

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

**APPLICATION NO. A/SC/11**

- Applicant** : Sunrise Victory Limited represented by Townland Consultants Limited
- Site** : Junction of Mei Ching Road and Container Port Road South, Kwai Chung
- Site Area** : About 55,245m<sup>2</sup>
- Lease** : (a) Kwai Chung Town Lot (KCTL) No. 531
- (b) Restricted for the following main users:
- (i) logistics and freight forwarding
- (ii) consolidation and handling of container cargoes and break-bulk cargoes
- (iii) loading, unloading and storage of containers
- (iv) public vehicle park
- (v) ancillary uses as may be approved by the Director of Lands (D of Lands)
- (c) Total permitted gross floor area (GFA):
- (i) not less than 82,800m<sup>2</sup> and shall not exceed 138,000m<sup>2</sup>
- (ii) out of the total GFA specified in (c)(i) above, the total GFA for logistics and freight forwarding, consolidation and handling of container cargoes and break-bulk cargoes, loading, unloading and storage of containers purposes and associated ancillary uses shall not be less than 45,500m<sup>2</sup>
- Plan** : Approved Stonecutters Island Outline Zoning Plan (OZP) No. S/SC/10
- Zoning** : “Other Specified Uses” annotated “Container Related Uses and Underground Sewage Treatment Works with Ancillary Above Ground Facilities” (“OU(CRU&USTW)”)
- [For uses other than the sewage treatment/screening plant:
- (a) maximum gross floor area (GFA) of 253,450m<sup>2</sup>
- (b) maximum building height (BH) of 40 metres above Principal Datum (mPD)
- (c) maximum site coverage (SC) of 50%]

**Application** : Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Cargo Handling and Forwarding Facility (Logistics Centre) and Public Vehicle Park (PVP) Uses

## **1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of BHR from 40mPD to 48mPD (i.e. +8m or +20%) for permitted ‘Cargo Handling and Forwarding Facility (Logistic Centre)’ use and ‘PVP’ use at the application site (the Site), which is zoned “OU(CRU&USTW)” on the approved Stonecutters Island OZP No. S/SC/10 (**Plan A-1**). According to the Notes of the OZP, minor relaxation of BHR may be considered by the Town Planning Board (the Board) based on the individual merits of a development proposal.
- 1.2 The Site of about 55,245m<sup>2</sup> is currently a vacant lot, which is about 26.24% of the total area of the “OU(CRU&USTW)” zone (about 210,561m<sup>2</sup>). The Site was acquired by the applicant through Government land sale in July 2022 for logistics and freight forwarding, cargo handling and container storage, and PVP purposes, with a total GFA of not more than 138,000m<sup>2</sup> (**Plan A-2**).
- 1.3 The proposed development has a total of nine storeys (about 48mPD), including two basement levels, to accommodate mainly modern logistics and cold storage facilities and PVP. Green and smart building measures including PV panel installation on the roof area (**Drawing A-9**) and electric vehicle (EV) charging-enabling works for the carpark, including the PVP at the two basement levels, will be provided. The proposed development is anticipated to be completed in 2027.
- 1.4 Measures to create visual interest, including façade treatment, at-grade tree planting and vertical greening at the Site’s periphery, and roof planting are proposed (**Drawing A-9**). The Sustainable Building Design Guidelines (SBDG) have been taken into account in the building design, with a proposed greenery coverage of about 32.4% (about 17,925m<sup>2</sup>) (**Drawing A-14**). A total of 100 existing trees are found within the Site, and none of them are rare or protected tree species or Old and Valuable Tree (OVT). All trees are proposed to be felled due to conflict with the proposed development and/or are undesirable species. The applicant will further assess the tree proposal during detailed design stage and will submit a Tree Preservation and Removal Proposal, including compensatory tree planting as appropriate, as required under the lease for the Lands Department’s (LandsD) approval.
- 1.5 The master layout plan, floor plans, section plan, artist’s renderings, conceptual landscape plan and greenery plans and photomontages as submitted by the applicant are at **Drawings A-2 to A-23**. Major development parameters are as follows:

