

**Similar s.16 Applications for Hotel within the “OU(B)” Zone  
in Cheung Sha Wan Area**

**Approved Applications by the Town Planning Board (TPB) / the Metro Planning  
Committee (MPC) or under Delegated Authority of the TPB**

<b><u>Application No.</u></b>	<b><u>Proposed Development</u></b>	<b><u>Date of Consideration (TPB/MPC)</u></b>	<b><u>Main Reason(s) for Approval/ Approval Conditions<sup>#</sup></u></b>
A/K5/517	Proposed Hotel ( <i>Redevelopment</i> )	7.2.2003 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A2, A3; and</li> <li>➤ Government departments consulted, except Commissioner for Transport (C for T), have no adverse comment/no objection to the application. Detailed parking and loading/unloading (U/UL) arrangements could be dealt with in the building plan submission stage.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ C1, C6;</li> <li>➤ Submission and implementation of a revised traffic impact assessment to the satisfaction of the C for T or of the Town Planning Board (TPB); and</li> <li>➤ Provision of a 3.5m setback from Cheung Shun Street to the satisfaction of the C for T or of the TPB.</li> </ul>
A/K5/526	Proposed Hotel ( <i>Redevelopment</i> )	7.11.2003 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A3, A4.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ C3, C5, C6;</li> <li>➤ Provision of a 2m and 3.5m wide setback from Wing Hong Street and King Lam Street respectively to the satisfaction of the C for T or of the TPB; and</li> <li>➤ Signalisation of the junction of Wing Hong Street/Yee Kuk West Street to tie in with the completion of the proposed hotel to the satisfaction of the C for T or of the TPB.</li> </ul>

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A/K5/527*	Proposed Hotel ( <i>Redevelopment</i> )	10.10.2003 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A2, A3, A4.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ Provision of a 3.5m wide setback from Castle Peak Road to the satisfaction of the C for T or of the TPB; and</li> <li>➤ C6.</li> </ul>
A/K5/530	Proposed Hotel ( <i>Redevelopment</i> )	29.8.2003 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A2, A3, A4.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ Provision of a 2m and 3.5m setback from Wing Hong Street and King Lam Street respectively to the satisfaction of the C for T or of the TPB; and</li> <li>➤ C6.</li> </ul>
A/K5/540	Proposed Hotel ( <i>Redevelopment</i> )	24.10.2003 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A2, A3, A4.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ C2, C3, C6; and</li> <li>➤ Provision of a 2m setback each from Yee Kuk West Street and Castle Peak Road to the satisfaction of the C for T or of the TPB.</li> </ul>
A/K5/541	Proposed Hotel ( <i>Redevelopment</i> )	27.2.2004 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A3, A4.</li> </ul> <p><u>Approval Conditions</u></p> <ul style="list-style-type: none"> <li>➤ C2, C3, C5, C6;</li> <li>➤ Provision of a 3.5m wide setback from Lai Chi Kok Road to the satisfaction of the C for T or of the TPB; and</li> <li>➤ Submission of façade design to the satisfaction of the Director of Planning (D of Plan) or of the TPB.</li> </ul>
A/K5/553	Proposed Hotel ( <i>Redevelopment</i> )	16.4.2004 (MPC)	<p><u>Main Reasons for Approval</u></p> <ul style="list-style-type: none"> <li>➤ A1, A3, A4.</li> </ul>

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			<u>Approval Conditions</u> ➤ C3, C4, C6; and ➤ Provision of 5m setback from Cheung Yee Street to the satisfaction of the C for T or of the TPB.
A/K5/661 (Same Site as A/K5/753)	Proposed Hotel (Wholesale Conversion)	5.12.2008 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A3, A4.  <u>Approval Conditions</u> ➤ C2, C4, C6; and ➤ The maximum PR of the proposed hotel development (conversion of existing building), including the back-of-house (BoH) facilities, should not exceed 12 where BoH facilities referred to those uses specified under Regulation 23A(3)(b) of the Building (Planning) Regulations to the satisfaction of the D of Plan or of the TPB.
A/K5/705	Proposed Hotel (Wholesale Conversion)	17.6.2011 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A2, A3, A4.  <u>Approval Conditions</u> ➤ C1, C3, C4, C5, C6, C7, C8.
A/K5/729	Proposed Hotel (Wholesale Conversion)	25.1.2013 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A2, A4.  <u>Approval Conditions</u> ➤ C4, C5, C6.
A/K5/742	Proposed Hotel (Wholesale Conversion)	7.3.2014 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A2, A4.  <u>Approval Conditions</u> ➤ C4, C5, C6, C7.
A/K5/751	Proposed Hotel (Wholesale Conversion)	9.5.2014 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A2, A4.  <u>Approval Conditions</u> ➤ C3, C4, C5, C6, C7, C8.

