No. A/K15/130) (b)	Differences (b) - (a)
Total GFA (m²)	15,000	15,000	--
- Domestic GFA	0	15,000	+15,000
- Non-domestic GFA	15,000	0	-15,000 (-100%)
Total PR	5	5	--
- Domestic PR	0	5	+5
- Non-domestic PR	5	0	-5 (-100%)
Maximum BH			
- in mPD	69.5	115	+45.5m (+65.5%)
- in number of storeys	16 storeys over 1-storey basement carpark	32 storeys over 2-storey basement carpark	+17 (+123%)
No. of Towers	1 (known as T17)	1 (also known as T17)	--
Site Coverage (SC)			
- below 15m	About 40.91%	≤ 65.8%	+24.89%
- above 15m	About 39.64%	≤ 33.33%	-6.31%
No. of Hotel Guestrooms	156	0	-156 (-100%)
No. of Flats	0	522	+522
Average Unit Size (m²)	N/A	28.7	N/A
Estimated Population	0	1,305	+1,305
Private Open Space (m²)	0	≥ 1,305	+1,305
Public Open Space (PWP)	≥ 828.82m ² (≥ 15m wide)	≥ 895m ² (≥ 15m wide)	+66.18m ² (+8.0%)
Parking/ L/UL Provision			
- Car Parking Spaces	8	54	+46 (+575%)
- Motorcycle Spaces	1	6	+5 (+500%)
- L/UL Space	1	1	--
Phasing (Anticipated Completion Year)	Remaining Phases (no definitive year)	Phase III Development (2029)	N/A

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

- | | |
|--|---|
| (a) Application Form received on 4.7.2023 | (Appendix I)

(Appendix Ia⁵) |
| (b) Supporting Planning Statement (SPS) and Supplementary Information received on 4.7.2023 and 26.7.2023 | |
| (c) Further Information (FI) received on 14.8.2023 ^(#) | |
| (d) FIs received on 16.10.2023 and 19.10.2023 ^(*) | |
| (e) FI received on 9.11.2023 ^(*) | |
| (f) FI received on 8.12.2023 ^(#) | |
| (g) FI received on 18.12.2023 ^(#) | |

Remarks:

^(*) accepted but not exempted from publication and recounting requirement

^(#) accepted and exempted from publication and recounting requirement

⁵ A consolidated SPS containing finalised technical assessments, responses-to-comments and replacement pages for the SPS was submitted by the applicant on 19.12.2023 (**Appendix Ia**); thus the original SPS and FIs are not attached in this Paper.

- 1.9 On 25.8.2023, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant in order to allow sufficient time for preparation of FI to address departmental comments.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the consolidated SPS at **Appendix Ia**, which can be summarised as follows:

In Line with the Planning Intention

- (a) The proposed development is in line with the planning intention of the “CDA” zone to facilitate the comprehensive (re)development of the area by expediting the phasing out of incompatible industrial uses. The proposal would also facilitate the early realisation of a publicly accessible YTB through the provision of a PWP. The proposal meets the relevant requirements under Town Planning Board Guidelines No. 17A “Designation of CDA Zones and Monitoring the Progress of CDA Developments” (TPB PG-No. 17A, see para. 4 below), in that the interest of other lot owners would not be affected by the phased development. While the MLP honours all the obligations/commitments proposed in the last approved MLP, it is expected that those obligations/commitments concerning particular phases/sites (i.e. those not related to the Development Site) will be resolved/met by the concerned landowner(s) accordingly (**Drawing A-22**).

Change in Land Use to Meet the Acute Housing Demand

- (b) To redress the acute housing demand and meet the objectives of the Long Term Housing Strategy, and given the uncertain outlook on the tourism industry, the Proposed Scheme intends to reset the previously committed hotel use into a residential tower, which would timely provide 522 flats by 2029 (an 8% increase in flats from the last approved MLP).
- (c) The proposed PR of 5 merely reflects the development intensity committed for the Development Site under the last approved MLP, albeit converting from the previous non-domestic use (hotel) to the current proposed domestic use (flat). The proposed minor relaxation of PR restriction is also in line with recent policy emphasis to optimise the utilisation of land resources. Due to differences in building layout requirements between hotel and flat use, and in view of the site constraints posed by the PB requirements, a proposed BH of 115mPD is considered necessary.

Changing Planning Circumstances

- (d) The Committee has recently agreed to a rezoning application (No. Y/K15/6) to redevelop WSIB for commercial use at a PR of 11 and BH of 120mPD, which is located to the east of the Development Site (**Plan A-1** and **Drawing A-15**). Given the anticipated change in BH profile at the northern part of the “CDA” zone, the proposed BH of 115mPD will create a more dynamic and coherent skyline than the medium-rise hotel block under the last approved MLP. In any case, the BH of the Proposed Scheme will step down from taller buildings to its

east, thereby maintaining the east-west descending BH profile of the “CDA” zone (**Drawing A-16**), which is in line with the PB requirements.

- (e) The transformation of Yau Tong from an industrial area into a residential neighbourhood has been gathering pace in recent years. Besides the on-going residential developments at Yau Tong Industrial Area (YTIA, **Plan A-1**), the nearby Cha Kwo Ling Village (CKLV) has recently been rezoned for high-rise, high-density public housing development (at a total PR of 8.5 (equivalent) and BHs of 110/130mPD), while development intensity at the Ex-CKL Kaolin Mine Site (ex-CKLKMS) Phase 2 public housing development has been intensified (at a total PR of 9 and BHs of 135/140mPD) (**Plans A-6 and A-7**). The proposed residential development at the Development Site with PR of 5 and BH of 115mPD is not incompatible with the surrounding area.