Site Area	About 55,245m <sup>2</sup>
PR	About 2.5
Total GFA	About 138,000m <sup>2</sup>
SC	Not more than 50%
Greenery Coverage	Not less than 32%

Number of Block	1
Number of Storeys	7 storeys above 2 basement levels
BH	Not more than 48mPD
Number of Parking Spaces	
- PVP	760 (total)
- Motorcycle	9
- Private Car	117
- Light Goods Vehicle (LGV)	70
- Heavy Goods Vehicle (HGV)	131
- Container Vehicle	433
- Ancillary Parking Spaces	204 (total)
- Motorcycle	15
- Private Car	94
- HGV	71
- Container Vehicle	24
Number of Loading/Unloading (L/UL) Bays	108 (total)
- HGV	78
- Container Vehicle	26
- Taxi & Coach	3 & 1

1.6 The main floor uses with floor-to-floor height (FTFH) are summarised below:

Major Floor Uses	FTFH
B2/F	PVP
B1/F	PVP
G/F	L/UL, Carpark, PVP, Cold Storage, Plant Room, Canteen
1/F to 5/F	L/UL, Cold Storage
6/F	L/UL, Cold Storage
R/F	Carpark, PVP
	Not Applicable

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

- |  |               |
|--|---------------|
| (a) Application Form received on 27.1.2023                     | (Appendix I)  |
| (b) Planning Statement   | (Appendix Ia) |
| (c) Further Information (FI) received on 1.3.2023 <sup>#</sup> | (Appendix Ib) |
| (d) FI received on 9.3.2023 <sup>#</sup>                       | (Appendix Ic) |

Remarks:

<sup>#</sup> accepted and exempted from publication and recounting requirement

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement and FIs at **Appendices Ia, Ib** and **Ic**. They are summarised as follows:

- (a) the Site is subject to various development constraints, including drainage reserves and non-building areas (NBA) as required under the lease (**Drawings A-1**). The proposed building footprint has been maximised with a SC of 50%. Also, the proposed development has already incorporated two basement levels and further excavation into marine deposits is not preferred as it would require significant structural support and drainage facilities (e.g. pump house) for potential flooding issues;
- (b) taking into account the possible GFA exemption under the lease or the Buildings Ordinance (BO) (about 113,249m<sup>2</sup>), the applicant proposes the current scheme with a total of nine storeys including two basement levels, to accommodate modern logistics and cold storage facilities and PVP (mainly at basement levels), which will result in two additional above ground storeys to fully utilise the permissible GFA under lease for the current scheme;
- (c) the applicant has worked out an OZP compliant scheme with a BH of 40mPD but considers that it does not suit the current market standard and operational requirements of cold storage and logistics facilities, such as (i) restricting two levels of storage accessible only by van-type LGVs requiring goods lifts to make up the lack of HGVs access; (ii) four levels of storage are limited to ceiling heights of 2, 2.1 and 3.1m only, which is significantly under market standard and unreasonable; and (iii) portion of the roof must be void to allow for HGV L/UL at 6/F and access to R/F parking, reducing opportunities for planting and installation of PV panels at rooftop (**Drawing A-17**);
- (d) the current scheme provides sufficient headroom to allow for adequate stacking and safe movement of goods, which features (i) the provision of L/UL area accessible by HGVs on each floor to facilitate the transfer of cold chain goods in a quick, safe and temperature-controlled manner; (ii) docking facilities with 1.2m tall loading dock with dock seals equipped to level the cold storages and the loading compartment of the trucks and provide temperature control; and (iii) the provision of 4.2m clear headroom for cold storage which allows up to double stacking of pallets and 3 levels of shelves and for operation of fork lifts to enable more efficient operation. The FTFH is not excessive and well-justified to meet the operation and structural requirements of modern logistics and cold storage facilities. In view of the above, relaxation of BH from 40mPD to 48mPH is thus required to cater for the new design;
- (e) the proposed minor relaxation of BHR will provide greater design flexibility for greening opportunities and sustainability initiative at the roof level such as the installation of PV panels, which is in line with the “Hong Kong’s Climate Action Plan 2050” on energy saving and green buildings (**Drawing A-9**);
- (f) design measures including façade treatment, at-grade tree planting and vertical greening at the site’s periphery, and roof planting have been adopted to lessen the perceived building bulk and enhance visual amenity (**Drawings A-9 and A-10**). The provision of roof garden would also contribute to workers’ well-being;
- (g) the proposed development has taken into account the relevant SBDG requirements, with sufficient building setback from surrounding streets and greenery provision (about 32% of the Site area) (**Drawing A-14**);

