

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

**APPLICATION NO. A/TM/573**

<b><u>Applicant</u></b>	:	Ideal Star Group Limited represented by Pegasus Design & Build Limited
<b><u>Application Site</u></b>	:	No. 3 Kin Tai Street, Tuen Mun, New Territories
<b><u>Site Area</u></b>	:	About 1,382.379m <sup>2</sup>
<b><u>Lease</u></b>	:	Tuen Mun Town Lot (TMTL) 84 (a) held under New Grant No. 2188 dated 3.9.1974 (b) restricted to industrial and/or godown purposes (excluding offensive trades) (c) maximum site coverage (SC) of 80% and plot ratio (PR) of 9.5 for building with height over 100 ft. but not exceeding 120 ft.
<b><u>Plan</u></b>	:	Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/38 (currently in force)  Approved Tuen Mun OZP No. S/TM/35 (in force at the time of submission)  <i>[no change to zoning and development restrictions for the application site]</i>
<b><u>Zoning</u></b>	:	“Other Specified Uses” annotated “Business” (“OU(B)”) <i>[Restricted to a maximum PR of 9.5 (including not more than a PR of 1.0 for ‘Shop and Services’ and ‘Eating Place’) and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater]</i>
<b><u>Application</u></b>	:	Proposed Minor Relaxation of PR Restriction for Permitted Information Technology and Telecommunications Industries Use (Proposed Data Centre Development)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for redevelopment of an existing 10-storey industrial building (IB) (namely Gemmy Industrial Building), which was constructed before

1987 (pre-1987 IB)<sup>1</sup> at the application site (the Site) (**Plan A-1**), into a 20-storey building (including two basement levels) for information technology and telecommunications industries use (proposed data centre development). According to the Schedule II for industrial or industrial-office (I-O) buildings of the Notes of the OZP for “OU(B)” zone, ‘Information Technology and Telecommunications Industries’ use is always permitted. Minor relaxation of the PR restriction may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on the individual merits of the development proposal.

- 1.2 The proposed 20-storey data centre (with BH of not more than 100mPD) at the Site comprises parking spaces for private car and light goods vehicles (LGVs), loading/unloading (L/UL) areas and water pump/tank rooms at the two basement floors, entrance lobby, L/UL areas, parking spaces for heavy goods vehicles (HGVs) and electrical and mechanical (E&M) facilities on G/F, back-of-house/ancillary office and E&M facilities on 1/F, data halls, plant rooms, uninterruptible power supply (UPS) systems and other E&M facilities on 2/F to 17/F as well as cooling towers on the roof level (**Drawings A-2 to A-9**). The proposed development is targeted for completion in 2027.
- 1.3 The Site abuts Kin Wing Street to the north, Kin Tai Street to the west and Pui Wing Lane to the east and south (**Plan A-2**). The vehicular access to the proposed development will be on Pui Wing Lane. To enhance pedestrian safety and create a pedestrian-friendly environment, the applicant pledges to provide voluntary full-height setbacks of 3m at the eastern and southern boundaries of the Site for the provision of new footpath<sup>2</sup> fronting Pui Wing Lane with at-grade planters (**Drawing A-4**). Glass canopies (1.5m in width)<sup>3</sup> are proposed along the full frontage of Kin Tai Street, Kin Wing Street and Pui Wing Lane for pedestrian comfort and weather protection (**Drawing A-5**). Greening proposals including vertical greenings on the façades facing the junction of Kin Tai Street and Kin Wing Street on G/F and 1/F and facing Kin Wing Street on 2/F, podium gardens opened for future tenants and their visitors’ use on 1/F and 2/F, and greenings on flat roof at 10/F and roof level would also be incorporated in the data centre to offer visual interest and enhance visual quality of the proposed development (**Drawings A-4 to A-6 and A-8 to A-11**). A total greenery coverage of about 20% will be provided for the proposed development.
- 1.4 Floor plans, sections and greenery plan submitted by the applicant are shown at Drawings A-1 to A-11. Major development parameters of the proposed data centre are summarised as follows:

<b>Site Area</b>	About 1,382.379m <sup>2</sup>
<b>Proposed PR<sup>(a)</sup></b>	11.4
<b>Proposed Non-domestic GFA</b>	About 15,760 m <sup>2</sup>
<b>Maximum SC</b>	86%

<sup>1</sup> The Occupation Permit for the subject IB (i.e. Gemmy Industrial Building) was issued in 1979.

