

Previous s.16 Planning Applications at the Application Premises

1. The application premises is the subject of seven previous s.16 applications (Nos. A/H25/2, A/H25/6, A/H25/9, A/H25/10, A/H25/12, A/H25/14 and A/H25/18) for temporary exhibition hall for motor vehicles or temporary motor-vehicle showroom since 2003.
2. The first application (No. A/H25/2) for temporary exhibition hall for motor vehicles (subsumed under 'Exhibition or Convention Hall') was approved by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 10.10.2003 for a period of three years with conditions.
3. The second application (No. A/H25/6) for the same use was approved by the Committee on 3.11.2006 subject to compliance with the approval conditions including one approval condition on the provision of fire service installations (FSIs) within six months. Subsequently, three s.16A(2) applications (Nos. A/H25/6-1, A/H25/6-2 and A/H25/6-3) for Extension of Time (EOT) for compliance with the approval condition (c) on the provision of FSIs from the original six months up to 21 months were approved on 25.4.2007, 2.11.2007 and 1.2.2008 respectively. A further s.16A(2) application (No. A/H25/6-4) for EOT up to 27 months was rejected by the Committee on 1.8.2008 and the planning permission was revoked on 3.8.2008. On 14.11.2008, the Board agreed on review to extend the time limit for compliance with approval condition (c) to 14.5.2009 and granted planning permission to the subject use on a temporary basis until 3.11.2009. The planning permission was again revoked as the applicant failed to comply with condition (c) satisfactorily by 14.5.2009. On 1.6.2009, the applicant appealed to the Board against the revocation of the planning permission and the Board on 17.7.2009 decided not to support the appeal.
4. The third application (No. A/H25/9) for the same use for a period from the first revocation of the permission under (No. A/H25/6) on 3.8.2008 up to 3.11.2009 was rejected by the Committee on 24.10.2008 mainly on ground of failure to demonstrate that FSIs would be provided early for the proposed use.
5. The fourth application (No. A/H25/10) for the same use was approved by the Committee on 18.12.2009 for a period of two years (instead of three years sought) from 18.12.2009 to 18.12.2011 so as to monitor the operation of the subject temporary exhibition hall for motor vehicles. Subsequently, a s.16A application (No. A/H25/H10-1) for EOT from the original six months up to nine months for compliance with the approval conditions (h) and (j) on the implementations of means of escape (MoE) and FSIs and the submission of documentary proof for fulfilment was approved on 11.6.2010. All approval conditions including the provision of MoE and FSIs have been subsequently complied with.
6. The fifth application (No. A/H25/12) for the same use was approved by the Committee on 7.10.2011 for a period of two years (instead of five years sought) from 19.12.2011 to 18.12.2013 so as to allow better control of supply and demand of public car park in the area. All approved conditions have been complied with.
7. The sixth application (No. A/H25/14) for the same use was approved by the Committee on 17.1.2014 for a period of one year (instead of three years sought) from 17.1.2014 to 17.1.2015 so as to enable close monitoring and better control of the supply and demand of car parking spaces at Hong Kong Convention and Exhibition Centre (HKCEC) and its vicinity. Subsequently, the applicant applied for a review of the Committee's decision to approve the

application for a period of one year. On 16.5.2014, having considered that the Secretary of Commerce and Economic Development and the Transport Department had re-affirmed their no objection to approve the application for a period of two years at the review stage, the Board approved the application with conditions for a period of two years until 16.5.2016. The Board also advised the applicant that the scale of the motor-vehicle showroom should be reduced in the future renewal application so that more car parking spaces would be available for the public when visiting HKECE during the peak periods. All conditions of the planning permission have been satisfactorily complied with.

8. The last application (No. A/H25/18) for the same use was approved by the Committee on 29.7.2016 for a period of two years (instead of three years sought) from 29.7.2016 to 29.7.2018 so as to allow better control and timely review of supply and demand of public car park at Hong Kong Convention and Exhibition Centre (HKCEC) and its vicinity. All approved conditions have been complied with.

List of Previous s.16 Planning Applications

Application No.	Proposed Development	Date of Consideration by MPC	Decision	Approval Conditions/ Rejection Reason
A/H25/2	Temporary Exhibition Hall for Motor Vehicles for a Period of 3 Years	10.10.2003	Approved	(A1) to (A3)
A/H25/6*	Temporary Exhibition Hall for Motor Vehicles for a Period of 3 Years	3.11.2006	Approved	(A1), (A2) (A4) & (A18)
A/H25/9	Temporary Exhibition Hall for Motor Vehicles up to November 2009	24.10.2008	Rejected	(R1)
A/H25/10	Temporary Exhibition Hall for Motor Vehicles for a Period of 3 Years	18.12.2009	Approved for a period of 2 years	(A1), (A5) to (A7), (A9) to (A16) & (A19)
A/H25/12	Renewal of Planning Application for Temporary Exhibition Hall for Motor Vehicles for a Period of 5 Years	7.10.2011	Approved for a period of 2 years	(A1), (A5) to (A6), (A8) to (A10) & (A17)
A/H25/14	Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	Consideration of review application by the Board on 16.5.2014	Approved for a period of 2 years	(A1), (A5) to (A6), (A8) to (A10), (A15) & (A20)
A/H25/18	Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	29.7.2016	Approved for a period of 2 years	(A1), (A5) to (A6), (A8) to (A10), (A15) & (A20)

* The planning permission was the subject of four s.16A applications (No. A/H25/6-1 to A/H25/6-4) for extension of time for compliance with approval condition (A4) and the planning permission granted under s.16A application No. A/H25/6-4 was revoked on 14.5.2009 due to non-compliance with condition (A4) stated below.