- (h) the proposed minor relaxation of BHR is considered minor in nature and deemed acceptable in terms of visual and air ventilation impacts according to results of the visual impact assessment (VIA) and air ventilation review; and
- (i) the proposed minor relaxation will have no adverse impact on landscape, road network or other infrastructural provision.

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

The applicant is the sole ‘current land owner’. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

- 4.1 The Site was previously zoned “OU” annotated “Container Related Uses” (“OU(CRU)”) on the approved Stonecutters Island Outline Zoning Plan No. S/SC/8. In 2009, the Environmental Protection Department (EPD) submitted a s.12A application (No. Y/SC/1) mainly to rezone the concerned “OU(CRU)” zone to “OU(CRU&USTW)” to facilitate co-use of the land for USTW in the form of underground biological treatment plant (BTP) under the Harbour Area Treatment Scheme<sup>1</sup> (HATS) Stage 2B and above ground container related uses. The application was partially agreed by the Committee on 18.12.2009.
- 4.2 Subsequently, the associated OZP amendments were considered and agreed by the Committee on 25.6.2010. Taking into account the Committee members’ opinions expressed during deliberation of the s.12A application that there should be a proper control on development intensity and built form of the above ground structures with a view to minimising their adverse visual impact on the surrounding residential areas, BH, GFA and SC restrictions for the above ground structures were stipulated for the “OU(CRU&USTW)” zone, including a maximum GFA of 253,450m<sup>2</sup> for uses other than the sewage treatment/screening plant stipulated with reference to the indicative scheme under the s.12A application No. Y/SC/1, which remain unchanged in the extant OZP.
- 4.3 In line with the Government’s strive to maintain the competitiveness of the Hong Kong Port, the Strategic Development Plan for Hong Kong Port 2030 has recommended a range of initiatives, including making better use of land and other facilities around the Kwai Tsing Container Terminals (KTCT). To free up more land in that area to provide better support to port operations/modern logistics industries and cater for future development, the then Transport and Housing Bureau proposed for the Civil Engineering and Development Department (CEDD) to commence a preliminary technical feasibility study named ‘Study on Multi-storey Heavy Goods Vehicle Car Park cum Modern Logistics Building in Kwai Chung’ (CEDD’s Study) covering the entire “OU(CRU&USTW)” zone in 2017, to examine the feasibility of developing a multi-storey heavy goods vehicle carpark

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<sup>1</sup> HATS is an overall sewage collection and treatment scheme serving the areas on both sides of Victoria Harbour, with its Stage 1 and Stage 2A fully commissioned in 2001 and 2015 respectively.

cum modern logistics building (MSC&MLB). According to the study recommendation, the north-western portion of the “OU(CRU&USTW)” zone (i.e. majority of the Site) was demarcated as the development site for a MSC&MLB and the underground sewage treatment works (USTW) would be provided in the remaining part of the zone. A recommended design scheme for the proposed MSC&MLB was prepared taking into account the interface with the remainder of the zone to cater for the future underground BTP development under HATS Stage 2B. According to preliminary assessment under CEDD’s Study, a total of six storeys (about 40mPD), including one basement level, with an average FTFH of 7m would be required to accommodate a total GFA of 138,000m<sup>2</sup> for logistics facilities and PVP (including PVP at one basement level).