<sup>2</sup> The applicant will take up the design, construction, management and maintenance of the new footpath area.

<sup>3</sup> Design of the canopies is subject to relevant departmental comments at the detailed design stage.

<b>No. of Storeys</b>	20 (including 2 levels of basement)
<b>BH (at main roof level)</b>	Not more than 100mPD
<b>Parking Spaces</b> Private Car Motorcycle <b>Loading/Unloading Bays</b> LGVs HGVs	27 (including 1 accessible parking space) 5  8 4
<b>Setback</b>	3m width voluntary setback (full height) fronting Pui Wing Lane (total setback area: about 193m <sup>2</sup> )
<b>Canopy</b>	1.5m wide fronting Kin Tai Street, Kin Wing Street and Pui Wing Lane
<b>Greening Measures</b>	<ul style="list-style-type: none"> <li>• Planters on G/F and roof level</li> <li>• Podium gardens on 1/F and 2/F</li> <li>• Vertical greenings facing the junction of Kin Tai Street and Kin Wing Street on G/F and 1/F and facing Kin Wing Street on 2/F</li> <li>• Greenery coverage of about 20%</li> </ul>

Note:

- <sup>(a)</sup> The applicant indicates that bonus PR under the Building (Planning) Regulations (B(P)R) will not be claimed.

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

- (a) Application Form received on 30.5.2022 **(Appendix I)**
- (b) Further Information (FI) received on 7.2.2024 **(Appendix Ia)**  
enclosing the Consolidated Supporting Planning Statement  
*(accepted and exempted from publication and recounting requirements)*

*[Supporting Planning Statement, Supplementary Information and FIs received on 21.7.2022, 9.11.2022, 21.12.2022, 17.4.2023, 6.6.2023, 25.7.2024, 18.9.2023, 3.11.2023, 18.12.2023 and 1.2.2024 were superseded and not attached]*

1.6 On 9.9.2022 and 17.2.2023, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's requests to defer making a decision on the application for a period of two months each.

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

The justifications put forth by the applicant in support of the application are detailed in the Consolidated Supporting Planning Statement at **Appendix Ia**, which are summarised as follows:

In Line with the Government Policy for Revitalising IBs

- (a) The proposed minor relaxation of PR restriction by 20% is in line with the 2018 Policy Address (PA 2018) to encourage the redevelopment of the pre-1987 IBs to provide additional floor area and make better use of the valuable land resources for Hong Kong changing social and economic needs. The latest fire services requirements will be fully implemented in the proposed development.

In Line with the Prevailing Planning Intention

- (b) The proposed redevelopment for non-polluting industrial use is in line with the planning intention of the “OU(B)” zone. It is also in line with similar cases approved by the Board in Kwai Chung and Tsuen Wan Industrial/Business Area. Approval of this application would further contribute to the ongoing land use restructuring of existing conventional industrial buildings.

Meeting the Projected Shortfall in Industrial Floor Space

- (c) The ‘Hong Kong 2030+ Study’ projects that there will be a deficit of land area and floor space for industrial use. Minor relaxation of PR for permitted use is one of the approaches to generate additional floor areas.

Relaxation Sought is Minor and Acceptable

- (d) The proposed minor relaxation of PR (i.e. +20%) will not trigger massive building bulk and the proposed development is formulated in accordance with the maximum BH as stipulated under the OZP of not exceeding 100mPD. As such, the proposed relaxation of PR restriction and the development scale is considered acceptable.

