

MPC Paper No. A/TW/505A
For Consideration by
the Metro Planning Committee
on 16.8.2019

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

APPLICATION NO. A/TW/505

- Applicant** : Landrich (H.K.) Limited represented by Kenneth To & Associates Limited
- Site** : Tsuen Wan Town Lot No. 128, 14-18 Ma Kok Street, Tsuen Wan
- Site Area** : 1,858.05m²
- Lease** : Tsuen Wan Town Lot (TWTL) No. 128;
(a) Held under New Grant No. TW5000 as varied by a modification letter dated 8.3.1976 with a term expiring on 30 June 2047;
(b) Restricted for industrial and/or godown purposes excluding offensive trades; and
(c) No building shall be erected on the Lot except a factory and/or a warehouse, ancillary offices and such quarters as may be required for watchman or caretakers.
- Plan** : Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33
- Zoning** : “Industrial” (“I”)
(a) Maximum plot ratio (PR) of 9.5 and maximum building height (BH) of 100 meters above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater
(b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/BH restrictions stated in the Notes of the OZP may be considered by the Town Planning Board (the Board) on application under s.16 of the Town Planning Ordinance (the Ordinance)
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Industrial Redevelopment

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 a industrial building (IB) at the Site in Tsuen Wan East Industrial Area (TWEIA), which falls within an area zoned “I” on the approved Tsuen Wan OZP No. S/TW/33 (**Plan A-1**). The proposal is for redevelopment of the existing pre-1987 8-storey IB into a 23-storey (including 2 basement levels for parking and loading/unloading (L/UL) facilities) IB with a

maximum BH of about 84.48mPD for “industrial use”. According to the Notes for the “I” zone, “Industrial Use” is a Column 1 use which is always permitted within the zone. Minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Ordinance.

- 1.2 According to the applicant, the proposed minor relaxation of PR restriction by 20% is in echo of the Chief Executive’s 2018 Policy Address to incentivise redevelopment of IBs constructed before 1987 by allowing the relaxation of the maximum permissible non-domestic PR by up to 20% for sites located outside “Residential” zones (see paragraph 3.1 below for details).
- 1.3 Floor plans and schematic sections submitted by the applicant are shown at **Drawings A-1 to A-6**. Major development parameters of the proposed scheme (**Appendix Ia**) are as follows:

Major Development Parameters	Proposed Scheme
Site Area	About 1,858.05m ²
Proposed Uses	
• Basements (B1 & B2)	Parking spaces, L/UL bays and E&M facilities
• Ground floor	Lobby, parking spaces, L/UL bays and E&M facilities
• 1/F to 20/F	Workshops
PR	11.4
Total Gross Floor Area (GFA)	Not more than 21,181.77m ²
BH (main roof)	About 84.48mPD
Maximum Site Coverage (SC)	
• Podium (below 15m)	About 98%
• Typical floors	About 58%
No. of Block	1
No. of Storeys	23
Parking Spaces and L/UL Bays	56
• Private Car	22 (Incl. 1 accessible parking space)
• Motorcycle	2
• Heavy Goods Vehicle (HGV) ^(^)	11
• Light Goods Vehicle (LGV) ^(^)	20
• Container ^(^)	1
Anticipated Year of Completion	2023

Note:

^(^) Also serve as L/UL bays.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 27.2.2019 **(Appendix I)**
- (b) Supporting Planning Statement received on 27.2.2019 **(Appendix Ia)**
- (c) Further information (F.I.) vide letter received on 6.5.2019 **(Appendix Ib)**
(FII) responding to departmental comments and enclosing revised architectural drawings and technical assessments
(*accepted but not exempted from publication and recounting requirements*)

- (d) F.I. vide letter received on 19.6.2019 and 20.6.2019 (FI2) **(Appendix Ic)**
responding to departmental comments and enclosing revised architectural drawings and technical assessments
(accepted but not exempted from publication and recounting requirements)
- (e) F.I. vide letter received on 28.6.2019 (FI3) responding to **(Appendix Id)**
departmental comments and enclosing revised architectural drawings
(accepted and exempted from publication and recounting requirements)
- (f) F.I. vide letter received on 29.7.2019 (FI4) responding to **(Appendix Ie)**
departmental comments and enclosing revised architectural drawings and technical assessments
(accepted and exempted from publication and recounting requirements)
- (g) F.I. vide letter received on 9.8.2019 (FI5) with clarification **(Appendix If)**
on planning and design merits of the proposed scheme and enclosing revised architectural drawings
(accepted and exempted from publication and recounting requirements)
- (h) F.I. vide letter received on 13.8.2019 (FI6) responding to **(Appendix Ig)**
departmental comments
(accepted and exempted from publication and recounting requirements)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are set out in Section 4 of the Supporting Planning Statement at **Appendix Ia**, Section 5 of Annex 2 at **Appendix Ib** and **Appendix Ie** and summarized as follows:

In line with Government's Policies for Revitalising IBs

- (a) The existing IB at the Site was developed in 1977 and 1980 in two phases. The proposed minor relaxation of PR restriction of the Site by 20% is in line with the 2018 Policy Address to optimize the use of vacant or underutilized IBs in a better way and provide more floor area through the introduction of IBs revitalization policy to meet Hong Kong's changing economic and social needs.

In Support of the Recommendations in the "Report on 2014 Area Assessments of Industrial Land in the Territory"

- (b) It was the recommendation of the Area Assessments 2014 to retain the TWEIA as "T". There are also new development/redevelopment projects for industrial use in the Industrial Area. The proposed redevelopment echoes with the recommendations in "Report on 2014 Area Assessments of Industrial Land in the Territory" to ensure an adequate supply of industrial floor space in the area and provide employment for the labour force in Tsuen Wan New Town.

Continuing to Meet the Prevailing Planning Intention

- (c) The proposed redevelopment would conform with the prevailing planning intention of “I” zone. The proposed relaxation of PR restriction could help provide additional industrial floor.

Relaxation Sought is Minor and Acceptable

- (d) Minor relaxation of PR restriction by 20% is sought without the need to change the permitted maximum BH. To help reduce the building bulk and minimise the potential visual impacts resulting from the proposed IB while accommodating an additional 20% PR and GFA at the Site, the actual BH of the proposed development has been reduced as far as practicable with underground car parking spaces provided. As the proposed BH of the proposed IB is well below the maximum BH of 100mPD as stipulated on the OZP, the relaxation of PR being sought is considered minor in nature and deemed acceptable. The proposed redevelopment will be in harmony with the surrounding development context.

Contribute to the Development of TWEIA

- (e) The proposed redevelopment of the dilapidated IB at the Site could improve the urban environment and help upgrade TWEIA. New provision of industrial floor space with modern specifications in fire safety and technology could expedite the transformation of this old industrial area. The proposed redevelopment will create synergy and collective benefits with the surrounding industrial land use, while the industrial characteristics of the existing ambience in the precinct remain unchanged.

No Adverse Sewerage Impact

- (f) Although the existing sewers along Tsuen Yip Street have insufficient capacity to cater for the sewage generation from the proposed redevelopment and other existing/planned developments nearby, new sewers of 375mm diameter and manhole are proposed to divert partial sewage generated from the existing and future development at the Site. No adverse sewerage impact will be anticipated.

No Adverse Traffic Impact

- (g) The provision of internal transport facilities including parking and L/UL facilities are equivalent to the high-end requirement under the Hong Kong Planning Standards and Guidelines (HKPSG). The submitted Traffic Impact Assessment has demonstrated that the traffic impact induced by the additional traffic generated by the proposed redevelopment would not cause adverse traffic impact to the surrounding road network.

Planning Merits for the Proposed Redevelopment

- (h) To enhance light penetration to the street area, “no podium” design would be adopted such that there is setback for the tower portion atop of the ground floor portion.
- (i) For improvement of pedestrian environment at Ma Kok Street, there would be a 7.5m setback from the centreline of Ma Kok Street (approximately 1m setback from the lot boundary)
- (j) In order to improve the visual quality of the streetscape, it is proposed to provide

about 20% of total site area for greenery at G/F and 1/F flat roof, i.e. all less than 15m high above street level;

- (k) For further improvement to the streetscape and street walking environment to be enjoyed by the general public, it is proposed to provide vertical greening of not less than 40m² at ground floor facing Ma Kok Street;
- (l) The Applicant does not intend to claim GFA concessions through complying with the Sustainable Building Design Guidelines (SBDG) under PNAP APP-152, thus no extra GFA would be added to the building bulk. Nevertheless, the Applicant has made reference to some of the elements suggested under the SBDG, such as greenery provision, upper level setback, etc. It is believed all the above proposed measures would further improve the streetscape and walking environment of the adjoining streets, compared to the current status of the existing building at the Site.

3. Background

Policy Initiatives of Revitalisation of IBs

3.1 As set out in 2018 Policy Address, to provide more floor area to meeting 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. To encourage owners to redevelop IBs constructed before 1987¹, 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" zones in 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 Building (Planning) Regulation (B(P)R)². 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.

