

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

**APPLICATION NO. A/ST/982**

- Applicant** : Metric Land (BVI) Limited and Lotful (BVI) Limited represented by Lanbase Surveyors Limited
- Site** : Nos. 8 - 14 Siu Lek Yuen Road, Sha Tin
- Site Area** : 7,668 m<sup>2</sup> (about)
- Lease** : Sha Tin Town Lot Nos. 196 and 276  
(a) governed by the New Grant No. 11863 and the New Grant No. 11908 as varied or modified by Modification Letters dated 26.10.1987  
(b) restricted to industrial or godown or both excluding offensive trades
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34
- Zoning** : “Industrial (Group 1)” (“I(1)”)
- Application** : Proposed Wholesale Conversion of Existing Industrial Buildings (for Shop and Services\Eating Place\Motor-vehicle Showroom on Ground Floor\Art Studio\Information Technology and Telecommunications Industries\Office\Research, Design and Development Centre)

**1. The Proposal**

- 1.1 On 13.3.2020, the applicant sought planning permission for wholesale conversion of two existing 6-storey industrial buildings (the buildings), which share a common driveway, known as Chiaphua Industrial Building and Chiaphua Centre at the subject site (the Site) (**Plans A-1 & A-2**). According to the Notes of “I(1)” zone, only the proposed ‘Shop and Services’ and ‘Eating Place’ within the converted industrial buildings under application require planning permission from the Town Planning Board (the Board). Other proposed uses<sup>1</sup> within the converted industrial buildings are Column 1 uses always permitted as of right.

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<sup>1</sup> Other proposed uses in the proposed scheme include ‘Motor-vehicle Showroom on Ground Floor’, ‘Art Studio (excluding those involving direct provision of services or goods)’, ‘Information Technology and Telecommunications Industries’, ‘Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)’ and ‘Research, Design and Development Centre’.

- 1.2 According to the applicant, the proposed conversion does not involve any change to the existing bulk of the buildings, including the gross floor area (GFA), site coverage (77.9% (STTL196)/73.7% (STTL276)) and building height (6 storeys, 29.95m (STTL196)/29.84m (STTL276)). A comparison of the development parameters and the provision of internal transport facilities of the existing buildings and the proposed scheme upon conversion are as follows:

	<b>Existing Buildings</b>	<b>Proposed Scheme</b>
Site Area	7,668m <sup>2</sup>	7,668m <sup>2</sup> (no change)
Chiaphua Industrial Building	3,834m <sup>2</sup>	
Chiaphua Centre	3,834m <sup>2</sup>	
GFA	26,837.549m <sup>2</sup>	Not more than 26,837.549m <sup>2</sup>
Chiaphua Industrial Building	13,418.964m <sup>2</sup>	<u>Shop and Services and Eating Place</u>
Chiaphua Centre	13,418.585m <sup>2</sup>	22,872.856m <sup>2</sup> (85.2%)
		<u>Other permitted uses</u> 3,964.690m <sup>2</sup> (14.8%)
Parking Space	Private Car/Light Van - 21	<u>Private Car Parking Space</u> 107 (including 2 accessible car parking space)
Chiaphua Industrial Building	/	
Chiaphua Centre	Private Car/Light Van - 21	<u>Motorcycle Parking Space</u> 11
Loading/unloading Bay	Goods Vehicle - 34 Container Goods Vehicle - 3	<u>Light Goods Vehicle</u> 14
Chiaphua Industrial Building	Goods Vehicle - 15 Container Goods Vehicle - 1	<u>Heavy Goods Vehicle</u> 9
Chiaphua Centre	Goods Vehicle - 19 Container Goods Vehicle - 2	

- 1.3 Under the conversion scheme, car parking spaces and loading/unloading bays are provided on G/F and 1/F. The floor plans of the building submitted by the applicant are in **Drawings A-1 to A-7**. Detailed proposed uses of different floors are as follows:

<b>Floor</b>	<b>Proposed Uses</b>
G/F	Shop and Services / Eating Place / Motor-vehicle Showroom / Car Park / Loading/Unloading Bays
1/F	Car Park / Loading/Unloading Bays
2/F - 4/F	Shop and Services / Eating Place
5/F	Shop and Services / Eating Place / Art Studio (excluding those involving direct provision of services or goods) / Information Technology and Telecommunications Industries / Office (Audio-visual Recording Studio / Design and Media Production, Office Related to Industrial Use only) / Research, Design and Development Centre