Planning and Design Merits

- (f) The proposal respects the various planning and design requirements of the “CDA” zone per the Notes and Explanatory Statement (ES) of the OZP and the PB, as well as the Harbour Planning Guidelines. Besides the PWP, the applicant pledges to implement the following design measures at the detailed design stage, which would enhance pedestrian accessibility and visual/ air permeability in the area (**Drawings A-5 to A-7**):
 - (i) a podium-free development with T-shaped tower design;
 - (ii) a 3m-wide at-grade north-south pedestrian path connecting CKL Road and the PWP;
 - (iii) building setbacks of not less than 10m and 15m from CKL Road and the waterfront respectively; and
 - (iv) building setbacks of about 10m and 15m from the eastern and western site boundaries at G/F (tentatively resulting in a 25m G/F separation with the proposed building to the east).
- (g) According to the LMP, hard and soft landscaping will be provided at the Development Site, including the provision of plaza, planting/lawn, floral garden, PWP of not less than 895m² in size (and not less than 15m in width), vertical greening and seating area, etc. (**Drawings A-8 and A-21**). A minimum greenery coverage of 30% (based on net site area, i.e. excluding the PWP) with 20% on G/F will also be provided.

No Adverse Impact to the Surrounding Area

- (h) Various technical assessments have been conducted for the current proposed MLP and specifically for the Proposed Scheme, including traffic impact assessment, environmental assessment (including noise impact assessment (NIA), air quality impact assessment (AQIA) and sewerage impact assessment (SIA)) and qualitative risk assessment (QRA), etc. Apart from the building setbacks in para. 2(f) above, the technical assessments also proposed various mitigation measures, including minimisation of window openings facing the gas pigging station, the use of single aspect design with acoustic windows/enhanced acoustic balconies, and the use of central air conditioning for the clubhouse, etc. With the implementation of mitigation measures, the Proposed Scheme would not result in any adverse or unacceptable impacts to the surrounding area.

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

The applicant is one of the “current land owners” of the application site and the sole landowner of YTML 71 (the Development Site). The applicant has complied with the 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) by publishing newspaper notices and posting site notices. Detailed information would be deposited at the meeting for Members’ inspection. As for the GL portions of the application site, the “Owner’s Consent/Notification” Requirements as set out in TPB PG-No. 31A are not applicable.

4. Town Planning Board Guidelines

The application site falls with the “CDA” zone and TPB PG-No. 17A are relevant to this application. For “CDA” sites which are not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that:

- (a) the planning intention of the “CDA” zone will not be undermined;
- (b) the comprehensiveness of the proposed development will not be adversely affected as a result of the revised phasing;
- (c) the resultant development should be self-contained in terms of layout design and provision of open space and appropriate GIC, transport and other infrastructure facilities; and
- (d) the development potential of the unacquired lots within the “CDA” zone should not be absorbed in the early phases of the development, access to these lots should be retained, and the individual lot owners’ landed interest should not be adversely affected.

5. Background

The majority of the subject “CDA” zone (including the Development Site) was originally zoned “Industrial” prior to 1993. In January 1993, the area to the east of the WSIB, as well as the waterbody of YTB (which was proposed to be reclaimed), was rezoned to “CDA” under the draft OZP No. S/K15/6. In 2002, pursuant to an approved rezoning request, the boundary of the “CDA” zone was extended westward to cover the Development Site and other land parcels (up to the western extent of the current “CDA” zone) under the draft OZP No. S/K15/15. In 2008, in light of the Court of Final Appeals’ judgement regarding the interpretation of “presumption against reclamation in the harbour”, the boundary of the “CDA” zone was revised to excise the waterbody of YTB under the draft OZP No. S/K15/16. The draft OZP was subsequently approved in 2009 and the boundary of the subject “CDA” zone has remained unchanged ever since.

6. Previous Applications

- 6.1 The YTB “CDA” zone mainly consists of various private lots under multiple ownership, and has been the subject of eight planning applications. Three of the applications were submitted by the Consortium covering the whole “CDA” zone. The remaining five applications were submitted by the landowners of two dissenting land parcels covering their own lots only. Details of the previous planning applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