- 4.4 Under CEDD’s Study, preliminary technical assessments, including traffic and transport impact assessment (TTIA), drainage impact assessment (DIA), sewerage impact assessment (SIA) and environmental study, etc., were conducted for the recommended design scheme confirming its preliminary technical feasibility. The Kwai Tsing District Council (KTDC) and the Harbourfront Commission (HC) were consulted on the recommended design scheme in January 2019 and January 2021 respectively and no adverse comment was received. Subsequent to the conclusion of CEDD’s Study in 2021, public tender was prepared for the Site making reference to the study recommendations, and the Site, with a larger site boundary which was determined by relevant government bureau/departments at the pre-land sale stage, was later sold to the applicant in July 2022.

## **5. Previous Application**

The Site is the subject of a s.12A application (No. Y/SC/1) submitted by EPD in 2009 as mentioned in paragraph 4.1 above (**Plan A-1**).

## **6. Similar Applications**

There is no similar application in the Stonecutters Island area.

## **7. The Site and Its Surrounding Areas** **(Plans A-1 to A-3 and Photos on Plan A-4)**

7.1 The Site is:

- (a) mostly a vacant flat land surrounded by open-air car parks under short term tenancies to the east and south, Container Port Road South to the west and Mei Ching Road to the north (**Plan A-2**);
- (b) accessible via Container Port Road South and in close proximity to various major expressways, including Tsing Sha Highway, Tsing Kwai Highway and West Kowloon Highway, connecting to container terminals and airport (**Plan A-3**); and

- (c) served by minibus with nearest stop at about 40m away (**Plan A-2**).

7.2 The surrounding areas have the following characteristics:

- (a) mainly container related uses and Government uses (**Plan A-1**);
- (b) to the west across Container Port Road South and northwest across Mei Ching Road are Container Terminal 8 and temporary open-air container storage yards respectively (**Plan A-3**);
- (c) to the northeast across the open-air carparks is the Tsing Kwai Highway and West Kowloon Highway, across which to the further northeast is Lai Chi Kok Park. The nearest residential development, i.e. Mei Foo Sun Chuen, is about 365m away (**Plan A-3**); and
- (d) to the south and southeast across the open-air carpark are Hing Wah Street West and Tsing Sha Highway, across which to the further south and southeast are a bus depot, a refuse transfer station and the Stonecutters Island Sewage Treatment Works (SCISTW) (**Plan A-3**).

## 8. **Planning Intention**

- 8.1 The planning intention of “OU(CRU&USTW)” zone is primarily to cater for the container related uses, including container freight station, parking area for goods vehicles and container trailers/tractors, L/UL facilities, and container storage and repairs, and to provide land for the development of an underground sewage treatment plant with ancillary above ground facilities<sup>2</sup>.
- 8.2 The maximum GFA and BHR stipulated in the Notes of the OZP for the “OU(CRU&USTW)” zone are to provide a proper control on the development intensity and built form of the future developments within this zone with a view to minimising any adverse visual impact on the surrounding residential areas. In addition, the maximum SC of 50% is stipulated in the Notes for this zone to control the built form while allow sufficient design flexibility.
- 8.3 According to the ES of the OZP, minor relaxation of the above development restrictions may be considered by the Board by s.16 application. Each application will be considered on its own merits.

## 9. **Comments from Relevant Government Bureaux/Departments**

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

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<sup>2</sup> As stipulated in the ES of the OZP, apart from the container related uses above ground, this zoning intends to provide land for an underground BTP with ancillary above ground facilities under HATS Stage 2B, which aims to upgrade sewage treatment level to secondary treatment through a biological process to remove dissolved organic matter from sewage. The implementation timing of HATS Stage 2B is subject to a further review by EPD.

### **Policy Perspective**

#### 9.1.1 Comments of the Secretary for Transport and Logistics (S for T&L):

- (a) the Government has strived to promote high-end and high value-added logistics services in handling high-value goods, such as the processing of cold chain goods, fresh food and pharmaceuticals, with a view to strengthening Hong Kong's role as a regional logistics hub; and
- (b) the subject planning application for minor relaxation of BHR by 20% from 40mPD to 48mPD to facilitate the proposed development of a Prime Cold Storage and Modern Logistics Facility with PVP at the Site is supported from the logistics operation perspective.