- 1.4 In support of the application, the applicant has submitted the following:
- (a) Application form received on 13.3.2020 **(Appendix I)**
  - (b) Planning Statement **(Appendix Ia)**
  - (c) Further information (FI) received on 23.6.2020 in response to departmental comments with new swept path analysis, mechanical parking system analysis and water consumption assessment # **(Appendix Ib)**
  - (d) FI received on 21.10.2020 in response to departmental comments ^ **(Appendix Ic)**
  - (e) FI received on 1.12.2020 in response to departmental comments # **(Appendix Id)**

*^ accepted and exempted from publication and recounting requirements*

*# accepted but not exempted from publication and recounting requirements*

- 1.5 The application was originally scheduled for consideration by the Rural and New Town Planning Committee (the Committee) on 24.4.2020. Upon request by the applicant, the Committee agreed to defer a decision on the application for two months on 24.4.2020 and 21.8.2020. On 21.10.2020 and 1.12.2020, the applicant submitted FIs providing responses to departmental comments **(Appendices Ic to Id)** and the application is re-scheduled for consideration by the Committee on 22.1.2021.

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

The justifications put forth by the applicant in support of the application are detailed in the planning statement at **Appendix Ia** and the FIs in **Appendices Ib to Id**. They can be summarised as follows:

- (a) The proposal is to support the Chief Executive's 2018 Policy Address in revitalizing industrial buildings to provide floor area to meet Hong Kong's changing social and economic needs, and make better use of the valuable land resources. Not less than 10% of the GFA will be used for "specific uses" for young entrepreneurs which would bring about wider community benefits.
- (b) The proposed 'Shop and Services' and 'Eating Place' in this locality are not incompatible with the surrounding land uses, which include a new hotel development to the southeast of the Site and several existing industrial buildings in the area with planning permissions granted for wholesale conversion into commercial developments.
- (c) The proposal can create employment opportunities in the area, reduce the commuting time for the working population in the area and relieve the pressure on the transportation network.

- (d) The proposal can upgrade the existing buildings to meet the updated building standards and provide a safer workplace.
- (e) The proposal is in line with “TPB Guidelines for Use/Development within Industrial Zone (TPB PG-No. 25D)”. In particular, there are public transport terminus at Yu Chui Court and MTR City One and Shek Mun Stations within walking distance. Together with the PCCW Yuen Chau Kok Telephone Exchange, ALVA Hotel and Goldion Holdings Centre, it can act as a buffer between Shek Mun Estate and the industrial buildings; and there are adequate parking and loading/unloading facilities provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG).
- (f) As demonstrated in the traffic impact assessment (TIA), in order to maximize the provision of car parking spaces on 1/F, some floor area at G/F are converted to provide loading/unloading area. Hence, the proposed internal transport layout has made best use of all existing space in the industrial buildings to meet the HKPSG requirements. There is no increase in the building bulk of the existing buildings, and the present infrastructure and utilities provision are designed for industrial uses, there will be no adverse traffic, visual, drainage and sewerage impact resulting from the proposal.
- (g) The proposal will be for the lifetime of the existing building only. Redevelopment of the Site still needs to conform to the prevailing land use zoning and thus the proposal would not jeopardize the long term planning intention of the Site.

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

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

### **4. Town Planning Board Guidelines**

The ‘Town Planning Board Guidelines for Use/Development within “Industrial” Zone’ (TPB PG-No. 25D), which was revised and promulgated in September 2007, is relevant to this application. The following main points are relevant:

#### Commercial Use

- (a) The applicant should demonstrate that there is a genuine need for the proposed use under application and no suitable alternative accommodation can be found in the vicinity. The location and scale of the proposed use should be justified on operational grounds.
- (b) There should be an adequate provision of parking and loading/unloading facilities within the site in accordance with the HKPSG and to the satisfaction of the Transport Department (TD). The inclusion and operation of the proposed commercial use should not adversely affect the traffic conditions in the local road network.

- (c) The Fire Services Department (FSD) should be satisfied on the risks likely to arise or increase from the proposed commercial use under application.