Applications covering the entire YTB “CDA” zone submitted by the Consortium

- 6.2 The first application (No. A/K15/96) for proposed comprehensive development (mainly for residential and hotel uses) at the YTB “CDA” zone with minor relaxation of PR restriction (from PR of 4.5 to 5) was approved with conditions by the Committee on 8.2.2013. Under the subject MLP, the Development Site was planned for hotel use with a PR and BH of 5 and 69.5mPD respectively to be developed under the Remaining Phases (along with other dissenting lots).
- 6.3 Planning application No. A/K15/112 for amendments to the aforesaid MLP was approved with conditions by the Committee on 16.1.2015 (**Drawing A-9**). The proposed land use (hotel), development parameters (PR of 5 and BH of 69.5mPD) and phasing of the Development Site (under Remaining Phases) remained unchanged under this MLP. Under the MLP, the BHs of the proposed development at the northern portion of the “CDA” zone would descend from 120mPD at the northeast to 60.5mPD at the northwestern end (**Drawing A-10**). The first set of building plans concerning the Consortium-owned Phases I and II development was approved in 2017, and the proposed developments thereon are deemed commenced. As development at the Remaining Phases (including the Development Site and other dissenting lots) did not commence by the specified time limit, the portion of MLP covering the Development Site and other dissenting lots had lapsed since 17.1.2023.
- 6.4 An s.12A rezoning application (No. Y/K15/4) for proposed amendments to the Notes of the YTB “CDA” zone to allow floor space that is constructed or intended for use solely as underground PVP, as required by the Government, to be disregarded from PR calculation was partly agreed by the Committee on 20.3.2020. The Notes of the OZP was subsequently amended to cater for this and the proposed underground PVP will be provided within the Consortium-owned lots.

Applications concerning individual dissenting sites of the YTB “CDA” zone submitted by others

- 6.5 Besides the three applications covering the whole YTB “CDA” zone submitted by the Consortium, the site of the WSIB was the subject of four applications all submitted by its landowner. The first three applications (No. A/K15/70, 98 and 107) were mainly for proposed in-situ wholesale conversion of WSIB for shop and services/eating place/hotel uses for the lifetime of the building, which were approved with conditions by the Board on review or by the Committee between 2005 and 2012.

- 6.6 The latest application concerning WSIB was an s.12A rezoning application (No. Y/K15/6) to rezone the site from “CDA” to “Commercial (1)” (“C(1)”) zone, which was partially agreed by the Committee on 22.9.2023 (**Plan A-1**) mainly on the considerations that the proposed redevelopment for commercial uses was compatible with the surrounding area, and that the proposed development intensity was not unreasonable given the unique circumstances of the site. The proposed “C(1)” subzone will be restricted to a maximum PR of 11 and a maximum BH of 120mPD (reduced from the original proposed 130mPD by the Committee), while a requirement for the provision of a PWP of not less than 20m wide and not less than 1,205m² in size will also be stipulated in the revised Notes of the OZP. The proposed amendments to the OZP will be submitted to the Committee for consideration in due course taking into account the latest planning circumstances and the statuses of concurrent applications.
- 6.7 Apart from the site of the WSIB, the southwestern end of the subject YTB “CDA” zone was also the subject of a rezoning application (No. Y/K15/1) to rezone a dissenting land parcel from “CDA” to “Residential (Group E)” (“R(E)”) zone, which was rejected by the Committee on 15.12.2006. The application was rejected mainly on the grounds that the proposed piecemeal redevelopment would frustrate the continuity of the PWP and there were adverse comments from concerned departments regarding the susceptibility of potential environmental impact (i.e. noise and air quality) on the future residents.

7. **Similar Applications**

There are six similar applications (No. A/K15/114, 119, 120, 121, 122 and 126) for proposed comprehensive developments with the provision of PWP at the YTIA “CDA” zones (**Plan A-1**). All six applications were approved with conditions by the Committee between 2016 and 2021 mainly on the grounds that the proposed (re)developments were in line with the planning intention of the “CDA” zone, the proposed developments would honour the requirements of the endorsed PB (such as the provision of PWP) and there were no adverse comments from concerned departments.

8. **The Development Site and its Surrounding Areas (Plans A-1 to A-7)**

8.1 The Development Site is:

- (a) abutting YTB to its south and accessible from CKL Road to its north. The Water Supplies Department’s (WSD’s) CKL Salt Water Pumping Station (CKLSWPS) and WSIB are to its east, while the Towngas CKL Gas Piggings Station and the Civil Engineering and Development Department’s (CEDD’s) maintenance depot are to its west; and
- (b) occupied by a 3-storey ice plant (completed in 1980) with associated open-air L/UL and car parking area.

8.2 The surrounding areas have the following characteristics:

- (a) to the further east and south of the Development Site opposite the YTB is the main portion of the YTB “CDA” zone, which is mainly vacant land owned by the Consortium, as well as a sand depot (YTML 25 & Ext and

26 & Ext) and a recycling yard (YTML 2, 3 & 4) on dissenting lots;

- (b) to the north of the Development Site across CKL Road is the toll plaza of the Eastern Harbour Crossing and Lam Tin Interchange;
- (c) to the further northwest is the planned CKLV public housing development within the “Residential (Group A)8” (“R(A)8”) zone with BH restriction (BHR) of 110/130mPD, while to the further north is the planned ex-CKLKMS Phase 2 public housing development within the “R(A)9” zone with BHR of 135/140mPD (**Plan A-7**);
- (d) to the east and southeast of the application site is YTIA which is mainly zoned “C”, “R(E)” and various “CDA” subzones and is undergoing transformation from industrial to residential with/without commercial uses; and
- (e) Yau Tong Station is located about 500m to the east of the Development Site.