### **Land Administration**

#### 9.1.2 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, LandsD (DLO/TW&KT, LandsD):

- (a) the Site is private lot, i.e. KCTL No. 531 held under New Grant No. 22986 (the lease) sold by tender to the applicant in July 2022;
- (b) KCTL No. 531 is restricted for the following users under the lease:
  - (i) logistics and freight forwarding including:
    - (1) inventory management including order processing, receiving, picking and packaging, labelling, quality checking, consolidation, cross-docking, freight management and distribution of goods (including but not limited to raw materials, spare parts and merchandises but excluding sand, aggregates, building materials and dangerous goods as defined in section 2 of the Dangerous Goods Ordinance) and ancillary storage of such goods and such other related or ancillary purposes as may from time to time be approved in writing by D of Lands; and
    - (2) return management including management of associated movements, repair or replacement of defective components and associated quality assurance of goods (including but not limited to raw materials, spare parts and merchandises but excluding sand, aggregates, building materials and dangerous goods as defined in section 2 of the Dangerous Goods Ordinance) (hereinafter referred to as "the Return Management") and ancillary storage of such goods and such other related or ancillary purposes as may from time to time be approved in writing by D of Lands, and for the avoidance of doubt, the Return



Management involving direct provision of customer services or goods shall not be allowed;

- (ii) consolidation and handling of container cargoes and break-bulk cargoes;
  - (iii) loading, unloading and storage of containers;
  - (iv) cargo screening ancillary to the uses permitted under clause (b)(i) hereof;
  - (v) other ancillary cargo handling facilities as may be approved in writing by D of Lands;
  - (vi) a combination of any of the uses referred to in clauses (b)(i) to (b)(v) hereof;
  - (vii) the PVP (as required and defined under Special Condition (SC) No. 27(a) of the lease);
  - (viii) offices ancillary to the purposes set out in (b)(i) to (b)(vii) above provided that except with the prior written approval of D of Lands, the total usable floor area thereof shall not exceed 30% of the total usable floor area of the use to which the office is ancillary; and
  - (ix) a canteen used exclusively by the people employed on the lot at such size and location as may be approved in writing by D of Lands;
- (c) total permitted gross floor area (GFA):
- (i) not less than 82,800m<sup>2</sup> and shall not exceed 138,000m<sup>2</sup>;
  - (ii) out of the total GFA specified in (c)(i) above, the total GFA for the purposes specified in (b)(i) to (b)(vi) of the permitted users under the lease shall not be less than 45,500m<sup>2</sup>;
- (d) regarding the information provided by the applicant in **Appendix Ib**, please be advised that pursuant to SC(27)(f) of the lease, all GFA for the PVP (including all the parking spaces, turning circles, means of access, circulation areas and any areas and spaces as may be required by D of Lands within the PVP and any other areas and spaces as D of Lands may at his sole discretion consider appropriate but excluding any parking spaces, turning circles, means of access and circulation areas provided or to be provided within the Pink Hatched Black Ares and the Pink Hatched Black Stippled Black Areas as defined under the lease) shall be countable for GFA calculation. As such, the area of the PVP to be constructed below ground level and at or above ground level including the roof outside the Pink Hatched

Black Areas and Pink Hatched Black Stippled Black Areas shall be countable for GFA calculation. LandsD will examine the detailed development proposal including the PVP during the building plan submission stage. There is no guarantee that any exemption for the GFA of the PVP to be constructed below the ground level in calculating the total permitted GFA will be approved under SC(27)(g), which is at the sole discretion of D of Lands and if approval is given, it shall be subject to payment of additional premium and administrative fee;

- (e) the development proposal will require tree felling and diversion of the existing drainage facilities within the Drainage Reserve Areas (as defined under the lease) subject to the prior approvals and compliance of the relevant lease conditions. LandsD will consider the tree felling and compensatory proposal when detailed proposal are submitted for LandsD's approval under the lease and examine the development proposal during the building plan submission stage; and
- (f) the applicant's attention is drawn to SC(27)(f) of the lease that the areas (including all the parking spaces, turning circles, means of access, circulation areas, etc.) of the PVP to be provided are all GFA accountable, and that there is no guarantee that any GFA for the PVP to be provided may be exempted from GFA calculation under the lease as expected by the applicant.