## 5. **Background**

### Area Assessments

- 5.1 On 14.8.2015, the Board noted the findings, key observations and recommendations of the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessments). It is noted that there is a continued genuine need for “I” zone for the wide range of economic activities from traditional industrial uses to other industrial-related services/office uses; and floorspace for appropriate types of activities in “I” zone should be retained in different areas to help achieve a better balance in the distribution of population and employment.
- 5.2 One of the recommendations of the 2014 Area Assessments is that the proposed rezoning of the Siu Lek Yuen Industrial Area from “I(1)” to “Residential (Group E)” (“R(E)”) under the 2009 Area Assessment would not be pursued in view of the potential industrial/residential interface problems given the existing bus depot is still in operation without any relocation programme. The existing “I(1)” zoning could be retained to cope with the demand arising from general logistics/warehousing. In the 2014 Area Assessments, it is noted that both industrial and general business/office activities are vibrant in the Siu Lek Yuen Industrial Area where warehouses/storages (about 35.3%), offices (about 15.5%), manufacturing/workshops (14.8%) and other uses (e.g. shop and services, showrooms and studios, etc.) (7.4%) can be found. Notwithstanding, with the good accessibility of the Siu Lek Yuen Industrial Area to the MTR City One Station, Government sites occupied by temporary uses adjacent to the industrial area may be considered for non-industrial use such as commercial / office development so as to better utilize land resources, increase employment opportunities and support the industrial activities in the area.

### Policy of Revitalisation of Industrial Buildings

- 5.3 As set out in the Policy Address 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, new measures to reactivate the revitalisation of industrial buildings are announced. One of the measures is exemption of waiver fees for wholesale conversion of existing industrial buildings aged 15 years or above in “C”, “OU(B)” and “I” zones for uses permitted under the relevant OZPs, with an additional condition that 10% of the converted floor space should be designated for specific uses prescribed by Government, such as those in relation to the arts and cultural sectors, creative industries, innovation and technology industries, social service facilities, or sports and recreational uses, etc. Application for a special waiver should be received by the Lands Department on or before 31.3.2022.

## 6. **Previous Application**

There is no previous application at the Site.

## 7. Similar Applications

There are three similar applications (Nos. A/ST/847, A/ST/886 and A/ST/889) for wholesale conversion of existing industrial buildings for “office”, “shop and services”, “eating place” and “training centre” uses within the “I(1)” zones in Siu Lek Yuen Industrial Area (**Plan A-1**) approved by the Committee between 2014 and 2015 mainly on consideration that the proposal would put the subject building into beneficial use, which was in line with the policy of optimising the use of industrial buildings; the proposed uses were not incompatible with the surrounding land uses and would not cause significant adverse impacts; and the approval would be for the lifetime of the building only. Among them, the special waiver and building plans for the development proposal for application No. A/ST/847 were approved in 2015 and 2016 respectively, while the special waiver for application no. A/ST/886 and building plans for application no. A/ST/889 were approved in 2017 and 2018 respectively.

## 8. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-4a to A-4b)

8.1 The subject buildings are:

- (a) two 6-storey industrial buildings aged 30 years or above sharing a common driveway and located at the northern corner of Yuen Shun Circuit;
- (b) accessible via Siu Lek Yuen Road to the northeast and Yuen Shun Circuit to the southwest; and
- (c) mainly occupied by workshop and ancillary office uses. Detailed existing uses of different floors are as follows:

Floor	Existing Uses	
	Chiaphua Industrial Building	Chiaphua Centre
G/F	Workshop	Workshop, Carparking Spaces, Loading and Unloading Bays
1/F	Carparking Spaces, Loading and Unloading Bays	Carparking Spaces, Loading and Unloading Bays
2/F	Ancillary office	Workshop
3/F	Workshop	Workshop
4/F	Workshop	Workshop
5/F	Workshop	Ancillary office

8.2 The surrounding areas have the following characteristics:

- (a) Siu Lek Yuen of about 7.5 ha is mainly an industrial area within close proximity to two MTR stations (City One and Shek Mun) and a public transport terminus at Yu Chui Court.

- (b) KMB bus depot, PCCW Yuen Chau Kok Telephone Exchange and Shatin Industrial Centre are located to its immediate southwest, southeast and northwest respectively;
- (c) Siu Lek Yuen Road Playground is located to its northeast. High-rise residential development, Shek Mun Estate, is located to its further northeast across the nullah; and
- (d) a hotel development (ALVA Hotel By Royal) and an office building (Town Health Technology Centre) of the approved similar application No. A/ST/847 are located to the further southeast.
- (e) a commercial building, Citimark Plaza, is located at about 180m to its south-west in a “C” zone.