9. Planning Intention

- 9.1 The “CDA” zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.2 Although the Notes of the OZP stipulated a BHR of 120mPD and a PWP requirement of not less than 15m wide for the “CDA” zone, the ES to the OZP further prescribes that lower BH of 60mPD should be considered at the two western outermost ends of the “CDA” zone to maintain a more intertwined relationship with the harbour edge, and a distinct gradation of height profile with descending BHs towards the harbourfront should be adopted. As for the PWP, the ES to the OZP elaborates that the PWP is planned for a width of 20m (with a total area of not less than 24,700m²) but a minimum width of 15m is considered acceptable for part of the promenade to cater for site constraints and to allow design flexibility.
- 9.3 A PB to guide the development of the YTB “CDA” zone was endorsed by the Committee on 9.4.2010. Besides the aforesaid planning intention and design requirements, the endorsed PB also prescribes a greening ratio of not less than 30% of the development site (excluding public open space) of which a minimum of 20% shall be provided at ground level; the provision of three social welfare facilities and kindergarten within the “CDA” zone⁶; and building separations of not less than 25m between each residential block to enhance air ventilation,

⁶ The endorsed PB prescribes that an Integrated Children and Youth Services Centre, a 160-place Integrated Vocational Rehabilitation Services Centre (later reduced to 120-place per the last approved MLP) and a 50-place Hostel for Moderately Mentally Handicapped Persons shall be provided within the subject “CDA” zone. According to the last approved MLP (application No. A/K15/112), all three GIC facilities will be provided within Phase I development of the consortium-owned lots, while kindergarten was also proposed under Phase I development of the consortium-owned lots.

amongst others. A comparison of the current proposed MLP against the planning requirements in the endorsed PB is at **Appendix IV**.

10. Comments from Relevant Government Bureaux/Departments (B/Ds)

10.1 The following government B/Ds have been consulted and their views on the application are summarised as follows:

Land Administration

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

- (a) the Development Site is located at YTML No. 71 (the Lot) which is restricted for ice making and cold storage purposes with a BHR of not exceeding 51.5m above Hong Kong Principal Datum. The proposed redevelopment of the Lot for the Proposed Scheme is in conflict with the existing lease conditions. The applicant should note her advisory comments at **Appendix VII**;
- (b) the existing CKLSWPS and CEDD maintenance depot are held under Permanent Government Land Allocations allocated to WSD and CEDD respectively. If the aforesaid facilities are to be relocated, prior consent from WSD and CEDD is required; and
- (c) she has no comment on the imposition of approval condition (g) from the last approved MLP in the current application.

10.1.2 Comments of the Chief Estate Surveyor/Land Supply, LandsD:

she is handling a proposed land exchange application (new lot to be known as YTIL 43) to implement the commenced Phases I and II developments under the last approved MLP (the proposed YTIL 43 Land Exchange). Noting there is no amendment proposed for the commenced Phases I and II developments under the current application and on the understanding that there is no interfacing issue between the proposed redevelopment of the Lot and the proposed YTIL 43 Land Exchange, she has no comment on the application from the viewpoint of the proposed YTIL 43 Land Exchange application.

Traffic

10.1.3 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 no in-principle comment on the imposition of approval conditions (e), (h) and (j) from the last approved MLP in the current application; and

- (b) should the application be approved, approval condition (v) below is suggested for Phase III development.

Environment

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

- (a) he has no objection to the application and no comment on the imposition of approval conditions (l) and (m) from the last approved MLP in the current application;
- (b) on noise, the Proposed Scheme will be subject to noise impact from nearby road traffic and fixed sources. After implementation of appropriate noise mitigation measures identified in the NIA, no adverse noise impact is anticipated. However, since the traffic data therein has not yet been confirmed, approval condition (s) below is suggested for Phase III development;
- (c) on air quality, based on the findings of the AQIA, all air sensitive receivers of the operation stage would comply with the Air Quality Objectives. However, since the AQIA has not fully addressed the outstanding technical comments, approval condition (s) below is suggested for Phase III development;
- (d) on sewerage impact, the submitted SIA indicated that the existing public sewerage system has sufficient capacity to cater for the sewage generated from the proposed development. Although no insurmountable sewerage impact arising from the proposed development is anticipated, the SIA has not fully addressed the outstanding technical comments hence approval conditions (t) and (u) below are suggested for Phase III development; and
- (e) on land contamination, the applicant has committed to conduct a land contamination assessment for the Site at the detailed design stage. Besides, there are potential land contamination issues at the Remaining Phases sites (e.g. the gas pigging station and CEDD maintenance depot). As such, approval condition (w) below is suggested for Phase III and Remaining Phases developments.

Urban Design, Visual Impact, Air Ventilation and Landscape Planning

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

- (a) she has no objection to the application from urban design, visual impact, air ventilation and landscape planning perspectives, and the applicant should note her advisory comments in **Appendix VII**;

Urban Design and Visual Impact

- (b) the applicant claims that the proposed BH of 115mPD will create a dynamic skyline with distinct gradation in BH. Although the proposed BH will not exceed the BHR of 120mPD, the smooth gradation of height profile descending towards the harbourfront as prescribed by the ES of the OZP and the endorsed PB may be weakened by the Proposed Scheme;
- (c) notwithstanding, the proposal has incorporated a PWP of not less than 15m wide per the OZP requirements. A number of design measures that may enhance visual permeability and pedestrian connectivity of the area have also been proposed under para. 2(f) above;