### **Buildings Matters**

#### 9.1.3 Comments of the Chief Buildings Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no comment to the revised greenery calculation and GFA concession from the applicant in **Appendix Ib**, subject to compliance with relevant Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP), and submission of justifications at building plan submission stage; and
- (b) justification for the storey higher than 5m is required for his consideration at building plan submission stage.

### **Traffic**

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

- (a) she has no in-principle objection to the proposed relaxation of maximum BH for the Site from traffic engineering perspective, given that the proposed relaxation of maximum BH would not lead to any increase in the total GFA; and
- (b) should the application be approved, it is recommended to impose the

following approval condition:

the design and provision of parking facilities, L/UL spaces and vehicular access for the proposed development to the satisfaction of the C for T or of the Board.

### **Environment**

#### 9.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) no in-principle objection to the application, given that insurmountable environmental impacts associated with the proposed development are not anticipated based on the information provided by the applicant; and
- (b) should the application be approved, it is recommended to impose the following approval conditions:
  - (i) the submission of a SIA for the proposed development to the satisfaction of DEP or of the Board; and
  - (ii) the implementation of the local sewerage upgrading/sewerage connection works as identified in the SIA for the proposed development to the satisfaction of the Director of Drainage Services (DDS) or of the Board.

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

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

##### *Urban Design*

- (a) the Site is surrounded by open-air logistics and port back-up uses as well as the container terminals without significant high-density developments. Given the site context and as illustrated in the VIA, the proposed development would unlikely induce significant adverse effect on the visual character of the surrounding townscape;
- (b) according to the submission, sensitive facade treatment with light colour scheme and contrasting horizontal bands for articulating the elevation; and landscape treatments including at-grade planting, vertical greening and rooftop greenery are proposed. The above measures may promote visual interest and soften the building mass;

##### *Air Ventilation*

- (c) based on the submissions, the proposed building disposition, which follows the NBA requirements under lease, allows setbacks of 30m from the centrelines of the adjoining Mei Ching Road and Container

Port Road South. Such measure may bring about some localised improvement to the immediate surrounding wind environment. With reference to the review on air ventilation aspect in **Appendices Ib** and **Ic**, it is unlikely that the proposed development will induce significant adverse impact on the surrounding pedestrian wind environment when comparing to the OZP compliant scheme;

### *Landscape*

- (d) according to the aerial photo of 2022, the Site is situated in an area of industrial urban landscape character predominated by logistics facilities, container storage and open-air carpark for goods vehicles. The Site is currently vacant. Existing road-side trees along the application site boundary are observed. The proposed development is considered not incompatible with the landscape setting in proximity; and
- (e) landscape provisions such as at-grade tree planting at G/F, rooftop greening at R/F and vertical greening are proposed to enhance the landscape quality of the proposed development. Hence, we have no objection to the application from landscape planning perspective.

#### 9.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) she has no comment on the proposed relaxation of BHR from architectural and visual impact point of view. The proposed logistic centre (cold storage) with a PVP consists of 7 storeys and 2 basement floors with BH of 48mPD, which is 20% higher than the maximum BH (40mPD) permitted in the OZP; and
- (b) it is noted that the proposed development is in compliance with SBDG and the applicant will further address her comments regarding mitigation measures to soften possible visual impact in detailed design stage.

#### 9.2 The following Government departments have no objection to or no comment on the application:

- (a) Director of Fire Services (D of FS);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (d) Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD);
- (e) Commissioner of Police (C of P);
- (f) District Officer (Kwai Tsing), Home Affairs Department (DO(K&T), HAD);
- (g) Project Manager (West), CEDD (PM(W), CEDD);

- (h) Head of the Geotechnical Engineering Office, CEDD (Head of GEO, CEDD);
- (i) Director of Electrical and Mechanical Services (DEMS); and
- (j) Director of Food and Environmental Hygiene (DFEH).