## **9. Planning Intention**

The planning intention of the “I(1)” 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.

## **10. Comments from Relevant Government Departments**

10.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Policy**

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

- (a) under the new revitalisation scheme for industrial buildings announced in the 2018 Policy Address, Lands Department (LandsD) will consider valid applications with exemption of waiver fees received on or before 31.3.2022 for wholesale conversion of existing industrial buildings aged 15 years or above in “C”, “OU(B)” and “I” zones for uses permitted under the relevant OZPs, with a condition that 10% of the converted floor space should be designated for “specific uses” prescribed by the Government. Where a proposed use applied for requires planning permission from the Board, it must be obtained before the relevant special waiver application is submitted to LandsD; and
- (b) the applicant has proposed designating no less than 10% of the converted floor space at 5/F of STTL 196 and part of 5/F of STTL 276 for such possible “specific uses” for small-scale studios for arts and cultural practitioners (covered by ‘Art Studio’ use), workshops for young entrepreneurs in the creative industries (covered by

‘Office’ and ‘Audio-visual Recording Studio’ and ‘Design and Media Production’ uses) and incubation space for innovation and technology start-ups (covered by ‘Office’ and ‘Research, Design and Development Centre’ use). In this regard, on the basis of information available, he supports the application in principle, subject to its compliance with relevant requirements under the current revitalisation scheme and departments’ assessments of technical feasibility and planning parameters. The exact designated use(s) and the 10% designated floor space, as well as the mode of operation of the designated portion, will be determined by this Bureau in consultation with relevant parties after LandsD has received the owner’s application for a special waiver for wholesale conversion. In this subsequent process, he will ensure that the approved designated use(s) must fall within the uses to be covered by the planning permission.

#### 10.1.2 Comments of the Director-General of Trade and Industry (DG of TI):

- (a) according to the 2014 Area Assessments released on 11.8.2015 by Planning Department and which was the latest assessments available, it was revealed that the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses. While the vacancy rate was about 7.2% which was much higher than the territorial figure of 3.5% and also significantly higher than the average of 2.8% for the seven areas in the Northeast New Territories, the 2014 Area Assessments had recommended retaining the specific area in Siu Lek Yuen (where the subject industrial buildings are located) as “I(1)” zone to cope with the demand arising from general logistics/warehousing uses. As such, we have been taking a cautious stance over the depletion of industrial premises; and
- (b) Nevertheless, he has no comment on the application noting that (i) the Government's policy on revitalisation of industrial buildings is to meet Hong Kong's changing social and economic needs and to make better use of our valuable land resources; (ii) this application would not alter the current “I(1)” zoning of the Site; and (iii) clean/non-polluting industries (e.g. Information Technology and Telecommunications Industries) are proposed to be included in the proposal.

### **Land Administration**

#### 10.1.3 Comments of the District Lands Officer/Sha Tin, Lands Department (DLO/ST, LandsD) and the Chief Estate Surveyor/Development Control, LandsD:

- (a) STTL 196 and STTL 276 are governed by the New Grant No. 11863 as varied or modified by a Modification Letter dated 26.10.1987 and the New Grant No. 11908 as varied or modified by a Modification Letter dated 26.10.1987 respectively. These two lots



are restricted to the use of industrial or godown or both excluding offensive trades. The proposed wholesale conversion of the existing building to a commercial development with “Shop and Services”, “Eating Place”, “Motor-vehicle Showroom on ground floor” and “specific uses” is considered not complying with the lease conditions;