Air Ventilation

- (d) the Proposed Scheme has incorporated various building setbacks per para. 2(f) above to address the potential adverse air ventilation impact on the surrounding area. According to the simulation results, the Proposed Scheme will have similar site velocity ratio and local velocity ratio when compared with the baseline scheme (i.e. the last approved MLP). The overall performances of the baseline scheme and Proposed Scheme on pedestrian wind environment are comparable under both annual and summer conditions. Overall, it is not anticipated that the Proposed Scheme, with the implementation of mitigation measures, would generate significant adverse air ventilation impact on the overall wind environment as compared with the baseline scheme;

Landscape Planning

- (e) with reference to the aerial photo (**Plan A-3**), the Development Site is located in an area of reclamation and industrial urban landscape. The Proposed Scheme is not entirely incompatible with the existing landscape character and planned landscape setting in the proximity;
- (f) as noted from the submission, two existing trees of undesirable species (*Leucaena leucocephala*) are proposed to be felled and around 20 new trees are proposed within the Development Site. A number of landscaping measures have also been proposed under para. 2(g) above; and
- (g) as the application concerns a “CDA” zone, the imposition of approval condition (k) from the last approved MLP in the current application is supported.

10.1.6 Comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

the height of the Proposed Scheme would deviate from the previously approved stepped height profile stipulated in the last approved MLP with a descending height gradation towards the harbour edge at the two western ends of the YTB “CDA” zone. However, it is noted that the proposed BH would not exceed the extant BHR on the OZP.

Water Supplies and CKLSWPS

10.1.7 Comments of the Chief Engineer/Construction, WSD:

- (a) he has no objection in principle to the application and his detailed comments are at **Appendix V**. The applicant should also note his advisory comments at **Appendix VII**;
- (b) approval condition (n) from the last approved MLP should be imposed for the current application; and
- (c) the proposed relocation of the CKLSWPS would not be feasible unless a relocation site acceptable to his department could be identified. His department has no plans/implementation programme to relocate the existing CKLSWPS at this stage. Regarding the proposed interim modification/beautification works of the CKLSWPS, it is noted that the works would be funded and implemented by the project proponent of the Phases I and II developments as pledged under the last approved MLP.

Education and Social Welfare

10.1.8 Comments of the Secretary for Education:

- (a) kindergartens are privately run and the provision of kindergartens in private residential developments is market driven. She therefore has no views on the planned provision of kindergartens at Phase I of the application site and no comment on the current application; and
- (b) concerning the design of privately run kindergarten, her detailed comments are at **Appendix V** and the project proponent should note her advisory comments at **Appendix VII**.

10.1.9 Comments of the Director of Social Welfare:

he has no objection to the application and no comment on the imposition of approval condition (o) from the last approved MLP in the current application. The applicant should note his advisory comments at **Appendix VII**.

Tourism and Hotel Licensing

10.1.10 Comments of the Commissioner for Tourism:

- (a) she has no objection to the application; and

- (b) to promote the development of tourism in Hong Kong, the Tourism Commission generally supports development of hotels, new attractions and other tourism-related facilities which will enhance Hong Kong's overall attractiveness as a premier tourist destination. In anticipation of continuous recovery of inbound tourism with time, she expects there will be an increasing demand for the aforesaid tourism-related facilities. That said, she notes that there may be other demands for land in Hong Kong, such as housing need.

10.1.11 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

the siting of the proposed hotel blocks is considered acceptable from licensing point of view. She has no objection to the application under the Hotel and Guesthouse Accommodation Ordinance and the applicant should note her advisory comments at **Appendix VII**.

Harbourfront Planning and Infrastructure

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

- (a) he has no objection to the application and his detailed comments and advisory comments are at **Appendices V and VII**; and
- (b) he has no comment on the imposition of approval condition (d) from the last approved MLP in the current application.

10.1.13 Comments of the Chief Engineer/Port Works, CEDD:

he has no objection to the application and no comment on the imposition of approval conditions (f) and (q) from the last approved MLP in the current application. The applicant should note his advisory comments at **Appendix VII**.

10.2 The following government B/Ds have no objection to/no comment on the application, and their detailed comments and advisory comments, if any, are at **Appendices V and VII** respectively:

- (a) Principal Assistant Secretary (Harbour), Development Bureau;
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Project Manager (East), CEDD;
- (d) Head of the Geotechnical Engineering Office, CEDD;
- (e) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (f) Chief Highway Engineer/Kowloon, Highways Department;
- (g) Chief Building Surveyor/Kowloon, Buildings Department;
- (h) Director of Fire Services;
- (i) Director of Marine;
- (j) District Officer (Kwun Tong), HAD; and
- (k) Commissioner of Police.

11. Public Comments Received During the Statutory Publication Periods

- 11.1 The application and FIs were published for public inspection. During the statutory public inspection periods, a total of 32 public comments were received, including 30 supporting comments, one comment providing views/suggestions and one adverse comment. A full set of public comments will be deposited at the meeting for Members' inspection.

Supporting Comments (30 Comments)

- 11.2 30 individuals support the application mainly on the consideration that the proposal would increase housing supply; phase out an incompatible industrial use; optimise the utilisation of land; spur the transformation of YTB and bring economic benefits to the area; create more community facilities and uplift the environment; and improve the usage, appeal and vibrancy of the waterfront. Samples of the comments are extracted at **Appendices VI-1 to VI-11**.

Comment Providing Views/Suggestions (1 Comment)

- 11.3 The Hong Kong and China Gas Company Limited expresses concerns that the proposed 3m-wide pedestrian path at the Development Site may attract additional footfall and pose additional risk to their gas pigging station (**Appendices VI-12**).