#### **10. Public Comments Received During Statutory Publication Period**

During the statutory public inspection period, a total of 13 public comments were received, including 6 supporting comments from individuals and 7 comments from the Owners' Corporation of Mei Foo Sun Chuen Phase 1 and individuals expressing concerns on/objection to the application (**Appendix II**). The major grounds of public views are summarised as follows:

##### Supporting Views (6)

- (a) the proposed cold storage facility could enhance the competitiveness of Hong Kong's logistics industry and cater for the growing demand for modern cold storage facilities. The current BHR at 40mPD is outdated and irrelevant to the proposed modern cold storage facility;
- (b) it will create job opportunities and bring benefits to the economy;
- (c) there will be no adverse visual, traffic and environmental impacts to the surroundings and the design is sustainable and environmentally friendly;

##### Objecting Views/Concerns (7)

- (d) the ES of the OZP indicates that the BHR was stipulated to minimise any adverse visual impact on the surrounding residential areas. The proposed development is incompatible with the surrounding existing buildings with height not exceeding 40mPD, causing potential visual impacts, blockage of sunlight and sea breeze, and wall effect. The VIA does not cover viewpoints at mid to high-level of the surrounding residential developments;
- (e) the Government has conducted feasibility study prior to the land sale, confirming 40mPD BHR is feasible for the Site. The applicant's justifications that deeper excavation is not feasible, higher FTFH is required for operational needs and to provide flexibility for greenery provision are not agreed;
- (f) the demand for logistic, parking and cargo storage facility could be met by Government land disposal within the same "OU(CRU&USTW)" zone;
- (g) the PVP would cause adverse traffic impact and the location is too remote, and suggest to minimise the potential traffic and environmental impacts during the construction period;
- (h) suggest to provide health and leisure facilities for the users of the proposed development; and

- (i) suggest to require the applicant to maximise greenery and incorporate façade treatments to minimise the potential visual impact.

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

- 11.1 The application is to seek planning permission for minor relaxation of BHR from 40mPD to 48mPD (i.e. +8m or +20%) for the proposed 9-storey building (including two basement levels) to accommodate permitted ‘Cargo Handling and Forwarding Facility (Logistics Centre)’ and ‘PVP’ uses at the Site zoned “OU(CRU&USTW)”. The proposed development, occupying about 26.24% of the zone, is in line with the planning intention of “OU(CRU&USTW)” zone and would not hinder the development of the USTW in accordance with CEDD’s Study stated in paragraphs 4.3 and 4.4 above.

### *Policy Aspect*

- 11.2 The Government has strived to promote high-end and high value-added logistics services in handling high-value goods, such as the processing of cold chain goods, fresh food and pharmaceuticals, with a view to strengthening Hong Kong’s role as a regional logistics hub. S for TL has provided policy support for the subject application for the proposed development of a prime cold storage and modern logistics facilities with PVP at the Site from the logistics operation perspective.

### *Need for Additional BH*

- 11.3 The proposed building footprint has been maximised with SC of 50% as permitted under the OZP and the proposed development has already incorporated two basement levels. Further excavation is not preferred as explained by the applicant in paragraph 2(a) above. Taking into account possible GFA exemptions under the lease and BO, the applicant proposes that two additional above ground storeys are required to accommodate the permissible GFA under the lease with a specific design to enable more efficient operation of the modern cold storage and logistics facilities as detailed in paragraphs 2(b) to 2(d) above. Moreover, to echo with the government policy in promoting green and smart building design and to follow the lease requirement, EV charging-enabling works have also been provided to the underground PVP (i.e. two basement levels). According to the PNAP APP-2, GFA concessions for underground PVP and private car parks with EV charging-enabling may be granted by the Building Authority in the building plan submission stage. CBS/NTW of BD and DLO/TW&KT of LandsD both indicate that the GFA concession is subject to detailed checking and justifications to be provided at the later building plan submission stage.
- 11.4 According to the applicant, the FTFH adopted for the proposed development is ranging from 5.95m to 7.15m, which is on par with the FTFH adopted under CEDD’s Study (average at about 7m).