3.2 The time limit for owners to submit applications is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

4. 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.

¹ 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.

² 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.

5. **Previous Application**

There is no previous application for minor relaxation of PR at the Site.

6. **Similar Applications**

There is no similar application for minor relaxation of PR by 20% within the “I” zone in Tsuen Wan area.

7. **The Site and Its Surrounding Areas** (Plans A-1 and A-2 and photos on Plans A-3 and A-4)

7.1 The Site is:

- (a) occupied by a 8-storey IB, namely Possehl Building, which was built in two phases completed in 1977 and 1980 respectively;
- (b) bounded by Ma Kok Street to its north, Tsuen Yip Street to its east and south, and adjoining an existing IB to its west, namely Sun Fung Industrial Building (Plan A-2); and
- (c) at about 600m east of MTR Tsuen Wan West Station and is well served by various modes of public transport including bus, public light bus and taxi (Plan A-1).

7.2 The surrounding areas have the following characteristics (Plans A-2 to A-4):

- (a) the neighbouring buildings along Ma Kok Street and Tsuen Yip Street are mainly industrial or industrial-office buildings in TWEIA under active operation; and
- (b) to its northwest across Ma Kok Street is former Ma Kok Street Cooked Food Hawker Bazaar. The cooked food hawker bazaar had been vacated and was sold on 30.1.2018 for industrial purpose. Building plans for industrial development was approved on 30.10.2018. The site is now under construction.

8. **Planning Intention**

8.1 The planning intention of the “I” zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone.

8.2 As stated in the Explanatory Statement (ES) of the OZP, provision of industrial land in Tsuen Wan has been made in conjunction with the industrial land planned for Kwai Chung and Tsing Yi to ensure that sufficient land is set aside for industrial developments to provide employment for the labour force in Tsuen Wan New Town.

9. Comments from Relevant Government Departments

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

Policy Perspective

9.1.1 Comments of the Secretary for Development (SDEV), Development Bureau (DEVB):

It is Government's policy to incentivise owners to redevelop old IBs to optimise utilisation of the existing industrial stock and make better use of valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. To this end, relaxation of the maximum permissible non-domestic PR by up to 20% is allowed under the new revitalisation scheme for IBs for redevelopment projects of pre-1987 IBs located outside "Residential" zones in Main Urban Areas and New Towns. In this light, he supports the application in principle if it satisfies all relevant conditions or criteria (see details in paragraph 3.1 above).

Land Administration

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

- (a) TWTL 128 ("the Lot") is governed by New Grant No. 5000 as varied by a modification letter dated 8.3.1976 (collectively "the NG") with a term expiring on 30 June 2047. The Lot, with a registered site area of 20,000ft² (i.e. about 1,858.05m²), is restricted to general industrial and/or godown purposes excluding offensive trade. No building shall be erected on the Lot except a factory and/or a warehouse, ancillary offices and such quarters as may be required for watchman or caretakers.
- (b) As per S.C. (11) of the NG, space shall be provided within the Lot to the satisfaction of the Director for the parking, L/UL of vehicles at the rate of not less than 1 vehicle for each 10,000ft² or part thereof of GFA, excluding any floor area to be used for parking, L/UL or not less than 1 vehicle for each 5,000ft² or part thereof of the site area, whichever the rate provides greater amount of such space. One half of the said space shall be used for the parking of private cars and light vans and the remaining half for parking, L/UL of lorries, where the space provided for lorries, 2/3 shall be used for parking and 1/3 for simultaneous L/UL. A layout plan indicating the parking, L/UL spaces shall be registered by memorial in the DLO under S.C. (12) of the NG.
- (c) There is no PR, GFA or BH restrictions under the NG.
- (d) Noting from the Architectural Drawings at Appendix 2 of the

Supporting Planning Statement (**Appendix Ia**), the proposed industrial development would comprise only workshops, assumed to be conventional industrial workshop, he has no comment to the subject application from land administration point of view.

- (e) However, if the proposed industrial development comprises of “modern industrial uses” other than conventional “industrial/godown uses”, such uses would contravene the lease restriction. If planning approval is given, the applicant will need to apply to the LandsD for a lease modification for the above proposal in such situation. The proposal will only be considered upon receipt of a formal application from the owner of the Lot. There is no guarantee that the application, if received by the LandsD, will be approved and he reserves his comment on such. The application will be considered by the LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of premium and administrative fee.
- (f) Attention of the applicant is drawn to Lands Administration Office, Practice Note No. 2/2019 available on LandsD’s website.

9.1.3 Comments of the Chief Estate Surveyor/Development Control, LandsD:

To be qualified for the measure on relaxation of the maximum permissible non-domestic PR by 20% for redevelopment project, the building has to be pre-1987 IBs located outside “Residential” zones in Main Urban Areas and New Towns and subject to the maximum non-domestic PR allowed under the B(P)R. Pre-1987 IBs refer to those wholly or partly constructed on or before 1.3.1987 or those constructed with building plans first submitted to Building Authority for approval on or before 1.3.1987. It is noted that the date of Occupation Permit (OP) for the buildings on site were 19.5.1977 and 22.2.1980 respectively.

Building Matters

9.1.4 Comments of the Chief Building Surveyor/NTW, Buildings Department (CBS/NTW, BD):

- (a) Presumably the site abuts on a specified street, Ma Kok Street and Tsuen Yip Street of not less than 4.5m wide, and as such, the development intensity shall not exceed the permissible as stipulated under the First Schedule of the B(P)R.
- (b) The applicant is advised to appoint an Authorized Person/Registered Structural Engineer/Registered Geotechnical Engineer and submit the required plans to the Building Authority for approval in accordance with the Buildings Ordinance (BO). His position under the BO is hereby reserved.

- (c) Regarding the proposed changes, fundamental issues of building plans listed in Appendix A of PNAP ADM-19 may be re-assessed completely.
- (d) The sustainable building design requirements and pre-requisites under PNAP APP-151 & 152 would be applicable to the proposed conversion if GFA concessions are claimed for any green/amenity features and/or non-mandatory/non-essential plant rooms.
- (e) In order to deter the misuse of IBs for residential uses at building design stage, building design measures under PNAP APP-159 would be applicable in processing new proposals for IBs.
- (f) Detailed comments will be given at the building plan submission stage.

Traffic

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

- (a) As demonstrated in the TIA submitted by the applicant, the proposed redevelopment would not cause significant traffic impact to the local road network, including Ma Kok Street. In addition, the proposed provision of car parking spaces and loading/unloading facilities meets the high-end requirements of HKPSG. He has no adverse comment on the application.
- (b) Should the application be approved, the following approval condition is recommended to be incorporated:

the design and provision of parking facilities, loading/uploading spaces, vehicular access and internal driveway for the proposed redevelopment to the satisfaction of the C for T or of the Board.

Fire Safety

9.1.6 Comments of the Director of Fire Services (D of FS):

He has no objection in principle to the application subject to fire services installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. In addition, the arrangement of Emergency Vehicular Access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.

Environment and Drainage

9.1.7 Comments of the Director of Environment Protection (DEP):

- (a) He has no objection to the application.
- (b) Should the application be approved, the following condition should be imposed:

submission of a revised Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

9.1.8 Comments of the Chief Engineer/Mainland South, DSD (CE/MS, DSD):

- (a) The Sewerage Impact Assessment for the application needs to meet the full satisfaction of Environmental Protection Department which is the planning authority of sewerage infrastructure.
- (b) Should the application be approved, the following condition should be imposed:

implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Urban Design and Visual

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

- (a) The Site is located within TWEIA. The proposed development involves an increase in PR, while the proposed BH of 84.48mPD (at main roof level) is actually lower than what is permitted under the OZP (i.e. 100mPD). Given the context, accommodation of the proposed building involving the proposed PR will unlikely cause any adverse effect on the visual character of this industrial neighbourhood.
- (b) In response to her suggestion about ground coverage reduction, the applicant indicates that the G/F footprint is to accommodate the L/UL bays for heavy goods vehicles and a container vehicle as required under the HKPSG, and they do not intend to claim GFA concessions by complying with the SBDG under PNAP APP-152. Notwithstanding, the applicant has proposed to provide a setback at the G/F portion along the façade facing Ma Kok Street, which forms a 7.5m setback from the centerline of the street, to further improve the walking environment.

- (c) In addition to the 20% greening coverage to be provided on G/F and 1/F of the proposed new industrial building, the applicant has further committed to provide vertical greening of not less than 40m² at G/F facing Ma Kok Street.
- (d) With incorporation of the proposed setback fronting Ma Kok Street and the greening features, the proposed redevelopment may bring some improvements to the pedestrian environment.