<u>Application No.</u>	<u>Proposed Development</u>	<u>Date of Consideration (TPB/MPC)</u>	<u>Main Reason(s) for Approval/ Approval Conditions<sup>#</sup></u>
A/K5/753 ( <i>Same Site as A/K5/661</i> )	Proposed Hotel ( <i>Wholesale Conversion</i> )	22.8.2014 (MPC)	<u>Main Reasons for Approval</u> ➤ A1, A2, A4.  <u>Approval Conditions</u> ➤ C3, C4, C5, C6, C8.

\* Three subsequent applications for minor amendments to A/K5/527 i.e. Application Nos. A/K5/561, A/K5/578 and A/K5/580 were approved with conditions by the District Planning Officer/Tsuen Wan and West Kowloon under delegated authority of the TPB on 1.4.2004, 7.12.2004 and 15.12.2004.

#Main Reason(s) for Approval:

- A1 Generally in line with the planning intention of “OU(B)” zone.
- A2 No significant adverse traffic, environmental and infrastructural impact on adjacent developments.
- A3 DEP has no objection on environmental/air quality aspects.
- A4 Government departments consulted have no adverse comment/no objection to the application.

#Approval Conditions:

- C1 Design and provision of access arrangement, parking and L/UL facilities to the satisfaction of the C for T or of the TPB.
- C2 The submission of a sewerage impact assessment (SIA) (and the implementation of the improvement measures identified therein) to the satisfaction of Director of Drainage Services (DSD) or of the TPB.
- C3 Design and provision of sewer connections from the proposed hotel development to the local sewerage system, and/or implementation of upgrading works to the existing local sewerage system to the satisfaction of DSD or of the TPB.
- C4 Provision of emergency vehicular access / fire services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.
- C5 Submission and implementation of a landscape proposal to the satisfaction of the D of Plan or of the TPB.
- C6 Time clause.
- C7 The proposed hotel development is subject to a maximum gross floor area (GFA). Any floor space that is constructed or intended for use as BoH facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations shall be included in the GFA calculation.
- C8 The submission of a SIA to the satisfaction of the Director of Environmental Protection or of the TPB.

**Detailed Comments from Government Departments**

**Detailed Comments of the Director of Environmental Protection:**

- (a) the consultant is advised to adopt peaking factor (including storm water allowance) in the hydraulic assessment according to paragraph 11.5 of Guidelines for Estimating Sewage Flows for Sewage Infrastructure Planning Version 1.0 for sewers not receiving flow from new upstream sewerage;
- (b) please provide a zoom-out figure to indicate the boundary of the whole catchment “upstream 1”;
- (c) bullet point 4 under paragraph 2.7: should the discharge point(s) of the mentioned developments is not confirmed at this moment, the consultant is advised to revise the hydraulic calculation in the sewerage impact assessment (SIA) by assuming that sewage from those developments is discharged to the concerned sewerage as a conservative assessment;
- (d) the consultant is suggested to provide 2 nos. CD Rom with softcopy of the SIA, the calculation spreadsheet (in Excel) and all Responses to Comments from both EPD and the Drainage Services Department (DSD) as attachment as well as highlighting the revised /updated contents of the SIA report in the next submission to facilitate review; and
- (e) please be reminded that the implementation of local sewer connection/upgrading/diversion works shall be carried out to the satisfaction of DSD. The consultant should seek DSD’s view and agreement on the SIA.

**Comments of the Chief Engineer/Mainland South, DSD:**

- (f) in estimating the sewage flows in accordance with the Guidelines for Estimating Sewage Flows for Sewage Infrastructure Planning published by EPD, all proposed parameters and assumptions should be subject to the agreement of EPD. However, the following are observed:

Section 2.4 and Item 1.1 of response-to-comments – please note that the use of catchment inflow factors and peaking factors should refer to different aspects in sewage flow estimation and should not be omitted due to the use of each another –

- (i) the use of catchment inflow factor is to address the extent of the excessive inflow situation in a catchment site, including but not limited to ingress of ground/storm water and seepage and connections to the storm water drainage system. This factor accounts for the average quantity of such excessive inflow which contributes to the total average flow of a catchment site;
- (ii) the use of peaking factors is to take into account a combination of factors such as diurnal and seasonal flow variations of flow components, and characteristic response of inflow and base flows to storm events, in estimating the peak flow in sewers. In this regard, the use of peaking factors including storm water

allowance caters for the high storm responses in the sewers, as contrasted from the use of peaking factors excluding storm water allowance which caters for negligible inflow and infiltration; and

- (g) if required, please refer to EPD's Guidelines for further details and/or check with EPD for clarification.