Approval Conditions

- (A1) No motor shows or car fairs or any related events should be undertaken at the premises.
- (A2) The provision of means of escape to the satisfaction of the Director of Buildings or the TPB.
- (A3) The provision of fire services installations to the satisfaction of the Director of Fire Services or of the TPB before the proposed use was put into operation.
- (A4) The provision of fire service installations and submission of documentary proof to indicate that the fire safety requirements, so endorsed, were fulfilled within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 3.5.2007.
- (A5) The number of cars to be parked at the car parking area of the application premises should not exceed 345 at any time.
- (A6) The number of visitors allowed at the car parking area of the application premises should not exceed 300 at any time.
- (A7) The installation of a mechanical monitoring system to control the number of visitors to the car parking area of the application premises, as proposed by the applicant, before the proposed use was put into operation, to the satisfaction of the Director of Buildings or of the TPB, and to employ an independent professional to monitor the system and prepare monitoring reports on a monthly basis.
- (A8) To employ an independent professional to monitor the mechanical monitoring system to control the number of visitors to the car parking area of the application premises and prepare monitoring reports on a monthly basis;
- (A9) To employ an Authorized Person to conduct audit checks on the monitoring system and the monitoring reports on the number of visitors to the car parking area of the application premises, as proposed by the applicant, on a bi-monthly basis.
- (A10) In relation to (A9) above, to submit the audit reports every two months, with any non-compliance on the number of visitors to the car parking area of the application premises highlighted, to the satisfaction of the Director of Buildings or of the TPB.
- (A11) The submission of proposal for means of escape within 3 months from the date of approval to the satisfaction of the Director of Buildings or of the TPB by 18.3.2010.
- (A12) In relation to (A11) above, the implementation of the means of escape within 6 months from the date of approval to the satisfaction of the Director of Buildings or of the TPB by 18.6.2010.
- (A13) The submission of proposal for fire service installations within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 18.3.2010.

- (A14) In relation to (A13) above, the implementation of the fire service installations and submission of documentary proof to indicate that the fire safety requirements were fulfilled within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 18.6.2010.
- (A15) To provide fire service installations to the satisfaction of the Director of Fire Services.
- (A16) If any of the above planning conditions (A1), (A5), (A6), (A7), (A9) or (A10) was not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice.
- (A17) If any of the above planning conditions (A1), (A5), (A6), (A8), (A9) or (A10) was not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice.
- (A18) If the planning condition (A4) above was not complied with by the specified date, the approval given should cease to have effect and should on the same date be revoked without further notice.
- (A19) If any of the above the planning condition (A11), (A12), (A13) or (A14) was not complied with by the specified date, the approval given should cease to have effect and should on the same date be revoked without further notice.
- (A20) If any of the above planning conditions (A1), (A5), (A6), (A8), (A9), (A10) or (A15) was not complied with during the approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice.

Rejection Reason

- (R1) There was insufficient information in the submission to demonstrate that fire safety installations would be provided early for the temporary exhibition hall use.

Advisory Clauses

- (a) to note that a shorter approval period of two years is approved by the Metro Planning Committee (instead of three years sought) as recommended by Secretary for Commerce and Economic Development and Commissioner for Transport so as to timely review the parking requirements for Hong Kong Convention and Exhibition Centre in view of the impact of the future developments, e.g. the Central/Wan Chai Bypass, the Exhibition (EXH) Station of Shatin to Central Link and redevelopment of Wan Chai Government Offices;
- (b) to apply to District Lands Officer/Hong Kong East, Lands Department (LandsD) to amend/vary the terms and conditions of the temporary waiver, including but not limited to the waiver area, boundary alignment and number of cars to be parked at the waiver area. However, there is no guarantee that such application will be approved and if approved by LandsD, acting in its capacity as the landlord at its discretion, it will be subject to such terms and conditions, including payment of appropriate fees as imposed by LandsD; and
- (c) to note the comments of the Director of Environmental Protection that to switch on vehicle engines only when necessary and switch off the engines immediate after use to minimise air pollutants in the proposed showroom; to make reference to and comply with the Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611); and to make reference to the Practice Note on “Control of Air Pollution in Car Park” (ProPECC No. 2/96) which provides information on the air quality standards in car park.