- (b) furthermore, according to the leases, the form of energy fuel which may be utilized for any process are electricity, town gas, LP gas or natural gas. The use of any liquid or solid fuels is not allowed under the lease. It is noted that DG stores are proposed at 1/F. The applicant should ensure that the relevant lease restriction is complied with or is properly handled in the Special Waiver application;
- (c) the applicant should refer to the LandsD Land Administration Office Practice Notes No. 6/2019 (“the PN”) for the prerequisites, no change to existing structure/bulk, requirement of Designated Portion and “specific uses” for application for a Special Waiver;
- (d) application for special waiver of the entire industrial building under the revitalization scheme announced in 2018 would be processed on lot basis. The applicant is therefore reminded that facilities straddling on 2 lots will pose implementation and enforcement problems. The requirement of 10% GFA for Designated Portion and “specific uses” should also be provided on respective lots;
- (e) the applicant is reminded that recovery of total accountable GFA due to conversion works is not permitted except subject to restrictive exceptions stated in the PN;
- (f) comments on the details of the conversion works, GFA calculation, GFA accountability, existing building bulk, etc. of the proposal are reserved and will be given until a formal application to LandsD for Special Waiver is submitted;
- (g) the proposed development involves two existing industrial buildings standing on individual lots namely STTL 196 and STTL 276. The two existing buildings are subject to separate set of approved building plans with discrete technical requirements. Access (including vehicular access) at G/F and 1/F of the industrial building erected on STTL 276 has to rely on the right of way reserved in STTL 196. Such arrangement will pose implementation and enforcement issues. Comments on these aspects of the proposal are reserved and will be given until formal application to LandsD for Special Waiver is submitted; and
- (h) if the Board approves the application, the applicant is required to apply to LandsD for the Special Waiver for the conversion of an entire existing industrial building under LAO, LandsD Practice Notes issue no. 6/2019. The Special waiver application(s) will be considered by LandsD acting in the capacity as landlord at its sole

discretion. There is no guarantee that such application will be approved and any approval, if given, will be subject to such terms and conditions including, inter alia, payment of administrative fee as may be imposed by LandsD.

### **Traffic Aspect**

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

- (a) he has no in-principle objection to the application from the traffic management viewpoint;
- (b) according to the information provided by the applicant, the provision of motorcycle space meets the HKPSG maximum recommendation. However, the provision of private car parking spaces only meets 80% of the HKPSG maximum recommendation and the provision of goods vehicle loading/unloading bays only meets the HKPSG minimum recommendation. Nonetheless, both provisions are still within the ranges recommended under the HKPSG;
- (c) considering the justifications provided by the applicant, the proposed provision of private car parking spaces and goods vehicles loading/unloading bays is considered acceptable from the traffic management viewpoint; and
- (d) since the proposed internal transport facilities meet the HKPSG recommendation for converting the existing industrial buildings to retail use, the TIA submitted is considered in order.

### **Environmental Aspect**

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

- (a) he has no comment on the application; and
- (b) since the nature of use of the Site has been changed significantly which might result in changes of sewage generation, approval conditions requiring the submission of a sewerage impact assessment (SIA) to her satisfaction and the implementation of the sewerage works identified in the SIA to the satisfaction of the Director of Drainage Services are recommended.

#### 10.1.6 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) he has no objection to the application;
- (b) he concurs with DEP's view to impose approval conditions of submission of SIA and associated implementation of upgrading of existing sewerage system, as suggested in the approved SIA, due to change in proposed land use; and

- (c) the implementation of any upgrading/diversion of existing sewerage system, if found necessary in the SIA, shall be carried out by the applicant at his own expense.

### **Building Aspect**

10.1.7 Comments of the Chief Building Surveyor/New Territories East (2) & Rail, Buildings Department (CBS/NTE(2)&Rail, BD):

- (a) he has no in-principle objection under the Buildings Ordinance; and
- (b) his detailed comments on the application is at **Appendix II**.

### **Licensing Matters**

10.1.8 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) the applicant should obtain a suitable food business licence from Food and Environmental Hygiene Department (FEHD) if the “eating place” is to be opened for use by members of public; and
- (b) her detailed comments on the application is at **Appendix II**.

### **Fire Safety**

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

- (a) he has no in-principle objection to the application subject to fire service installations being provided to the satisfaction of Fire Services Department; and
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority.

### **Other Aspect**

10.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) he has no comment on the assessments on fresh and flushing water consumptions (**Appendix Ib**) on the basis of the proposed development schedule submitted by the applicant; and
- (b) if the application is approved, he suggests to impose condition(s) requiring the applicant to submit an assessment to review whether the existing water supply service connections are adequate, and to propose and implement necessary improvement works to the satisfaction of WSD, as may be required.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Project Manager (North), Civil Engineering and Development Department;
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department
- (d) District Officer (Sha Tin), Home Affairs Department; and
- (e) Commissioner of Police.

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

On 20.3.2020, 3.7.2020 and 8.12.2020, the application and its FIs were published for public inspection. During the first three weeks of the statutory public inspection periods, no comment was received.