Adverse Comment (1 Comment)

- 11.4 An individual urges the Board to reject the application mainly on the grounds that there is an oversupply of housing units in the area; the proposal would undermine the planned hotel cluster under the last approved MLP; a commercial use was considered more compatible at the Development Site; and opine that the lack of commercial floor space would reduce the vibrancy and inclusivity of the PWP (**Appendices VI-13**).

12. Planning Considerations and Assessment

- 12.1 The application is for proposed comprehensive development and minor relaxation of PR restriction from 4.5 to 5 at the YTB "CDA" zone. Although the submitted MLP covers the entire "CDA" zone, the proposal is primarily to redevelop the existing ice plant at the Development Site into a residential development with domestic PR of 5 and BH of 115mPD. Similar to the last approved MLP, the proposed development will be developed in phases, to which the Development Site will be a standalone Phase III development. Except for minor changes in the PWP, the layout and development parameters of the commenced Phases I, II and Remaining Phases developments are identical to the approved scheme under the last approved MLP.

Planning Intention

- 12.2 The "CDA" zone is intended for comprehensive development/redevelopment of the YTB area for residential and/or commercial uses with the provision of open space and other supporting facilities. The current proposed comprehensive development for the entire "CDA" zone, which consists mainly of residential

use with complimentary commercial and hotel uses supported by GIC and open spaces (in the form of PWP), is in line with the planning intention. Although the current proposed residential use at the Development Site differs from the previously approved hotel use, the previous hotel use was proposed by the Consortium and not by the current applicant. Moreover, the Development Site and the adjoining dissenting lots/GL are no longer covered by a valid MLP and the development thereon can be considered afresh. To this end, the applicant has now proposed a residential use for his lot, which is in line with the dominant use of the YTB “CDA” zone.

Land Use Compatibility

- 12.3 The Development Site is located at the northwestern portion of YTB at the western fringes of Yau Tong. The main portion of the subject “CDA” zone to the east of the Development Site will be comprehensively developed by the Consortium into a medium-density residential neighbourhood supported by commercial and GIC uses with public open spaces under the last approved MLP, once the land exchange procedure has been completed. In tandem, to the northwest and north of the Development Site, the CKLV and ex-CKLKMS areas will be transformed into a high-rise, high-density residential area in the intermediate term (**Plan A-7**). Further afield, PWP along the Kwun Tong waterfront and CKL (to the northwest) and the “CDA” sites at YTIA (to the southeast) are being implemented, the linking up of which would hinge on the early realisation of the comprehensive development at the YTB “CDA” zone. Overall, the proposed residential development with PWP at the Development Site is compatible with the emerging planned uses in the surrounding area. Furthermore, the surrounding GIC uses within the “CDA” zone are generally passive in nature, which would unlikely generate adverse environmental nuisance on the proposed residential use during the interim period.

Phased Development and Comprehensive Planning of the “CDA” Zone

- 12.4 Under the current MLP, the proposed comprehensive development will be developed under four phases taking due cognisance of the implementation progress and landownership of the YTB “CDA” zone. The proposed phasing is largely similar to the last approved MLP, albeit that the Development Site will form a new Phase III development with the intention of effectuating the Proposed Scheme tentatively by 2029. The revised phasing is in line with the requirements of TPB PG-No. 17A in that each development phasing is self-contained, the interest of individual lot owners would not be affected and the planning intention and comprehensiveness of the “CDA” zone would not be compromised as a result of the phased development. In terms of the latter consideration, the Proposed Scheme has paid due respect to the requirements in the endorsed PB, notably with the provision of a PWP that would eventually link up the entire “CDA” zone and beyond. Overall, the proposed residential development under the new Phase III development is a welcoming opportunity to phase out one of the last industrial operations of the YTB area, expediting the early realisation of the planning intention of the “CDA” zone formulated over 20 years ago.

Development Intensity

- 12.5 The proposed minor relaxation of PR from 4.5 to 5 remains unchanged from the committed development intensity under the previously approved MLPs for the YTB “CDA” zone, albeit that the previously approved non-domestic PR for the Development Site is now proposed as domestic PR. According to the ES of the OZP and the endorsed PB, the provision for minor relaxation of the PR restriction is to give incentive for a comprehensive and integrated redevelopment at the YTB “CDA” zone and each application will be considered on its individual merit. Apart from optimising the development potential of the Development Site, the Proposed Scheme has also incorporated a number of planning and design merits in the proposed redevelopment, notably a PWP and an at-grade pedestrian path to ensure early realisation and access to the waterfront. Overall, the proposed PR of 5 is not considered unreasonable for this prominent urban location.

Urban Design and Waterfront Planning

- 12.6 Similar to the last approved MLP, the current proposed MLP honours the vast majority of urban design principles of the endorsed PB. Notably, the proposed comprehensive development will provide a publicly accessible PWP to promote a more active and vibrant waterfront. Similar to the deemed commenced Phases I and II developments, the applicant will take up the construction, management and maintenance responsibility of the PWP until it is requested to be surrendered to the Government, thus ensuring early realisation of the PWP. The applicant also pledges to provide a 3m-wide at-grade pedestrian path within the Development Site to enhance the accessibility between the harbourfront and the hinterland (**Drawing A-12**). Despite the PWP occupying nearly 30% of the Development Site area, the applicant would still be able to provide a minimum greenery coverage of 30% within the developable site (with 20% at grade) per the PB requirements. DLCS has no comment on the PWP proposal, while CTP/UD&L, PlanD considers that the proposed urban design and landscape measures in para. 2(f) and 2(g) above may enhance the visual and landscape interest of the Development Site, as well as the visual permeability and pedestrian connectivity of the area.