Comments of the Chief Building Surveyor/Kowloon, BD:

- (h) the applicant is advised to engage an Authorised Person (AP) to ensure that any alterations and additions (A&A) are implemented in compliance with the Buildings Ordinance (BO);
- (i) under section 14(1) of the BO, no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works unless they are exempted under section 41 of the BO, or fall within Minor Works under the Building (Minor Works) Regulation;
- (j) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines (SBDG) are applicable to the proposed development if there is any new building (vertical/horizontal extension) involved and GFA concession for non-mandatory/non-essential plant rooms/services or green/amenity features is claimed. Should the development proposal comply with the requirements under PNAP APP-151 and PNAP APP-152, an overall cap of 10% would be imposed on the total amount of GFA concessions for the green/amenity features and non-mandatory/non-essential plant rooms and services as stipulated in PNAP APP-151;
- (k) under PNAP APP-2, only 50% GFA concession may be granted for aboveground private carpark; and
- (l) attention of the applicant should be drawn that no objection to the application should not be construed as an acceptance of any unauthorised building work (UBW) on the application premises under the BO. Enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary.

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that:
- (i) the area of the Lot under lease is 929.02m<sup>2</sup> (about), as against 929.03m<sup>2</sup> stated in the planning application submitted by the applicant; and
  - (ii) the proposed hotel use will conflict with the lease conditions. The lot owner has to apply to LandsD for a lease modification. However, there is no guarantee that the lease modification will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including among others, the payment of premium and administrative fee as may be imposed by LandsD. Subject to the above, the detail design of the proposed works including but not limited to the GFA calculation will be further scrutinised at the building plan stage.
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that:
- (i) the applicant is advised to engage an Authorised Person (AP) to ensure that any alterations and additions (A&A) are implemented in compliance with the Buildings Ordinance (BO);
  - (ii) under section 14(1) of the BO, no person shall commence or carry out any building works without having first obtained approval and consent from the Building Authority before commencement of works unless they are exempted under section 41 of the BO, or fall within Minor Works under the Building (Minor Works) Regulation;
  - (iii) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines (SBDG) are applicable to the proposed development if there is any new building (vertical/horizontal extension) involved and GFA concession for non-mandatory/non-essential plant rooms/services or green/amenity features is claimed. Should the development proposal comply with the requirements under PNAP APP-151 and PNAP APP-152, an overall cap of 10% would be imposed on the total amount of GFA concessions for the green/amenity features and non-mandatory/non-essential plant rooms and services as stipulated in PNAP APP-151;
  - (iv) under PNAP APP-2, only 50% GFA concession may be granted for aboveground private carpark;
  - (v) subject to compliance with the criteria as set out in PNAP APP-40, the hotel development may be treated as non-domestic building and granted with concession under Building (Planning) Regulation 23A;
  - (vi) detailed comments will be provided at the building plan submission stage; and

- (vii) attention of the applicant should be drawn that no objection to the application should not be construed as an acceptance of any unauthorised building work (UBW) on the application premises under the BO. Enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary;
- (c) to note the comments of the Director of Environmental Protection on the sewerage impact assessment at paragraph 9 and **Appendix III** of the MPC Paper No. A/K5/815A;
- (d) to note the comments of the Director of Drainage Services on the sewerage impact assessment at paragraph 9 and **Appendix III** of the MPC Paper No. A/K5/815A;
- (e) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral from licensing authority, and the applicant is advised to observe the requirements of Emergency Vehicular Access as stipulated in section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD;
- (f) to note the comments of the Director of Electrical and Mechanical Services that there is an intermediate pressure underground town gas transmission pipeline running along Castle Peak Road in the vicinity of the application site; the applicant should liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes or gas installations within or in the vicinity of the application and any required minimum set back distance away from them during the design and construction stages of development; and the applicant should observe the requirements of the Electrical and Mechanical Services Department's "Code of Practice on Avoiding Danger from Gas Pipes"; and
- (g) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department that the applicant should submit a copy of the occupation permit or acknowledgement letter for the proposed hotel when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349; and the licensing requirements will be formulated after inspections by his Building Safety Unit and Fire Safety Team upon receipt of application under HAGAO.