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

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Highway Engineer/NT West, Highways Department;
- (c) Commissioner of Police;
- (d) Project Manager (West), Civil Engineering and Development Department;
- (e) Director-General of Trade and Industry;
- (f) Chief Architect/Central Management Division 2, Architectural Services Department; and
- (g) District Officer (Tsuen Wan), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

The application and FIs were published for public inspection on 5.3.2019, 17.5.2019 and 28.6.2019. During the first three weeks of the statutory public inspection periods, one comment was submitted by Incorporated Owners of an adjoining IB, i.e. Sun Fung Industrial Buildings (**Appendix II**). They strongly object to the application on the ground that there has long been severe traffic jam in Ma Kok Street which is the main road serving the existing IBs in the area. The proposed redevelopment with 52 parking spaces would aggravate the current traffic condition.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (by 20%) for proposed redevelopment of existing 8-storey IB at the Site into a 23-storey IB for permitted industrial uses. The proposed redevelopment is generally in line with the planning intention of the "I" zone in TWEIA, which is primarily for general industrial use, and the proposed BH of about 85mPD complies with the BHR of 100mPD under the OZP.

11.2 The existing IB with OP issued on 19.5.1977 and 22.2.1980 can be regarded as an eligible pre-1987 IB under government's new policy on revitalising IBs. DEVB gives policy support to the current application for the minor relaxation of PR by 20% with the initiative to incentivise redevelopment of old IBs to optimise utilisation of the existing industrial stock and make better use of the valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses.

- 11.3 The proposed minor relaxation of PR from 9.5 to 11.4 (i.e. +20%) generally follows the policy on revitalisation of pre-1987 IBs, and consideration of such application is subject to technical assessments confirming the feasibility of the proposed development. To support the application, the Traffic Impact Assessment submitted (**Appendices Ib and Ic**) demonstrates that the proposed development will not cause adverse traffic impact to the surrounding areas. In this regard, C for T has no in-principle objection to the application subject to the imposition of an approval condition as set out in paragraph 12.2(a) below. DEP and CE/MS, DSD's concerns on submission on Sewerage Impact Assessments and implementation of local sewerage upgrading/sewerage connection works can be addressed by the imposition of suitable approval conditions in paragraphs 12.2(c) and (d) below respectively. Other relevant Government departments including D of FS have no adverse comments on the application, subject to incorporation of appropriate approval condition on fire safety aspect in paragraph 12.2(b) below.
- 11.4 While the Applicant does not intend to claim GFA concessions through complying with the Sustainable Building Design Guidelines (SBDG) under PNAP APP-152, it has made reference to some of the elements suggested under the SBDG to improve streetscape and the pedestrian walking environment. In this regard,, the applicant has proposed to provide a setback at the G/F portion along the façade facing Ma Kok Street, which forms a 7.5m setback from the centreline of the street, to improve the walking environment. Besides, the proposed redevelopment has incorporated greenery provisions on G/F and 1/F flat roof (i.e. all less than 15m high above street level) with an area about 20% of total site area, and vertical greening of not less than 40m² at G/F facing Ma Kok Street on top of the 20% greenery to further enhance the streetscape and pedestrian walking environment. With incorporation of the proposed setback fronting Ma Kok Street and the greening features, CTP/UD&L, PlanD considers that the proposed redevelopment may bring some improvements to the pedestrian environment.
- 11.5 Regarding the public comments on traffic concerns, the planning assessments above and C for T's comments in paragraph 9.1.5 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 on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 16.8.2023, 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 design and provision of parking facilities, loading/unloading spaces, vehicular access and internal driveway for the proposed redevelopment to the

satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (b) provision of fire services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) submission of revised Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment for the proposed development in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning 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:

- (a) the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio restriction; and
- (b) the approval of the application would set an undesirable precedent for similar applications for minor relaxation of plot ratio restriction in the area, the cumulative effects of approving similar applications would have adverse impact on the area.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or to 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

Appendix I

Appendix Ia

Appendix Ib

Application form received on 27.2.2019

Supporting Planning Statement received on 27.2.2019

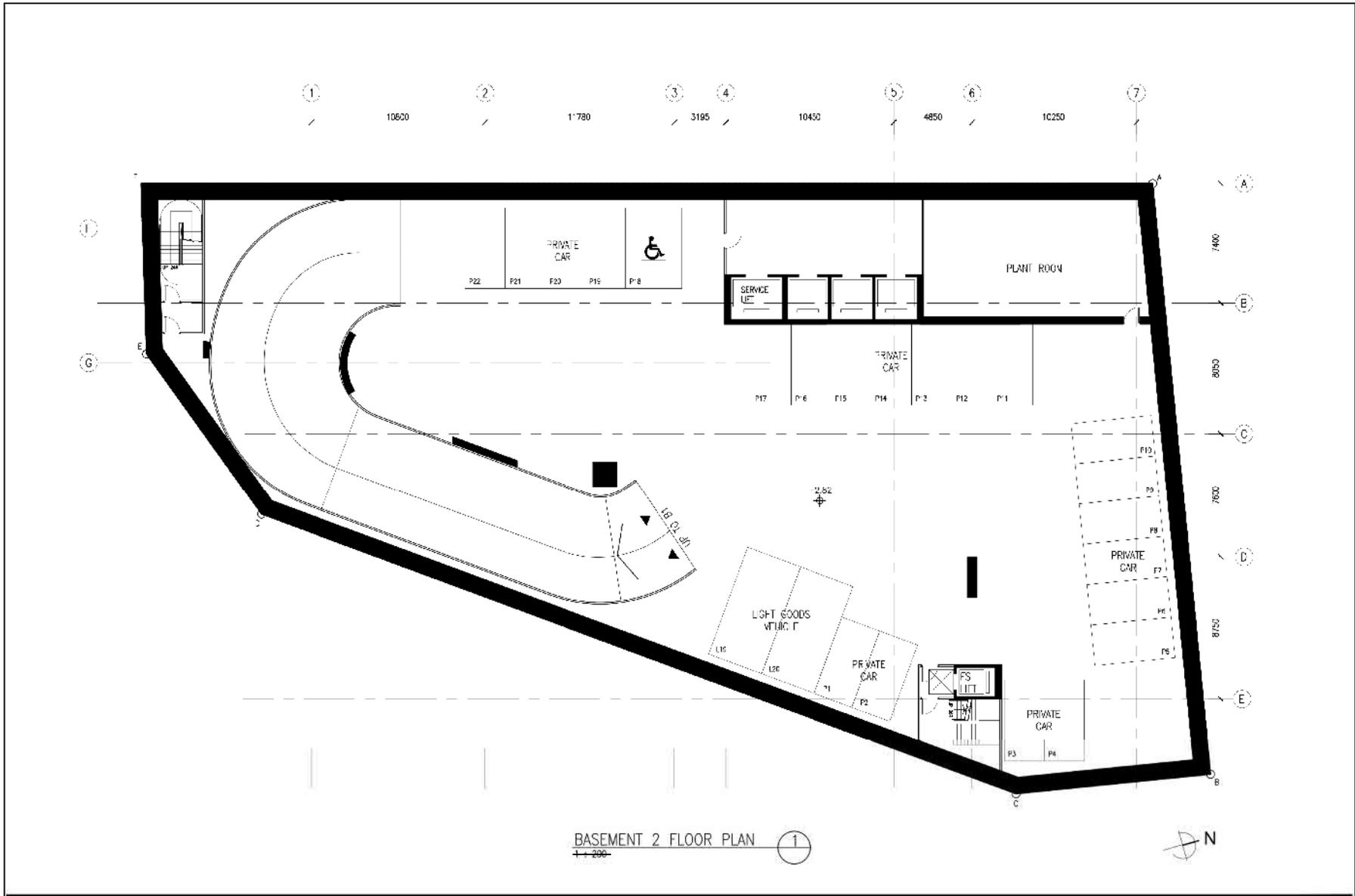
F11 vide letter received on 6.5.2019

Appendix Ic	FI2 vide letter received on 19.6.2019 and 20.6.2019
Appendix Id	FI3 vide letter received on 28.6.2019
Appendix Ie	FI4 vide letter received on 29.7.2019
Appendix If	FI5 vide letter received on 9.8.2019
Appendix Ig	FI6 vide letter received on 13.8.2019
Appendix II	Public comments received during the statutory publication periods
Appendix III	Recommended advisory clauses
Drawings A-1 to A-6	Proposed floor plans, diagrammatic section and greenery diagram
Plans A-1 and A-2	Location plan and Site Plan
Plans A-3 and A-4	Site photos

**PLANNING DEPARTMENT
AUGUST 2019**

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD):
- (i) If the proposed industrial development comprises of “modern industrial uses” other than conventional “industrial/godown uses”, such uses would contravene the lease restriction. If planning approval is given, the applicant will need to apply to the LandsD for a lease modification for the above proposal in such situation. The proposal will only be considered upon their receipt of a formal application from the owner of the Lot. There is no guarantee that the application, if received by the LandsD, will be approved and he reserves his comment on such. The application will be considered by the LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of premium and administrative fee.
 - (ii) Attention of the applicant is drawn to Lands Administration Office, Practice Note No. 2/2019 available on LandsD’s website.
- (b) to note the comments of the Chief Building Surveyor/NTW, Buildings Department (BD):
- (i) Presumably the site abuts on a specified street, Ma Kok Street and Tsuen Yip Street of not less than 4.5m wide, and as such, the development intensity shall not exceed the permissible as stipulated under the First Schedule of the Building (Planning) Regulations.
 - (ii) The applicant is advised to appoint an Authorized Person/Registered Structural Engineer/Registered Geotechnical Engineer and submit the required plans to the Building Authority for approval in accordance with the Buildings Ordinance.
 - (iii) Regarding the proposed changes, fundamental issues of building plans listed in Appendix A of Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADM-19 may be re-assessed completely.
 - (iv) The sustainable building design requirements and pre-requisites under PNAP APP-151 & 152 would be applicable to the proposed conversion if gross floor area concessions are claimed for any green/amenity features and/or non-mandatory/non-essential plant rooms.
 - (v) In order deter the misuse of Industrial Buildings (IBs) for residential uses at building design stage, building design measures under PNAP APP-159 would be applicable in processing new proposals for IBs.
- (c) to note the comments of the Director of Fire Services that the arrangement of Emergency Vehicular Access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.