Building Height

- 12.7 The BH of the current MLP and specifically for the Proposed Scheme (at 115mPD) is in keeping with the BHR of the YTB “CDA” zone stipulated on the OZP. However, CA/ASC, ArchSD and CTP/UD&L, PlanD noted that the stepped BH profile descending from 120mPD at the centre portion of the “CDA” zone to about 60mPD at the westernmost edge nearest the harbour under the last approved MLP (and prescribed by the ES of the OZP and PB) may inevitably be weakened by the proposal. The applicant argued that the BH profile at the northern portion of the “CDA” zone has been altered by the committed BH of 120mPD at the WSIB site (under the partially agreed rezoning application No. Y/K15/6). This change in planning circumstances warranted a response from the Proposed Scheme in order to create a more dynamic and coherent BH profile (**Drawing A-16**). Moreover, the applicant substantiated that the Proposed Scheme has endeavoured to reduce the proposed BH (by proposing two levels of basement carpark) and will provide a number of planning and design measures in line with the PB requirements to enhance the air and visual

permeability of the surrounding area. Given that some high-rise development proposals along the nearby harbourfront have been agreed by the Committee in recent years (such as the BHR of 110/130mPD for the committed CKLV public housing development to the northwest of the Development Site, **Plan A-7**), the proposed BH of 115mPD for the Proposed Scheme is not considered unacceptable. Both CA/ASC, ArchSD and CTP/UD&L, PlanD did not raise objection to the application from urban design, visual impact and air ventilation perspectives.

Technical Aspects

- 12.8 In accordance with the requirements under TPB PG-No. 18A, the applicant has submitted various technical assessments in support of the application, which concluded that the current MLP and specifically the Proposed Scheme is technically feasible and would not cause any insurmountable traffic, environmental, drainage and sewerage impacts on the surrounding area, nor would it be susceptible to unacceptable quantitative risk hazards from nearby uses. Concerned departments, including C for T, DEP, CE/MS, DSD and DEMS, have no objection/no adverse comment on the application. Should the application be approved by the Committee, relevant approval conditions and advisory clauses will be stipulated to address the concerns of relevant departments. In particular, while the recommended approval conditions have taken cognisance of those conditions under the last approved MLP to ensure consistency, it is anticipated that those obligations/commitments concerning particular phases/sites (i.e. those not related to the Development Site) will be resolved/met by the concerned landowner(s) accordingly (**Drawing A-22**).

Public Comments

- 12.9 32 public comments were received during the statutory publication periods. Amongst them, the 30 supporting comments are noted. Regarding the concerns on the risks posed by the gas pigging station on the Proposed Scheme, DEMS has no adverse comment on the application and the submitted QRA. Moreover, the applicant has pledged to adopt relevant risk mitigation measures and to seek the comment/advice from the operator of the gas pigging station at the detailed design stage. Should the application be approved, the applicant will be advised to liaise with the operator of the gas pigging station on the safety requirements during the design and construction stages. As for the adverse comment on the undermining of the planned hotel cluster under the last approved MLP and the related concern on the loss of vibrancy, it should be noted that the last approved MLP covering the subject area has lapsed since 17.1.2023. In this connection, the considerations in para. 12.2 and 12.3 above are relevant. Moreover, the planned/committed commercial uses under the deemed commenced Phases I and II developments and the site of the WSIB will help inject vibrancy to the YTB area.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.

- 13.2 Should the Committee decide to approve the MLP and the application under s.4A and s.16 of the Ordinance, it is suggested that the permission shall be valid until 22.12.2027, 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 conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

[The following approval conditions are largely the same as those imposed under application No. A/K15/112-1 albeit with slight wording adjustments for the sake of clarity. Condition (r) is no longer required per the advice of concerned department; new conditions (s) to (w) are included per the advice of concerned departments; and condition (k) is updated to accord with the Department's latest requirements. Amendments are indicated in bold and italic or crossed-out.]

- (a) the submission and implementation of a revised Master Layout Plan, taking into account ~~the approval conditions (b), (d) to (f) and, (h) to (p),~~ **(s) and (v)** below to the satisfaction of the Director of Planning or of the TPB;
- (b) any floor space that is constructed or intended for use as public vehicle park for the public waterfront promenade and government, institution or community facilities ~~to be provided within the applicant's site~~ should be included in the GFA calculation ~~of the applicant's site~~;
- (c) the waterfront promenade will be constructed, managed and maintained by the **respective landowner applicant**, as proposed **in the application** ~~by the applicant~~, and open 24 hours each day for public enjoyment until it is surrendered to the Government upon request;
- (d) the design and provision of the public waterfront promenade including its public pedestrian access and temporary access to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (e) the design and provision of the junction improvement works at the junction of Cha Kwo Ling Road and Ko Fai Road, as proposed **in the application** ~~by the applicant~~, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design and provision of the landing steps, as proposed **in the application** ~~by the applicant~~, to the satisfaction of the Director of Civil Engineering and Development or of the TPB;
- (g) the landing steps ~~at the applicant's site~~ will be constructed, managed and maintained by the **respective landowner applicant**, as proposed **in the application** ~~by the applicant~~, and open at reasonable hours for public usage to the satisfaction of the Director of Lands or of the TPB until they are surrendered to the Government on request;
- (h) **in relation to Phases I and/or II development**, the design and provision of pedestrian access to the waterfront, footbridges from MTR Yau Tong Station to the proposed development, and public vehicle park for the

waterfront promenade ~~within the applicant's lots in the Phase I development~~, as proposed ***in the application*** ~~by the applicant~~, to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;