### Planning and Design Merits

- 11.5 The proposed development has incorporated sensitive facade treatment with light colour scheme and contrasting horizontal bands for articulating the elevation, and landscape treatments including at-grade planting, vertical greening and rooftop greenery are proposed (**Drawings A-9 and A-10**). CTP/UD&L of PlanD considers that the above measures may promote visual interest and soften the building mass.
- 11.6 Apart from EV charging-enabling works, the proposed development will install PV panels at R/F as a green building design feature (**Drawing A-9**). Also, the building design has taken into account the relevant SBDG requirements, with sufficient building setback from surrounding streets and greenery provision (about 32% of the Site area) (**Drawing A-14**).

### Technical Aspects

- 11.7 The VIA and air ventilation review conducted by the applicant have demonstrated that the proposed development with a 8m increase in BH would not induce significant adverse visual and air ventilation impacts to the surrounding environment, in particular the nearest residential development is about 365m away and the VIA has concluded that key public viewers would not experience significant adverse visual impact. CTP/UD&L of PlanD considers that given the site context and as illustrated in the VIA, the proposed development would unlikely induce significant adverse effect on the visual character of the surrounding townscape, which mainly comprises container related uses, open storage and carparks. CA/CMD2 of ArchSD also has no comment on the proposed relaxation of BHR from architectural and visual impact point of view. The proposed development is considered not incompatible with the surrounding environment.
- 11.8 Other technical assessments, including TTIA, SIA, DIA and environmental study, have been conducted under CEDD's Study to demonstrate the engineering feasibility and that there would be no insurmountable technical problem. Relevant Government departments, including D of FS, CE/MS of DSD, DEP, CTP/UD&L of PlanD and PM(W) of CEDD have no objection to/adverse comment on the application. C for T has no in-principle objection to the proposed relaxation of BHR for the Site from traffic engineering perspective subject to approval condition.

### Public Comments

- 11.9 Regarding the public comments received, the departmental comments in paragraph 9 and the planning assessments above are relevant. As stated in the Town Planning Board Guidelines on 'submission of VIA for planning applications to the Town Planning Board' (TPB PG-No. 41), in the highly developed context of Hong Kong, it is not practical to protect private views without stifling development opportunity and balancing other relevant considerations. As for the concern on blockage of sunlight, the proposed development is located at about 365m from the nearest residential block of Mei Foo Sun Chuen to the north and adverse impact is not anticipated.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 17.3.2027, and after the said date, the permission shall cease to have effect unless prior to the said date either the development hereby permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

### Approval conditions

- (a) the design and provision of parking facilities, L/UL spaces and vehicular access for the proposed development to the satisfaction of the C for T or of the Board;
- (b) the submission of a SIA for the proposed development to the satisfaction of DEP or of the Board; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works as identified in the SIA for the proposed development to the satisfaction of DDS or of the Board.

### Advisory clauses

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

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed relaxation of building height restriction.

## **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.



**14. Attachments**

<b>Appendix I</b>	Application form received on 27.1.2023
<b>Appendix Ia</b>	Planning Statement
<b>Appendix Ib</b>	FI received on 1.3.2023
<b>Appendix Ic</b>	FI received on 9.3.2023
<b>Appendix II</b>	Public Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Site Constraint Plan
<b>Drawing A-2</b>	Master Layout Plan
<b>Drawings A-3 to A-7</b>	Floor Plans
<b>Drawing A-8</b>	Section Plan
<b>Drawings A-9 to A-10</b>	Artist's Impression and Indicative Façade Treatment
<b>Drawing A-11</b>	Conceptual Landscape Plan
<b>Drawings A-12 to A-13</b>	Greenery Plan
<b>Drawing A-14</b>	SBDG Plan
<b>Drawing A-15</b>	GFA Concession Breakdown
<b>Drawing A-16</b>	Location of PVP
<b>Drawing A-17</b>	Comparison of OZP Compliant Scheme and Proposed Scheme
<b>Drawings A-18 to 23</b>	Photomontages
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2023**