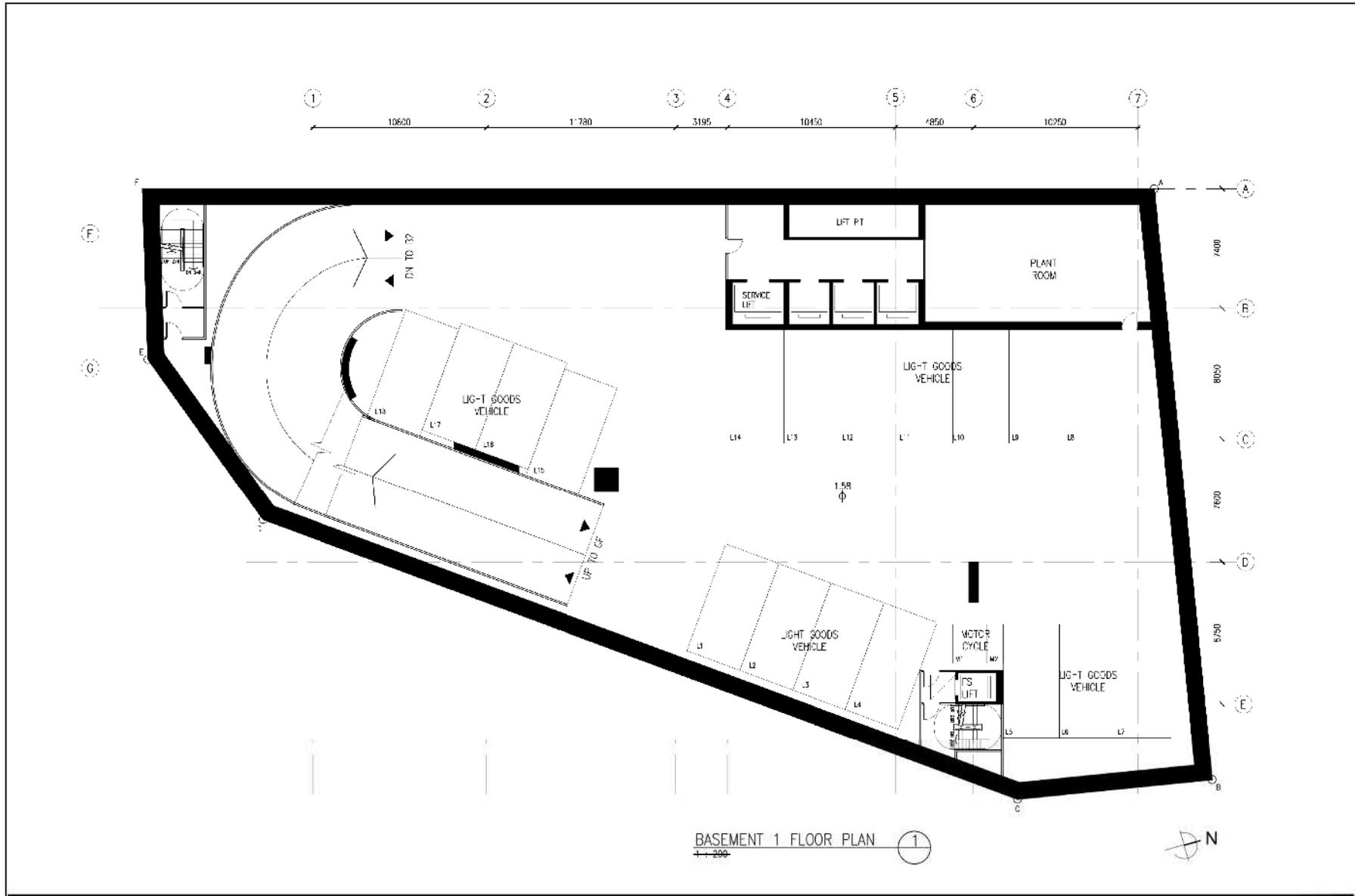


Proposed Redevelopment of an Existing Industrial Building with Minor Relaxation of Plot Ratio Restriction at Nos. 14 - 18 Ma Kok Street
 Basement 2 Floor Plan (Rev.1)



參考編號 REFERENCE No. A/TW/505	繪圖 DRAWING A-1
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(來源：附錄 Ie)
 (Source : Appendix Ie)

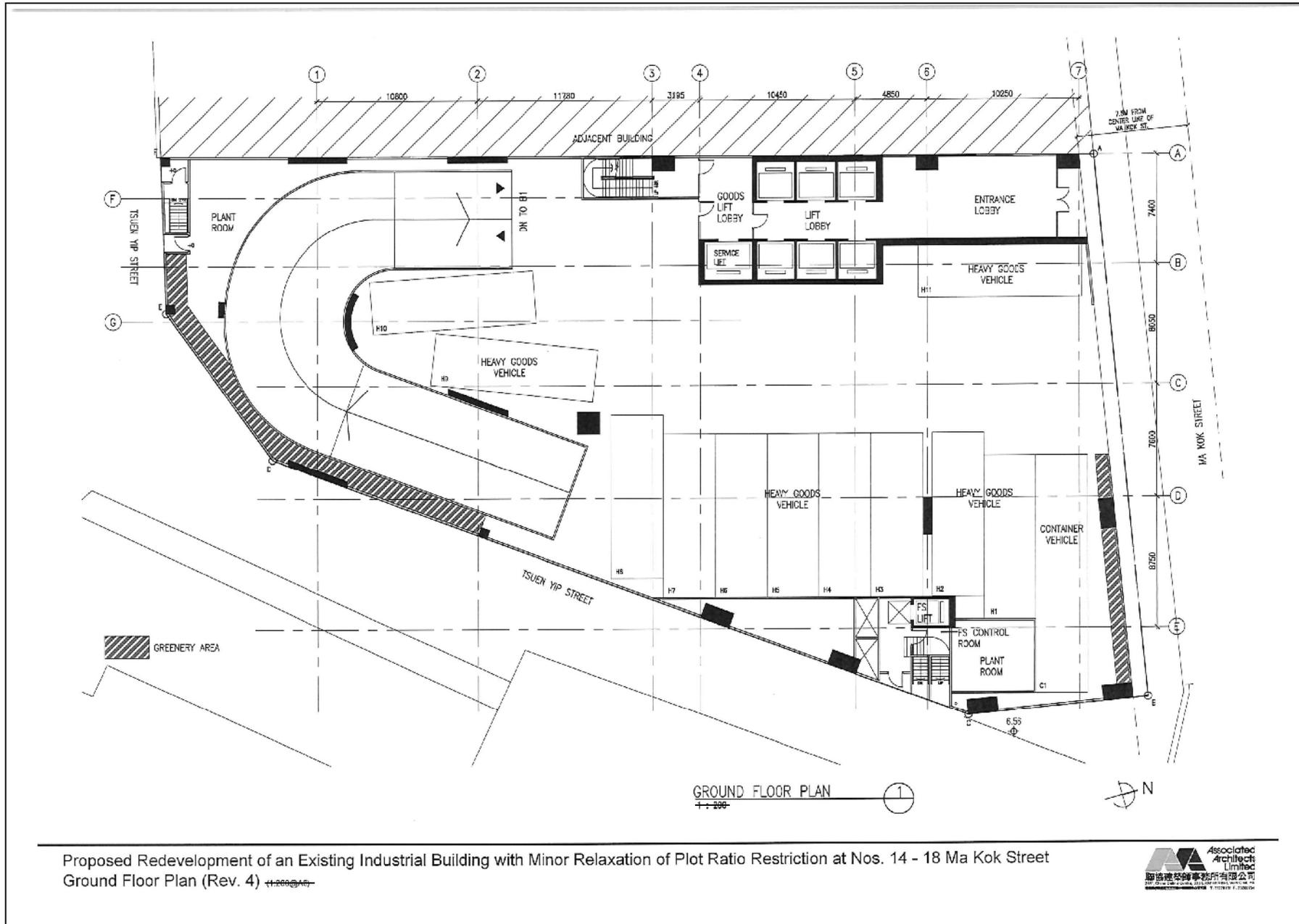


Proposed Redevelopment of an Existing Industrial Building with Minor Relaxation of Plot Ratio Restriction at Nos. 14 - 18 Ma Kok Street
 Basement 1 Floor Plan (Rev.1) (1/2000@A2)