In Line with Previous Decisions of the Committee

- (e) The Committee has previously approved similar applications (No. A/TM/539, A/TM/567 and A/TM/568) for minor relaxation of PR restriction for permitted industrial use within the “Industrial” (“I”) zone in the Tuen Mun Industrial Area (TMIA) (**Plan A-1**). The nature of the current application is similar to these approved applications. Approval of the current applicant is in line with the previous decisions of the Committee.

Planning and Design Merits

- (f) The proposed voluntary full-height setback along Pui Wing Lane will create a pleasant walking environment. The proposed glass canopies over Kin Tai Street, Kin Wing Street and Pui Wing Lane will also provide shelters to pedestrians against inclement weather. To provide a more pleasing experience for pedestrians, planters and greenery areas are provided on G/F, 1/F and 2/F while vertical greenings are provided on a portion of the facades facing Kin Wing Street/Kin Tai Street
- (g) The proposed development will also comply with the relevant requirements of the Sustainable Building Design Guidelines (SBDG) in terms of building separation, building setback and greenery ratio.

### No Adverse Technical Impacts

- (h) The proposed redevelopment will not generate adverse traffic, environmental and sewerage impacts. According to the Traffic Study Report (TSR), it is anticipated that the traffic generation/attraction of the proposed data centre will be smaller than the existing industrial use because there is limited goods delivery in data centres, and the traffic arrangement is considered acceptable with the implementation of the proposed internal traffic facilities and audible traffic signal with flashing rotatory lights at the proposed run-in/out of the proposed development. According to the Sewerage Impact Assessment (SIA), with the proposed upgraded sewerage system to be implemented by the applicant, the proposed development is considered technically feasible from the sewerage impact perspective. The Environmental Assessment (EA) submitted by the applicant also confirms the overall acceptability of the proposed development from air quality (with fresh air in-take locations carefully located away from the buffer areas) and noise perspectives (with the adoption of the central air-conditioning system and well-gasketed windows and conducting a detailed noise assessment on the fixed noise impact in the detailed design stage).

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

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

### **4. Background**

#### Policy Initiatives for Revitalisation of IBs

- 4.1 As set out in the PA 2018, to provide more floor area to meet Hong Kong’s changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs is announced (the Policy). To encourage owners to redevelop pre-1987 IBs<sup>4</sup>, there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside “Residential” (“R”) zones in the Main Urban Areas and New Towns into industrial/commercial uses. The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the B(P)R<sup>5</sup>. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 4.2 As announced in the PA 2021, the implementation period of the above measure is extended to 31.10.2024. Should the application be approved, the modified lease

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<sup>4</sup> Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the Building Authority for approval on or before the same date.

<sup>5</sup> Under the new policy, any bonus floor area claimed under section 22(1) or (2) of the B(P)R is not to be counted towards the proposed increase of non-domestic PR by 20% for redevelopment projects.

should be executed (with full land premium charged) within three years after the planning permission is granted.

**5. Previous Application**

There is no previous application concerning the Site.

**6. Similar Applications**

6.1 There is no similar application for minor relaxation of PR restriction under the subject “OU(B)” zone.

6.2 Since March 2019, the Committee has considered a total of four planning applications for minor relaxation of PR and/or BH restrictions on land zoned “I” in the TMIA relating to the Policy, all of which were approved with conditions between 2020 and 2023. Among the four applications (which cover either Castle Peak Town Lots 45 and/or 24), three applications (No. A/TM/539, 567 and 568) are for minor relaxation of PR restriction for permitted industrial use while one application (No. A/TM/585) is for minor relaxation of PR and BH restrictions for permitted data centre development (**Plan A-1 and Appendix II**). In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provides incentives to encourage redevelopment of pre-1987 IBs taking into account that relevant technical assessments confirming the feasibility of the proposed developments were submitted to support the applications; planning and design merits were proposed; and that there was no adverse comment from relevant government departments on the applications.

**7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) currently occupied by a 10-storey IB known as Gemmy Industrial Building which was completed in 1979;
- (b) abuts Kin Wing Street to the north, Kin Tai Street to the west and Pui Wing Lane to the east and south and located at the south-eastern fringe of TMIA Area 9 (**Plans A-2 to A-3**); and
- (c) accessible by Kin Tai Street on its west and located about 250m to the west of the Tuen Ma Line Tuen Mun Station across the Tuen Mun River Channel (**Plan A-3**).