## **12. Planning Considerations and Assessments**

- 12.1 The current proposal is for wholesale conversion of two existing 6-storey industrial buildings into shop and services, eating place as well as other uses always permitted in “I(1)” zone. According to the Notes of “I(1)” zone, the proposed ‘Shop and Services’ and ‘Eating Place’ within the converted industrial building under application require planning permission from the Board. No change to the existing bulks of the buildings, including GFA, site coverage and building height is proposed upon conversion.
- 12.2 In view of the revitalization scheme for industrial buildings announced in 2018, and with the applicant proposing designating no less than 10% of the converted floor space for “specific uses” as mentioned in paragraph 10.1.1 above, SDEV supports the application in principle. DG of TI has no comment on the application noting the Government’s policy on revitalisation of industrial buildings; the application would not alter the current “I(1)” zoning of the Site; and clean/non-polluting industries are proposed to be included in the proposal. Should the Committee decide to approve the application, the approval would be for the lifetime of the existing buildings only, and upon redevelopment, the Site would need to conform with the zoning and development restrictions on the extant OZP. In this connection, the proposal under application would not jeopardize the long-term planning intention of the “I(1)” zone which is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. An advisory clause is recommended to indicate clearly such intention.
- 12.3 According to the TPB PG-No. 25D, wholesale conversion of an existing industrial building for office and commercial uses within the “I(1)” zone may be permitted on application to the Board based on individual merits. Within the same “I(1)” zone, a number of similar applications for wholesale conversion of existing industrial buildings for commercial uses including office use, shop and services, eating place have been approved between 2014 and 2015 by the Committee, demonstrating that there is a market need for such commercial uses in the area. The

Site is located at the northern fringe of Siu Lek Yuen Industrial Area and is sandwiched between Sha Tin Industrial Centre and the PCCW Yuen Chau Kok Telephone Exchange, with a hotel development located to the further southeast. The proposed shop and services and eating place in the converted industrial buildings under application are not incompatible with the surrounding land uses and could provide employment opportunities in the area. This is in line with the Government's general policy of optimising the use of industrial building. The proposed wholesale conversion of industrial buildings will not result in any increase in the existing building bulk, and CTP/UD&L, PlanD has no adverse comment on the application. Given its accessible location with the public transport terminus at Yu Chui Court and MTR City One station in close proximity, and with the proposed parking and loading/unloading provisions meeting the requirements under HKPSG, no adverse traffic impact is anticipated. C for T has no in-principle objection to the application in this regard. The proposed wholesale conversion will not cause any significant adverse environmental and fire safety impacts to the surrounding areas. DEP and D of FS have no objection to/adverse comments on the application. To address DEP's concern on the potential sewerage impact, approval conditions on the submission of SIA and implementation of sewerage works as identified in the SIA are proposed in paragraph 13.2 below. In view of the above, the proposed commercial uses through wholesale conversion are generally in compliance with the TPB PG-No. 25D.

- 12.4 Three similar applications (Nos. A/ST/847, A/ST/886 and A/ST/889) for wholesale conversion of existing industrial buildings at Siu Lek Yuen Industrial Area in Sha Tin were approved by the Committee between 2014 and 2015 on considerations similar to those mentioned in the above paragraphs (**Plan A-1**). Therefore, approval of the subject application is in line with the Board's previous decisions on similar applications.
- 12.5 No public comment was received during the statutory public inspection periods.

### 13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.1.2025, 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 provision of car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (b) the submission and implementation of fire service installations and water supplies for firefighting proposals to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the submission of a water supply impact assessment and the implementation of upgrading works identified therein to the satisfaction of the Director of Water Supplies or of the Town Planning Board;
- (d) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (e) in relation to approval condition (d) above, the implementation of local sewerage upgrading/connection works identified in the sewerage impact assessment 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**.

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

- the proposed wholesale conversion is not in line with the planning intention of the "I(1)" zone which is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries.

**14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

**15. Attachments**

Appendix I	Application form received on 13.3.2020
Appendix Ia	Planning Statement
Appendix Ib	FI received on 23.6.2020 in response to departmental comments with new swept path analysis, mechanical parking system analysis and water consumption assessment
Appendix Ic	FI received on 21.10.2020 in response to departmental comments

Appendix Id	FI received on 1.12.2020 in response to departmental comments
Appendix II	CBS/NTE(2)&Rail, BD's and DFEH's detailed comments on the application
Appendix III	Recommended Advisory Clauses
Drawings A-1 to A-7	Floor plans
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a to A-4b	Site photos

**PLANNING DEPARTMENT  
JANUARY 2021**