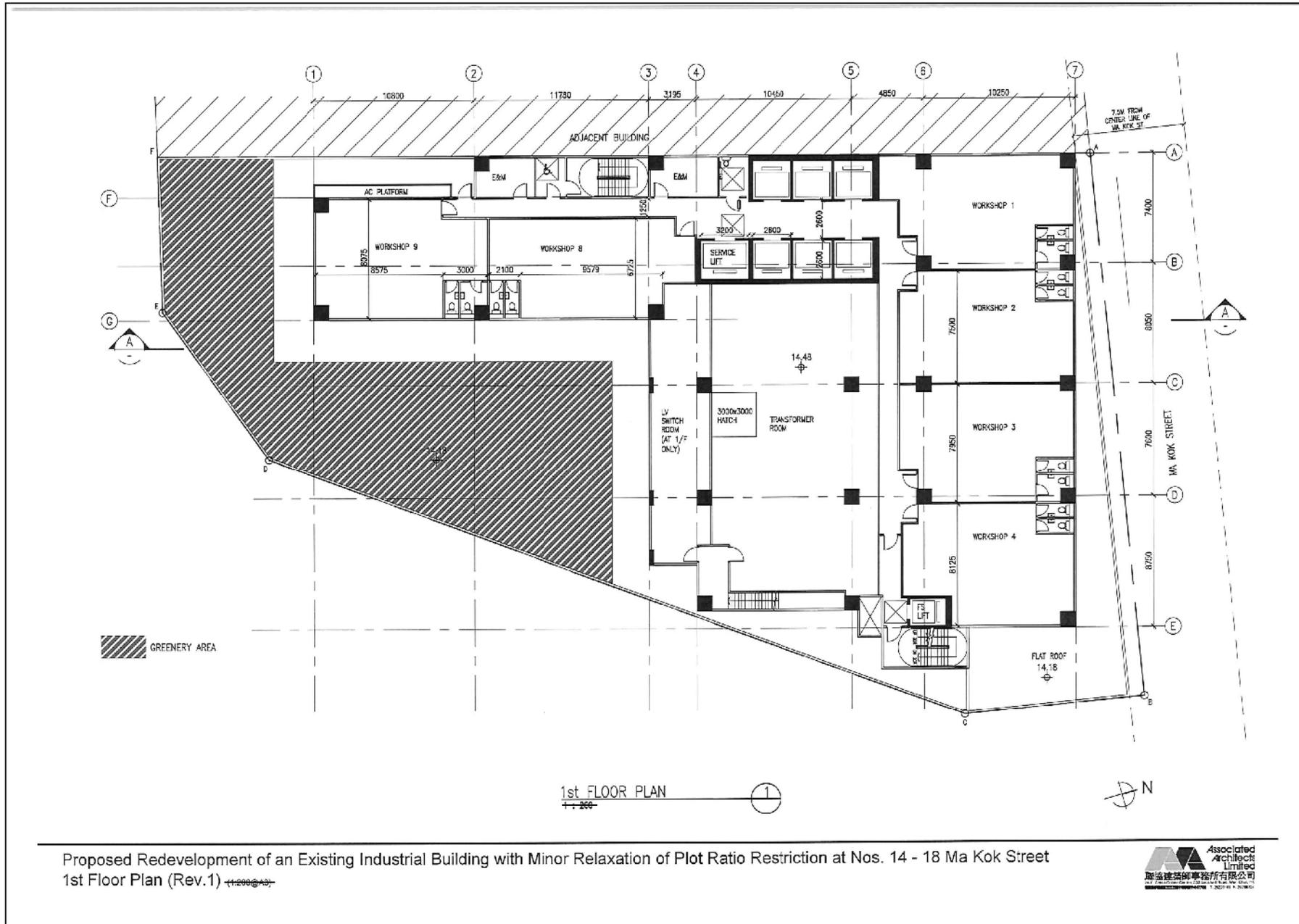
參考編號 REFERENCE No. A/TW/505	繪圖 DRAWING A-2
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(來源：附錄 Ie)
 (Source : Appendix Ie)



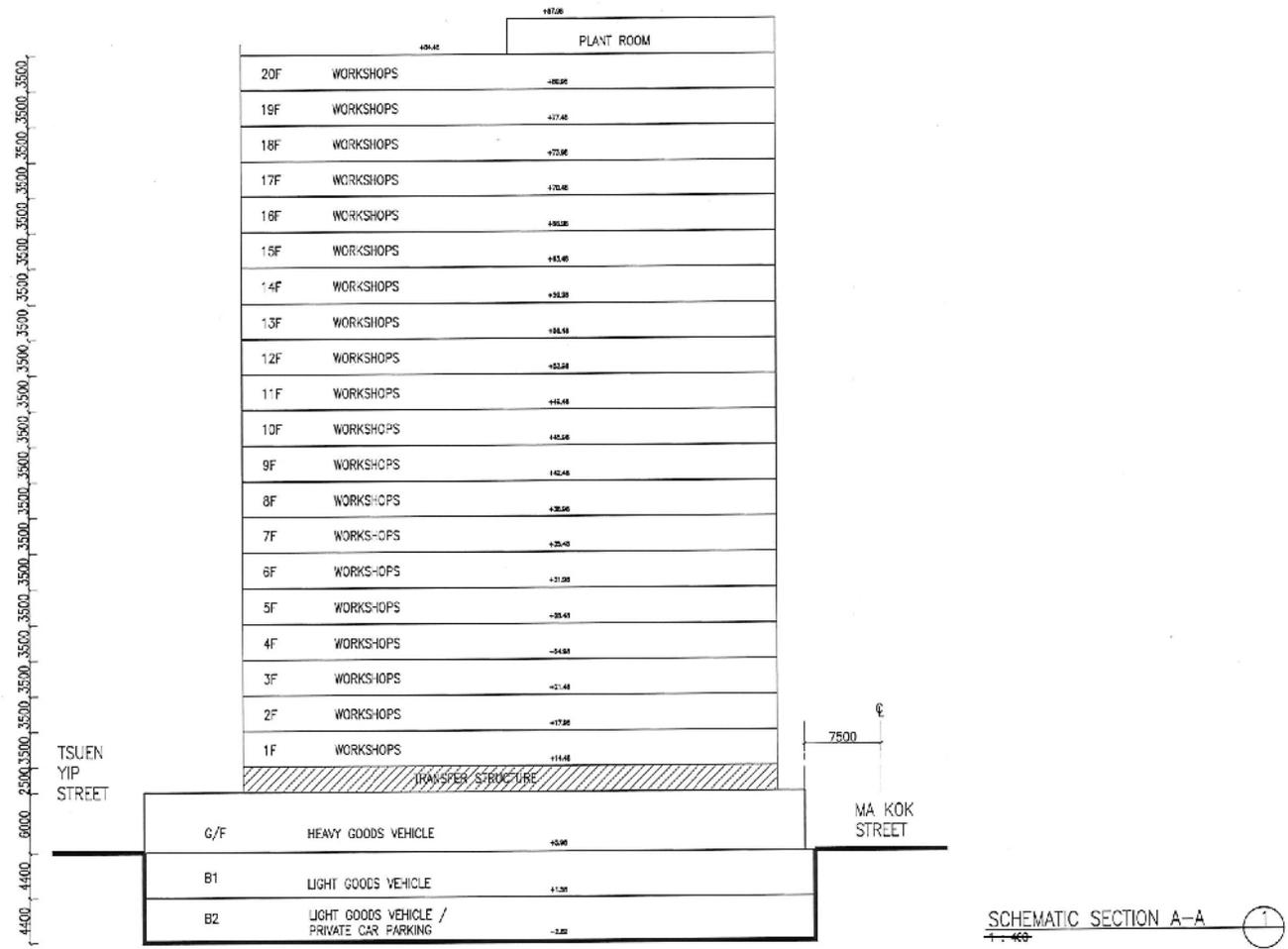
參考編號 REFERENCE No. A/TW/505	繪圖 DRAWING A-3
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(來源：附錄 If)
(Source : Appendix If)



參考編號 REFERENCE No. A/TW/505	繪圖 DRAWING A-4
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(來源：附錄 If)
 (Source : Appendix If)