7.2 The surrounding areas have the following characteristics:

- (a) the Site is mainly surrounded by IBs, Government, Institution or Community (GIC) facilities, godowns and commercial buildings (**Plans A-2 and A-3**); and

- (b) to its immediate north and northeast are “Comprehensive Development Area (2)” (“CDA(2)”) and “Commercial (2)” (“C(2)”) zones intended for comprehensive redevelopment for commercial use with the provision of supporting facilities. The areas are currently occupied by KMB Overhaul Centre, a bus depot, a godown, and a data centre (i.e. Crown Data Centre) (Plans A-1 to A-3).

## **8. Planning Intention**

The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

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

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

### **Policy Perspective**

- 9.1.1 Comments of the Secretary for Development (SDEV):

She notes that the applicant intends to redevelop the existing IB on the Site for data centre use. This development proposal is supported as it is in line with the current policy of encouraging the redevelopment of aged IB, and if materialised, would help address the growing demand for data centre facilities and services, subject to it meeting all the eligibility criteria and relevant requirements.

### **Promotion of Innovation, Technology and Industry**

- 9.1.2 Comments of the Office of the Government Chief Information Officer, Innovation, Technology and Industry Bureau (OGCIO, ITIB):

- (a) He has no objection to the application as data centres are critical information and communications technology infrastructure for the development of the digital economy and smart city in Hong Kong. The Government has been committed to promoting Hong Kong as the prime location for data centres in the Asia Pacific. The proposed minor relaxation of PR restriction would make available more floor space for various data centre facilities, including data halls, IT racks or cabinets, electrical and mechanical facilities, etc. The proposed development, if materialised, would contribute to addressing the growing demand for data centres in Hong Kong and benefit the innovation and technology sector development.

- (b) In response to the public concern about excessive land supply for data centre use, he confirms that Hong Kong has a significant demand for data centre facilities. According to the 2023 Global Data Centre Market Comparison, Hong Kong ranked the 4<sup>th</sup> globally and the 2<sup>nd</sup> in the Asia-Pacific region. Data centres are essential infrastructure that supports the development of smart cities and the digital economy. The “Hong Kong Blueprint for Innovation and Technology Development” promulgated in December 2022 also recommends accelerating the development of new digital infrastructure to enhance Hong Kong’s advantage as a data centre hub in the Asia-Pacific region. According to market reports, data centre occupancy in Hong Kong is estimated to rise from the current approximately 80% to nearly 90% by 2026. This reflects the ongoing need to provide more land resources to support the long-term development of data centres.

### **Land Administration**

9.1.3 Comments of the District Lands Officer/Tuen Mun (DLO/TM) and the Chief Estate Surveyor/Development Control (CES/DC), Lands Department (LandsD):

- (a) The Site is situated within TMTL 84 which is held under New Grant No. 2188 dated 3.9.1974. The lot is restricted to industrial and/or godown purposes (excluding offensive trades) and subject to parking and L/UL requirements and vehicular access restrictions. The proposed data centre development does not comply with the lease conditions governing the lot including but not limited to restrictions relating to the user, type of building, plot ratio, parking requirements and vehicular access. Should the Board approve the application, the owner of the subject lot would be required to submit a lease modification application to LandsD to implement the proposal.
- (b) The detailed advisory comments are at **Appendix IV**

### **Traffic**

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

She has no adverse comment on the application from the traffic engineering point of view provided that the traffic control/management measures proposed in the TSR, including the audible traffic signal with flashing rotary lights and traffic controller/security, would be implemented to alert vehicles nearby and ensure no queuing/waiting of vehicles onto adjacent public roads.



9.1.5 Comments of the Chief Highway Engineer/ New Territories West, Highways Department (CHE/NTW, HyD):

He has no in-principle objection to the application from highways maintenance point of view. The proposed access arrangement for the proposed development should be commented on and approved by the Transport Department. His detailed advisory comments are at **Appendix IV**.