- (i) ***in relation to Phases I and/or II development***, the management and maintenance of the two footbridges from MTR Yau Tong Station to the proposed development with associated lifts and staircases by the ***respective landowner*** ~~applicant~~ until they are surrendered to the Government upon request;
- (j) the design and provision of vehicular access, vehicle parking/loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (k) the ***submission and*** implementation of a ***revised*** ~~accepted~~ landscape master plan ~~including a green coverage plan and a tree preservation proposal for the development site~~ to the satisfaction of the Director of Planning or of the TPB;
- (l) the implementation of the accepted mitigation measures for the proposed development with further supporting assessments in relation to the traffic noise and industrial/residential interface problems to the satisfaction of the Director of Environmental Protection or of the TPB;
- (m) ***in relation to Phase I development***, the provision of the accepted mitigation measures for the Integrated Vocational Rehabilitation Services Centre and the Hostel for Moderately Mentally Handicapped Persons in respect of the industrial operation of YTML Nos. 2-4 to the satisfaction of the Director of Environmental Protection or of the TPB;
- (n) the design and provision of a setback for providing a continuous waterfront promenade and beautification works at the existing Cha Kwo Ling Salt Water Pumping Station, as proposed ***in the application*** ~~by the applicant~~, to the satisfaction of the Director of Water Supplies or of the TPB. The waterfront promenade shall be managed and maintained by the ***landowner of Phases I and/or II development*** ~~applicant~~, and open 24 hours each day for public enjoyment until it is surrendered to the Government upon request;
- (o) ***in relation to Phase I development***, the design and provision of the Integrated Children and Youth Services Centre, the Integrated Vocational Rehabilitation Services Centre and the Hostel for Moderately Mentally Handicapped Persons to the satisfaction of the Director of Social Welfare or of the TPB;
- (p) ***in relation to Phase I development***, the design and provision of kindergarten facilities to the satisfaction of the Secretary for Education or of the TPB;
- (q) the design and implementation of the strengthening and rehabilitation works for the seawall supporting the proposed development to the

satisfaction of the Director of Civil Engineering and Development or of the TPB;

- (r) ~~the design and provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB; and~~
- (s)(r) the **submission and** implementation of **a revised** ~~the accepted~~ phasing plan and implementation programme to the satisfaction of the Director of Planning or of the TPB;

(The following are newly proposed approval conditions specific to Phase III and Remaining Phases developments)

- (s) *in relation to Phase III development, the submission of an environmental assessment to address the potential air quality and noise impacts and industrial/residential interface environmental problems, 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;*
- (t) *in relation to Phase III development, the submission of an updated sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;*
- (u) *in relation to Phase III development, the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment in planning condition (t) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;*
- (v) *in relation to Phase III development, the submission of a revised traffic impact assessment with a traffic management plan and the implementation of the mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and*
- (w) *in relation to Phase III and Remaining Phases development, the submission of a land contamination assessment in accordance with the prevailing guidelines 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.*

Advisory clauses

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

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

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

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form received on 4.7.2023
Appendix Ia	Consolidated SPS
Appendix II	Comparison of Development Parameters between the Last Approved MLP and the Current Proposed MLP
Appendix III	Previous Planning Applications
Appendix IV	Comparison of the PB with the Proposed Scheme
Appendix V	Detailed Comments from Government B/Ds
Appendices VI-1 to VI-13	Public Comments (extracted)
Appendix VII	Recommended Advisory Clauses
Drawing A-1	MLP
Drawing A-2	Phasing Plan
Drawing A-3	LMP
Drawing A-4	MLP (Blow-up for Phase III only)
Drawing A-5	Ground Floor Plan (Blow-up for Phase III only)
Drawings A-6 and A-7	Sections (Blow-up for Phase III only)
Drawing A-8	LMP (Blow-up for Phase III only)
Drawing A-9	MLP Comparison with Last Approved MLP
Drawing A-10	Section Comparison with Last Approved MLP
Drawing A-11	Phasing Plan Comparison with Last Approved MLP
Drawing A-12	Circulation Plan Comparison with Last Approved MLP
Drawing A-13	PWP Comparison with Last Approved MLP
Drawing A-14	LMP Comparison with Last Approved MLP
Drawing A-15	MLP overlay with Application No. Y/K15/6
Drawing A-16	Section overlay with Application No. Y/K15/6
Drawings A-17 to A-20	Photomontages (extracted)
Drawing A-21	Artist's Impressions of the PWP at Phase III
Drawing A-22	Responsibility Matrix for Proposed Facilities/Works
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-6	Site Photos
Plan A-7	BH Profile in the Vicinity of the Application Site