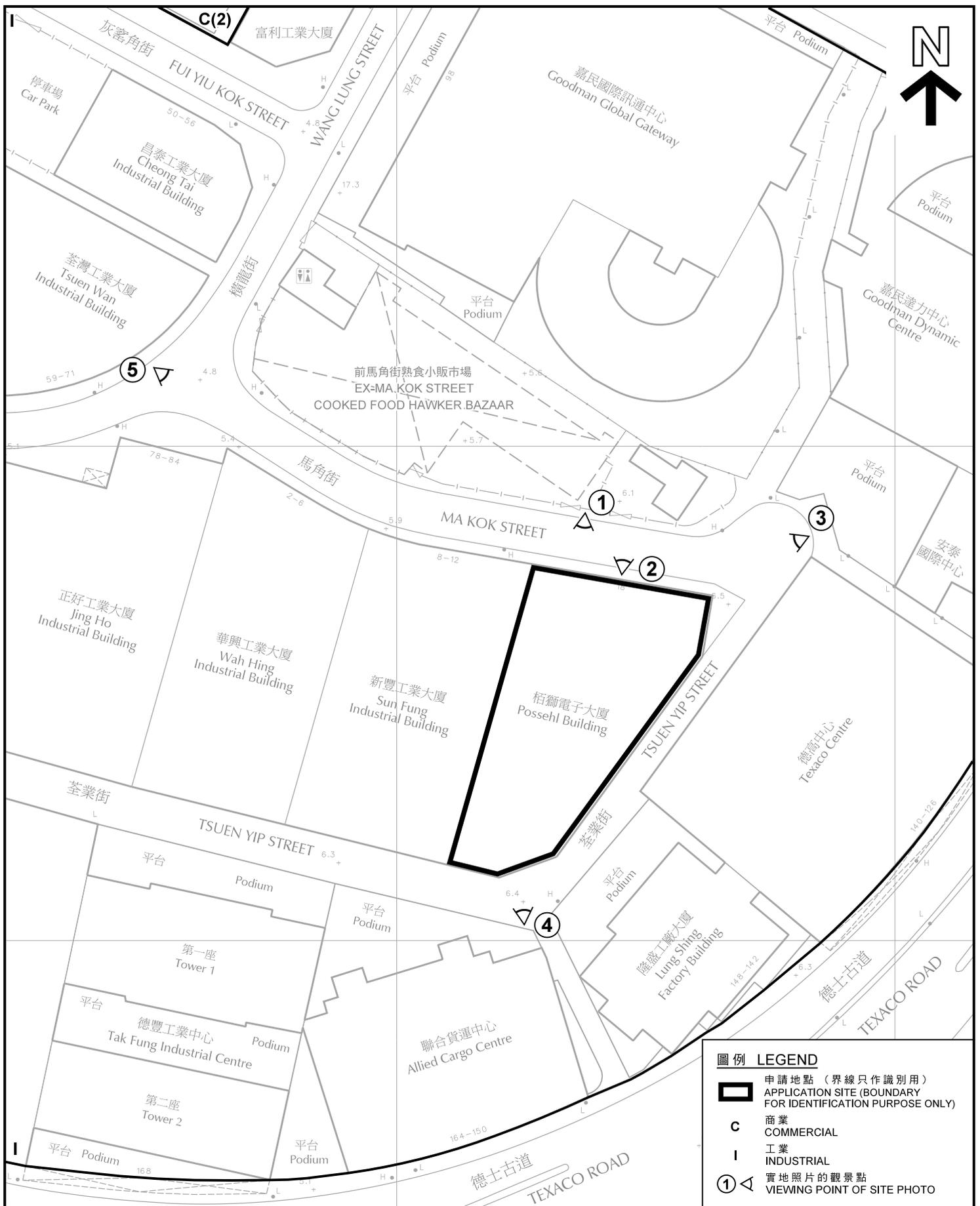


Proposed Redevelopment of an Existing Industrial Building with Minor Relaxation of Plot Ratio Restriction at Nos. 14 - 18 Ma Kok Street
 Schematic Section (Rev.2)



參考編號 REFERENCE No. A/TW/505	繪圖 DRAWING A-6
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(來源：附錄 If)
 (Source : Appendix If)

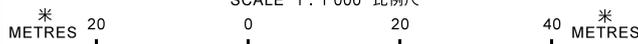


本摘要圖於2019年6月17日擬備，
 所根據的資料為測量圖編號 7-SW-21A
 EXTRACT PLAN PREPARED ON 17.6.2019
 BASED ON SURVEY SHEET No.
 7-SW-21A

平面圖 SITE PLAN

擬議略為放寬地積比率
 以作准許的工業樓宇重建
 荃灣馬角街14-18號
 荃灣市地段第128號

PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR
 PERMITTED INDUSTRIAL BUILDING REDEVELOPMENT
 TSUEN WAN TOWN LOT 128
 14-18 MA KOK STREET, TSUEN WAN
 SCALE 1 : 1 000 比例尺



圖例 LEGEND

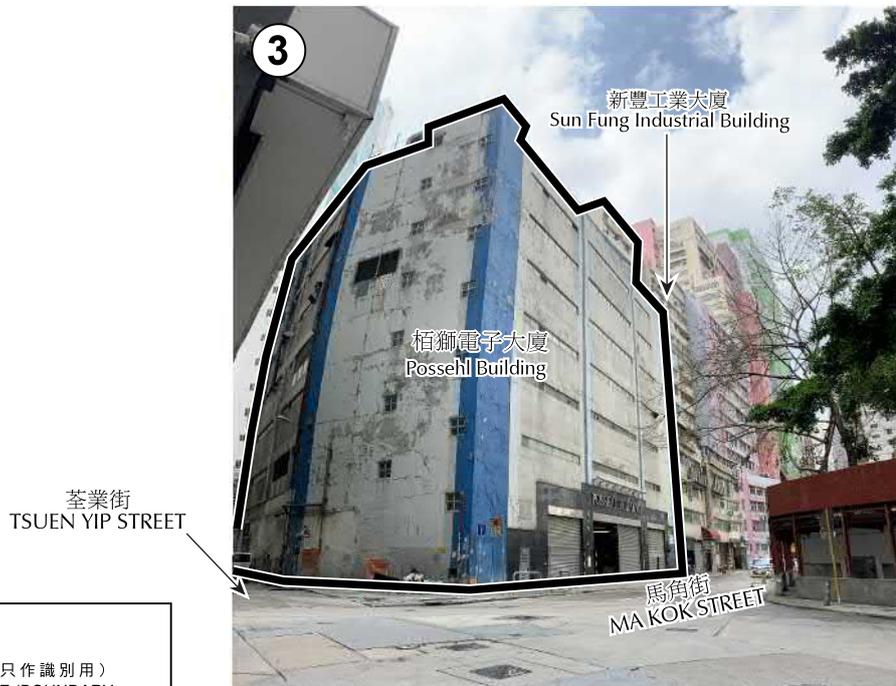
- 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
- C** 商業
COMMERCIAL
- I** 工業
INDUSTRIAL
- 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

規劃署
PLANNING DEPARTMENT



參考編號
 REFERENCE No.
A/TW/505

PLAN
A-2



圖例 LEGEND

 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

本圖於2019年6月18日擬備，所根據的資料為攝於2019年3月5日的實地照片
PLAN PREPARED ON 18.6.2019
BASED ON SITE PHOTOS TAKEN ON 5.3.2019

實地照片 SITE PHOTOS

擬議略為放寬地積比率
以作准許的工業樓宇重建
荃灣馬角街14-18號
荃灣市地段第128號
PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR PERMITTED INDUSTRIAL BUILDING REDEVELOPMENT
TSUEN WAN TOWN LOT 128
14-18 MA KOK STREET, TSUEN WAN

規劃署
PLANNING DEPARTMENT

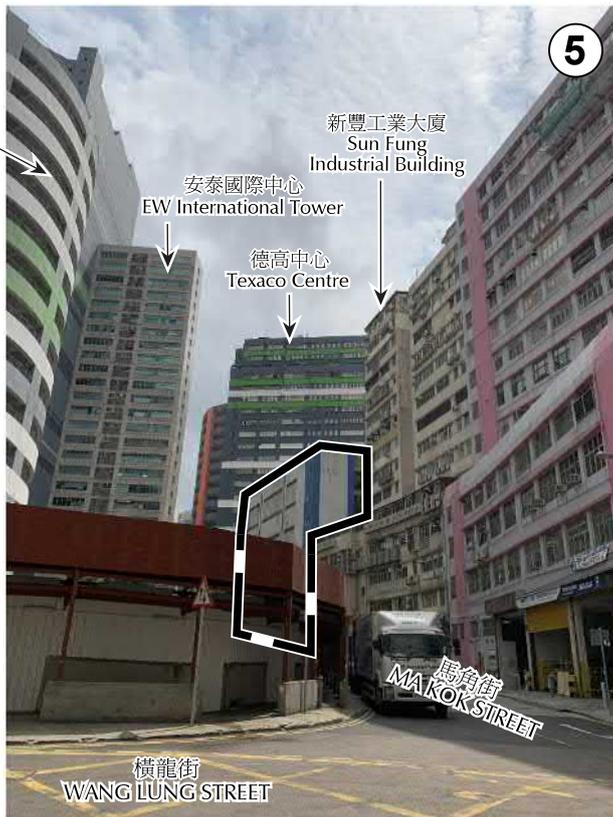


參考編號
REFERENCE No.
A/TW/505

圖 PLAN
A-3



嘉民國際訊通中心
Goodman Global Gateway



圖例 LEGEND

 申請地點 (界線只作識別用)
APPLICATION SITE (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