**Environment**

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

- (a) He has no adverse comment on the EA and SIA submitted.
- (b) He notes that the applicant will carry out a detailed noise assessment during the detail design stage. Approval conditions should be imposed for the submission of the noise impact assessment so as to review and provide appropriate noise mitigation measures to achieve full compliance with the noise criteria of the Hong Kong Planning Standards and Guidelines and the Noise Control Ordinance to his satisfaction.

**Drainage**

9.1.7 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

He has no adverse comment on the SIA for the proposed development. Should the application be approved, approval conditions on the submission and implementation of a revised SIA to his satisfaction should be imposed.

**Urban Design, Visual and Landscape**

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

**Urban Design**

- (a) Given the application for the proposed minor relaxation of PR does not involve exceedance of BH restriction as stipulated in the OZP, the proposed development will unlikely induce any significant adverse visual impacts on the surrounding area.
- (b) According to the submitted information, the proposed development has incorporated a 3m voluntary building setback from the eastern and southern boundaries facing Pui Wing Lane and provision of landscape treatments from G/F to 2/F in the form of edge planters, vertical green walls and green flat roofs to minimize any potential visual impact.

### Landscape

- (c) With reference to the aerial photo of 2023, it is observed that the Site is situated in an area of industrial urban landscape character predominated by industrial setting, high-rise residential buildings, parks and the Tuen Mun River Channel is located closely at the east of the Site. The Site is currently occupied by an existing industrial building (namely Gemmy Industrial Building), and no tree or significant landscape feature is observed within the application boundary.
- (d) According to the Planning Statement and FIs submitted by the applicant, it is noted that a minimum of 20% greenery including vertical green wall and planting will be provided respectively on the building façade and at grade as well as the flat roof. The proposed use is considered not incompatible with the landscape character of the surrounding setting and no significant landscape adverse impact is anticipated. She has no adverse comment on the application from the landscape planning perspective.

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

It is noted that the proposed development consists of one tower with a PR of 11.4 (including a 20% increase of PR) and a BH of 99.03mPD. Since the adjacent “OU” and “C(2)” zones with BH restrictions of 100mPD and 120/140mPD are permitted in the OZP respectively, she has no comment from the architectural and visual impact points of view.

### Buildings Matters

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

- (a) He has no comment on the relaxation of PR from 9.5 to 11.4 under the Buildings Ordinance (BO). The development intensity shall not exceed that permissible under the first schedule of B(P)R.
- (b) His detailed advisory comments are at **Appendix IV**.

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

- (a) Director - General of Trade and Industry (DG of TI);
- (b) Director of Fire Services (D of FS);
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) Commissioner of Police (C of P);
- (e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (f) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD); and
- (g) District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD).

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

On 10.6.2022, 29.7.2022, 15.11.2022, 30.12.2022, 16.6.2023, 1.8.2023, 22.9.2023, 10.11.2023 and 22.12.2023 the application and FIs were published for public inspection respectively. During the statutory public inspection periods, two public comments from two individuals were received. One commenter objects to the application mainly on the grounds that there will be a surge in land supply for data centres and approval of the application will affect the land demand and supply balance for data centre uses in Hong Kong (**Appendix III-b**). The other commenter expresses views that data centres contribute to the global greenhouse gas emissions; there are no details about the greenery areas on G/F, 1/F and 2/F; the greening measures should be sustainable and permanent; and redevelopment should provide wider pavements with tree planting to mitigate the increased bulk of development (**Appendix III-a**).

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

- 11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) to facilitate redevelopment of an existing IB into a 20-storey data centre (including two basement levels) at the Site zoned “OU(B)”. The proposed data centre use is in line with the planning intention of the “OU(B)” zone which is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings.