實地照片 SITE PHOTOS

擬議略為放寬地積比率
以作准許的工業樓宇重建
荃灣馬角街14-18號
荃灣市地段第128號

PROPOSED MINOR RELAXATION OF PLOT RATIO RESTRICTION FOR PERMITTED INDUSTRIAL BUILDING REDEVELOPMENT
TSUEN WAN TOWN LOT 128
14-18 MA KOK STREET, TSUEN WAN

規劃署
PLANNING
DEPARTMENT



本圖於2019年6月17日擬備，所根據的資料為攝於2019年3月5日的實地照片
PLAN PREPARED ON 17.6.2019
BASED ON SITE PHOTOS TAKEN ON 5.3.2019

參考編號
REFERENCE No.
A/TW/505

圖 PLAN
A-4

TOWN PLANNING BOARD

**Minutes of 633rd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 16.8.2019**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Michael H.S. Law

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

Assistant Director (R1), Lands Department
Ms Daisy W.C. Wong

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairman

Mr Thomas O.S. Ho

Miss Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/Town Planning Board
Mr Stephen K.S. Lee

Town Planner/Town Planning Board
Mr Ryan C.K. Ho

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/505 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Building Redevelopment in “Industrial” Zone, 14-18 Ma Kok Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/505A)

36. The Secretary reported that the application site was located in Tsuen Wan. Kenneth To & Associates Ltd. (KTA) and Associated Architects Ltd. (AAL) were two of the consultants of the applicant. The following Members had declared interests on the item :

Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which was currently having business dealings with KTA;

Mr Stanley T.S. Choi - his spouse being a director of a company owning properties in Tsuen Wan;

Prof. John C.Y. Ng - his spouse owning a flat at Discovery Park in Tsuen Wan; and

Mr Alex T.H. Lai - his firm having current business dealings with AAL.

37. The Committee noted that Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. Since the property owned by Prof. John C.Y. Ng’s spouse did not have a direct view on the site and Messrs Daniel K.S. Lau and Alex T.H. Lai had no direct involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

38. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted industrial redevelopment;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Development Bureau (DEVB) had given policy support to the application for relaxation of PR restriction. Other concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from the Incorporated Owners of an adjoining industrial building objecting to the application. The major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed redevelopment was generally in line with the planning intention of the “Industrial” (“I”) zone and the proposed building height (BH) of about 85mPD complied with the BH restriction of 100mPD under the outline zoning plan. DEVB gave policy support to the application for the proposed minor relaxation of PR by 20%. The application had incorporated a 7.5m setback from the centreline of the street to improve the walking environment. The Chief Town Planning/Urban Design and Landscape (CTP/UD&L), PlanD considered that the proposed development might bring some improvements to the pedestrian environment. In support of the application, a Traffic Impact Assessment was submitted to demonstrate the proposed development would not cause adverse traffic

impact on the surrounding areas. Concerned departments had no objection to or adverse comment on the application. Relevant approval conditions on transport facilities, fire services installations, sewerage impact assessment and upgrading works could be imposed. Regarding the public comment on traffic concerns, the Commissioner for Transport had no adverse comment on the application.

39. In responses to a Member's enquiry on the year of completion of the industrial building (IB) under application, Mr Ng Kar Shu, STP/TWK, said that the existing 8-storey IB was developed in 1977 and 1980 in two phases.

40. Some Members raised the following questions:

- (a) whether the proposed setback from the Ma Kok Street was required under the outline zoning plan (OZP);
- (b) should the application be approved, whether the applicant had to apply for lease modification and pay land premium for the proposed industrial development, and any further planning permission would be required if the redeveloped IB was for 'modern industrial use';
- (c) whether the strong public objection to the application on traffic ground was well founded, given that the applicant had submitted TIA in support of the application and the Commissioner for Transport had no objection to the application; and
- (d) whether a footpath was provided along Tsuen Yip Street.

41. In response, Mr Ng Kar Shu, STP/TWK, made the following points:

- (a) the proposed setback was not required under the OZP but proposed by the applicant, with reference to the Sustainable Building Design Guidelines (SBD Guidelines), for better pedestrian environment;

- (b) according to the Lands Department (LandsD), if the proposed industrial development comprised ‘modern industrial uses’ other than conventional ‘industrial/godown uses’, such uses would contravene the lease restriction and the applicant had to apply for lease modification. As ‘modern industrial uses’ were always permitted in the “I” zone, further planning permission was not required;
- (c) the commenter objected to the application mainly on the ground that approval of the application with an increase in PR would generate more traffic and aggravate the traffic congestion problem in the area. In fact, the existing traffic congestion problem was mainly due to on-street parking and loading/unloading activities. As sufficient parking and loading/unloading facilities meeting the high-end requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) would be provided within the proposed development, the traffic concern would have been addressed; and
- (d) there was currently no footpath along Tsuen Yip Street. According to the applicant’s submission, no pavement was proposed at Tsuen Yip Street.

Deliberation Session

42. Regarding a Member’s question related to the pedestrian environment along Tsuen Yip Street, Members noted that the Transport Department had no plan to provide pedestrian footpath at Tsuen Yip Street but the applicant would provide landscape planting along a section of Tsuen Yip Street for amenity.

43. In response to a Member’s question on whether approval of the application would have premium implication, Ms Daisy W.C. Wong, Assistant Director (Regional 1) of LandsD, said that there was no PR, gross floor area (GFA) or BH restrictions under the lease of the application site. Lease modification and land premium payment were not required if the proposed redevelopment involved only conventional industrial uses.

44. Members generally supported the proposed minor relaxation of PR to incentivize

redevelopment of pre-1987 IB but had concerns on the planning merits and building design of the proposed redevelopment pertaining to the pedestrian accessibility and connectivity of Tsuen Yip Street. Approval of the application might pre-empt future improvement works to enhance pedestrian flow in Tsuen Yip Street, noting particularly that the application site was a corner site. Members generally agreed that more information on provision of a pedestrian friendly environment along Tsuen Yip Street was required.

45. After deliberation, the Committee decided to defer a decision on the application, pending submission of further information from the applicant and relevant government departments on the pedestrian accessibility and connectivity of Tsuen Yip Street.

[The Chairman thanked Mr Ng Kar Shu, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting]

A/TWW/117 Proposed House Development at Plot Ratio of 0.75 in "Residential (Group C)" Zone, Lot 407 in D.D. 399 and Adjoining Government Land, Ting Kau, Tsuen Wan West, New Territories
(MPC Paper No. A/TWW/117C)

46. The Secretary reported that Ove Arup and Partner Hong Kong Limited (ARUP) and Vibro (H.K.) Ltd. (Vibro) were two of the consultants of the applicant. The following Members had declared interests on the item :

Mr Alex T.H. Lai - his firm having current business dealings with ARUP and Vibro;

Mr Thomas O.S. Ho - having current business dealings with ARUP;
and

傳 真 Fax: 2877 0245 / 2522 8426

By Post & Fax (3426 9737)

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/TW/505

6 September 2019

Kenneth To & Associates Ltd.
Unit K, 16/F, MG Tower
133 Hoi Bun Road
Kwun Tong, Kowloon
(Attn.: Camille Lam / Henry Au)

Dear Sir/Madam,

Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Building Redevelopment in "Industrial" Zone, 14-18 Ma Kok Street, Tsuen Wan, New Territories

I refer to my letter to you dated 15.8.2019.

After giving consideration to the application, the Town Planning Board (TPB) decided at its meeting on 16.8.2019 to defer a decision on the application, pending submission of further information from you and relevant government departments on the pedestrian accessibility and connectivity of Tsuen Yip Street.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 16.8.2019 are enclosed herewith for your reference.

If you wish to seek further clarifications/information on matters relating to the above decision, please contact Mr. Ng Kar Shu of Tsuen Wan and West Kowloon District Planning Office at 2417 6260.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

b.c.c.