### Policy Aspect

- 11.2 The existing IB with OP issued in 1979 can be regarded as eligible pre-1987 IB under the government’s policy on revitalising IBs. SDEV has given policy support to the proposed data centre development on the understanding that it is in line with the current policy of encouraging the redevelopment of aged IB by an incentive to increase the PR by 20% and that the redevelopment, if materialised, would help address the growing demand for data centres facilities and services. Besides, the Government is committed to promoting Hong Kong as a prime location for data centres in the Asia-Pacific Region. OGCI of ITIB considers that the proposed minor relaxation of PR restriction would make available more floor space for various data centre facilities and contribute to addressing the growing demand for data centres in Hong Kong and benefit the innovation and technology sector development.

### Minor Relaxation of PR Restriction

- 11.3 The proposed minor relaxation of PR from 9.5 to 11.4 (i.e. +20%) generally follows the policy on the revitalisation of pre-1987 IBs, and consideration of such application is also subject to technical assessments confirming the feasibility of the proposed development. In support of the application, the applicant has submitted TSR, EA and SIA to demonstrate that the proposed development would not cause adverse traffic, environmental and sewerage impacts on the surrounding areas. C for T has no adverse comment on the application from the traffic engineering point of view. An upgraded sewerage system to be implemented by the applicant is proposed and CE/MN of DSD has no adverse comment on the

SIA. The EA also confirms the overall acceptability of the proposed development on environmental terms, and DEP has no adverse comment on the EA submitted. Appropriate approval conditions set out in paragraphs 12.2 are proposed to address the requirements of the concerned departments. Other relevant government departments including D of FS and CE/C, WSD have no objection to/ no comment on the proposed development.

#### Planning and Design Merits

- 11.4 The proposed development has incorporated a voluntary full-height setback of 3m at boundaries fronting Pui Wing Lane to the south and east as well as glass canopies of 1.5m wide over Kin Tai Street, Kin Wing Street and Pui Wing Lane to improve the pedestrian environment (**Drawing A-4**). To enhance the visual quality of the pedestrian environment, planters and vertical greening are proposed at the lower floors of the proposed development. As the proposed minor relaxation of PR does not involve exceedance of BH restriction as stipulated in the OZP, CTP/UD&L of PlanD has no adverse comment on the application from urban design and landscape planning perspectives.
- 11.5 With regard to the sustainability of building design, the applicant has taken into account the requirements of the SBDG by providing building setback and at least 20% greenery coverage at the proposed development.

#### Similar Applications

- 11.6 The Committee has approved four similar applications in the “I” zone in the TMIA as the Policy to relax the PR up to 20% should provide incentives to encourage redevelopment of pre-1987 IBs; planning and design merits were proposed; and there was no adverse comment from relevant government departments. Approval of the current application is generally consistent with the previous decisions of the Committee regarding the redevelopment of pre-1987 IBs.

#### Public Comments

- 11.7 Regarding the public views on the over-supply of land for data centre development, environmental impacts/nuisance on the neighbourhood, sustainability of the greenery and proposed landscape measures, the planning considerations and assessments in paragraphs 11.1 to 11.6 and departmental comments in paragraph 9.1 above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 16.2.2028, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted

is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval conditions

- (a) the submission of a revised Traffic Study Report and implementation of the traffic management measures identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a revised Sewerage Impact Assessment (SIA) and implementation of the sewerage proposal identified in the SIA to the satisfaction of the Director of Drainage Services and the Director of Environmental Protection or of the Town Planning Board; and
- (c) the submission of a Noise Impact Assessment (NIA) and the implementation of mitigation measures as identified in the NIA 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 IV**.

- 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 minor relaxation of PR 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, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application Form received on 30.5.2022
<b>Appendix Ia</b>	FI received on 7.2.2024 enclosing a Consolidated Supporting Planning Statement
<b>Appendix II</b>	Similar Applications
<b>Appendices III-a and III-b</b>	Public Comments
<b>Appendix IV</b>	Recommended Advisory Clauses

**Drawings A-1 to A-11**

**Plan A-1**

**Plan A-2**

**Plan A-3**

**Plans A-4a and 4b**

Schematic Sections, Layout Plans, Floor Plans and Greenery  
Plan

Location Plan

Site Plan

Aerial Photo

Site Photos

**PLANNING DEPARTMENT  
FEBRUARY 2024**