CBS/NTW, BD

CE/C, WSD

CE/MS, DSD

CHE/NTW, HyD

AC for T/NT, TD

C of P (SSP ADM NTS)

DG of TI

DLO/TW & KT, LandsD

D of FS

DO/TW, HAD

PM(W), CEDD

DEP

CA/CMD2, ArchSD

ICDP/UD&L

DPO/TWK

SSO/TPB

RSO/TA

SSO/NTHQ

21B/K1 21B/22B1 15/TW1

21B/K1 21B/22B 21B/LA

21B/K1 21B/22B 21B/LA

Similar Applications

OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Setbacks	Greenery ^[6] (% of the Site)	Grounds
S/K14S/22 “OU(B)” A/K14/763	350 Kwun Tong Road, Kwun Tong (1,782m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with Conditions on 22.3.2019	4m (Office) (including communal sky garden cum refuge floor)	<u>Required</u> ^[2] Hang Yip Street: 3m, Lai Yip Street: 3m <u>Proposed</u> Hang Yip Street: 3m Lai Yip Street: 3.1m	357m ² (20%)	(a), (b)
S/K14S/22 “OU(B)” A/K14/764 (same site as No. A/K14/771)	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 130.2mPD (+30.2%)	<u>Rejected</u> on 22.3.2019	3.5m (Office) (including communal sky garden cum refuge floor)	<u>Required</u> ^[2] Hung To Road: 2.9m Back Alley: 1.5m + 1.5m NBA ^[3] <u>Proposed</u> Hung To Road: 2.9m	127m ² (14%)	(a), (c), (d), (e)

						Back Alley: 1.5m+1.548m NBA		
S/K11/29 “OU(B)” A/K11/233	1 Tsat Po Street, San Po Kong (1,346.1m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	Approved with Conditions on 12.4.2019	3.325m (Workshop)	<u>Required</u> ^[4] Tsat Po Street: 1.5m, Sam Chuk Street: 1.5m <u>Proposed</u> Tsat Po Street: 1.5m, Sam Chuk Street: 1.5m		(a)
S/K9/26 “OU(B)” A/K9/274	13 Hok Yuen Street, Hung Hom (3,698.8m ²)	C/O	<u>PR</u> 12 to 12.782 (+6.52%) <u>BH</u> Nil	Approved with Conditions on 17.5.2019	N/A (including refuge floor)	<u>Required</u> ^[5] Nil <u>Proposed</u> Corner setback at Hok Yuen Street and 4.5m setbacks from adjacent buildings at east and west	740m ² (20%)	(a)
S/K14S/22 “OU(B)” A/K14/766	41 King Yip Street, Kwun Tong	C/O	<u>PR</u> 12 to 14.4 (+20%)	Approved with Condition on 16.8.2019	4.025m (Office)	<u>Required</u> ^[21] King Yip Street: 1.2m,	530m ² (26%)	(a), (f)

	(2,042m ²)		<u>BH</u> 100mPD to 126mPD (+26%)		(including communal sky garden cum refuge floor)	Back Alley: 1.5m + 1.5m NBA ^[3] <u>Proposed</u> King Yip Street: 1.2m + 1.2m further setback and Corner setback Back Alley: 1.5m + 1.5m NBA with no aboveground structure		
S/K14S/22 “OU(B)” A/K14/771 (same site as No. A/K14/764)	32 Hung To Road, Kwun Tong (911.2m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.7mPD (+19.7%)	Approved with Condition on 16.8.2019	3.5m (Office) (including communal sky garden cum refuge floor)	<u>Required</u> ^[2] Hung To Road: 2.9m Back Alley: 1.5m + 1.5m NBA ^[3] <u>Proposed</u> Hung To Road: 2.9m Back Alley: 1.5m+1.548m NBA	197.45m ² (21.66%)	(a), (g)

S/K14S/22 “OU(B)” A/K14/773	82 Hung To Road, Kwun Tong (929.03m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.85mPD (+19.85%)	<u>Deferred</u> by the Committee on 18.10.2019	4.1m (Workshop) (including communal sky garden cum refuge floor)	<u>Required</u> Nil <u>Proposed</u> Nil	202.75m ² (21.82%)	(a), (i)
S/KC/29 “OU(B)” A/KC/460	57 – 61 Ta Chuen Ping Street, Kwai Chung (2,261m ²)	I-O	<u>PR</u> 9.5 to 11.648 (+20%) <u>BH</u> Nil	<u>Approved</u> with Conditions on 5.7.2019	N/A (including refuge floor)	<u>Required</u> ^[4] Ta Chuen Ping Street: min 3.5m <u>Proposed</u> Ta Chuen Ping Street : 3.5m – 4.9m	452m ² (20%)	(a)
S/TW/33 “Industrial” A/TW/505 [Current application]	14-18 Ma Kok Street, Tsuen Wan (1,858.1m ²)	I	<u>PR</u> 9.5 to 11.4 (+20%) <u>BH</u> Nil	<u>Deferred</u> by the Committee on 16.8.2019	3.5m (Workshop)	<u>Required</u> Nil <u>Proposed</u> Ma Kok Street: about 1m	371.62m ² (20%)	(a), (h)

Notes

- [1] Proposed permitted uses include Industrial (I), Commercial/ Office (C/O), and Industrial-Office (I-O)
- [2] Full-height setbacks as required under relevant Outline Development Plan (ODP).
- [3] For back alleys, in addition to a 1.5m full-height setback, a 1.5m non-building area (NBA) from ground level with clear headroom of 5.1 are required, which basement structures as well as cantilevered structures projecting above the minimum 5.1m headroom are allowed.
- [4] As required under relevant Outline Zoning Plan (OZP).
- [5] As required under relevant lease condition.

- [6] This list only provides information on the total % of site coverage of greenery and does not distinguish if the greenery is at primary zone set out under Practice Notes for Authorized Persons (PNAP) APP-152 “Sustainable Building Design Guideline”.

Grounds

- (a) Proposed minor relaxation of PR is in line with the Policy.
- (b) Proposed increase in BH is not unacceptable.
- (c) Failed to demonstrate that there were sufficient planning and design merits.
- (d) The approval of the application would set an undesirable precedent.
- (e) Cumulative effects of approving similar applications would have adverse visual impact on the area.
- (f) There were improvements in terms of building design and greenery features.
- (g) Noted the site constrain while applicant had made effort in the building design to improve the local environment.
- (h) More information on provision of a pedestrian friendly environment along Tsuen Yip Street was required.
- (i) The applicant is requested to provide further information on the planning and design merits of the proposal.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD):
- (i) If the proposed industrial development comprises of “modern industrial uses” other than conventional “industrial/godown uses”, such uses would contravene the lease restriction. If planning approval is given, the applicant will need to apply to the LandsD for a lease modification for the above proposal in such situation. The proposal will only be considered upon their receipt of a formal application from the owner of the Lot. There is no guarantee that the application, if received by the LandsD, will be approved and he reserves his comment on such. The application will be considered by the LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of premium and administrative fee.
 - (ii) Attention of the applicant is drawn to Lands Administration Office, Practice Note No. 2/2019 available on LandsD’s website.
 - (iii) As the applicant “intends to redevelop the existing building into a new IB for “industrial use” that does not contravene the lease restriction” (FI dated 6.5.2019), the applicant is reminded again that “industrial use” including “non-polluting industrial use” in planning terms would constitute uses in breach of the lease conditions. With the above quoted confirmation from the applicant on NOT contravening the lease restrictions, her Office takes it that the lot owner(s) should strictly observe the user restriction on “industrial and/or godown purposes” whereby “industrial use” should involve manufacturing process whereas “godown purposes” should involve transient deposit and storage for delivery purpose.
- (b) to note the comments of the Chief Estate Surveyor/Development Control, LandsD:
- As the applicant “intends to redevelop the existing building into a new IB for “industrial use” that does not contravene the lease restriction” (FI dated 6.5.2019), the applicant is reminded again that “industrial use” including “non-polluting industrial use” in planning terms would constitute uses in breach of the lease conditions. With the above quoted confirmation from the applicant on NOT contravening the lease restrictions, her Office takes it that the lot owner(s) should strictly observe the user restriction on “industrial and/or godown purposes” whereby “industrial use” should involve manufacturing process whereas “godown purposes” should involve transient deposit and storage for delivery purpose.
- (c) to note the comments of the Chief Building Surveyor/NTW, Buildings Department (BD):
- (i) Presumably the site abuts on a specified street, Ma Kok Street and Tsuen Yip Street of not less than 4.5m wide, and as such, the development intensity shall not exceed the permissible as stipulated under the First Schedule of the Building (Planning) Regulations.
 - (ii) The applicant is advised to appoint an Authorized Person/Registered Structural Engineer/Registered Geotechnical Engineer and submit the required plans to the Building Authority for approval in accordance with the Buildings Ordinance.

- (iii) Regarding the proposed changes, fundamental issues of building plans listed in Appendix A of Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADM-19 may be re-assessed completely.
 - (iv) The sustainable building design requirements and pre-requisites under PNAP APP-151 & 152 would be applicable to the proposed conversion if gross floor area concessions are claimed for any green/amenity features and/or non-mandatory/non-essential plant rooms.
 - (v) In order to deter the misuse of Industrial Buildings (IBs) for residential uses at building design stage, building design measures under PNAP APP-159 would be applicable in processing new proposals for IBs.
- (d) to note the comments of the Director of Fire Services that the arrangement of Emergency Vehicular Access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.
- (e) to note the comments of Chief Town Planner/Urban Design and Landscape, Planning Department that the applicant is reminded to provide sufficient soil provision and drainage layer etc. for sustainable plant growth.