

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/523

- Applicant** : Orient Regent Limited represented by Kenneth To & Associates Limited
- Site** : Tuen Mun Town Lot 140
(a) East Asia Industrial Building (subject of the application)
(b) Petrol Filling Station
(c) Recycling Centre
- Site Area** : 6,700 m²
- Lease** : New Grant No. 2243
(a) User: industrial or godown purposes or both (excluding offensive trade under the Public Health and Municipal Services Ordinance);
(b) Type of building: erection of a factory or factories or a warehouse or warehouses, ancillary offices, such quarters as may be required for watchmen or caretakers; and
(c) Plot ratio: maximum plot ratio of 9.5 for building height over 100ft.
- Plan** : Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/34
(in force at the time of submission)

Approved Tuen Mun OZP No. S/TM/35
(currently in force. The zoning and development restrictions for the Site remain unchanged)
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”) [Restricted to a maximum plot ratio (PR) of 9.5 and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater]
- Application** : Proposed ‘Hotel’, ‘Office’ and ‘Shop and Services’ (Wholesale Conversion of an Existing 15-storey Industrial Building)

1. The Proposal

- 1.1. The applicant seeks planning permission for proposed ‘Hotel’, ‘Office’ and ‘Shop and Services’, by wholesale conversion of an existing industrial building, namely East Asia Industrial Building (the application building). The Site falls within an area zoned “Other Specified Uses” annotated “Business” (“OU(B)”)

on the approved Tuen Mun OZP No. S/TM/35 (**Plan A-1**). According to Schedule I of the Notes for the “OU(B)” for building other than industrial or industrial-office (I-O) building, ‘Office’ and ‘Shop and Services’ uses are under Column 1 which are always permitted; and ‘Hotel’ is under Column 2 which requires planning permission from the Town Planning Board (the Board).

- 1.2. The proposed development only involves the application building. An existing petrol filling station (PFS) and an existing recycling centre within the Site do not form part of the proposed development. Hence, the applicant’s submissions are mainly related to the proposed wholesale conversion of the application building (**Drawing A-1 and Plan A-2**).
- 1.3. The proposal involves addition of two storeys for office and Electrical and Mechanical (E&M) facilities on top of the original roof of the application building. The proposal also involves demolition of the central portion of the floor slabs of 6/F to 13/F and the original roof (proposed 14/F), in order to create a void for natural lighting for hotel rooms on 6/F to 11/F and a swimming pool on the 6/F (**Drawings A-5 and A-6**). There would be no significant change in the resultant accountable GFA¹ but there will be changes to the building envelop/bulk and building height (BH) by increasing the BH by 8.355m from about 60.7mPD (at the main roof) to about 69.055mPD (at the main roof).
- 1.4. The major development parameters as indicated in the applicant’s submissions are summarised in the following table:

Site Area (including proposed wholesale conversion building and other existing structures adjacent to the building)	6,700m ²
<i>A. Proposed wholesale conversion building (application building)</i>	
Proposed accountable GFA (and Plot Ratio (PR)):	43,333.695m² (About 6.47)
- Shop and services	5,860.925m ² (About 0.87)
- Office	8,357.541m ² (About 1.25)
- Hotel	27,244.505m ² (About 4.07)#
- Carpark	1,870.724m ² (About 0.28)
Site coverage	51.28%
Proposed no. of storeys (including G/F and UG/F)	17
Building height at main roof	About 69.055mPD
No. of guest rooms	599
Average size of guest rooms ²	About 45.5m ²
Internal transport facilities	
- Private car parking spaces	92
- Goods vehicle loading/ unloading (L/UL) Spaces	11
(a) Light Goods Vehicle	7

¹ The accountable GFA of the existing building is 43,334.501m², while the accountable GFA of the proposed wholesale conversion building is 43,333.695m² (-0.806 m²).

² The average size of guest rooms is derived by dividing total Hotel GFA by number of guestrooms.

(b) Heavy Goods Vehicle	4
- Private car/ taxi pick-up/ drop-off lay-by	4
- Single-deck tour buses	2
- Motorcycle parking spaces	9
B. Other existing structures within the Site (not affected by this Application)	
GFA (and PR) of the existing PFS	462.908m ² (About 0.07)
GFA (and PR) of the existing temporary storage of recycling materials	About 1,100m ² (About 0.16)
Total accountable GFA (and PR) (including proposed wholesale conversion building and other existing structures adjacent to the building)	44,896.603m² (6.7)

Hotel GFA includes guest rooms, hotel floor circulation, hotel ancillary facilities such as food & beverage, function rooms, non-essential plant rooms and non-exempted Back-of-House (BOH) facilities etc. It is assumed that the BOH facilities of not more than 3% of proposed hotel GFA will be exempted from accountable GFA. Hotel concession and any GFA exemption are subject to Building Authority's approval at the building plan submission stage.

- 1.5. The main uses by floor of the proposed development are summarised in the following table:

Floor	Main Uses
G/F	Shop and Services, hotel entrance, office lobby, carpark, loading and unloading bays and E&M
UG/F	Shop and Services, circulation of hotel portion, circulation of carpark
1/F	Shop and Services, circulation of hotel portion, carpark and E&M
2/F	Shop and Services, circulation of hotel portion and E&M
3/F - 11/F	Hotel guest rooms, hotel ancillary facilities, E&M facilities, BOH on 3/F – 5/F only and swimming pool on 6/F
12/F - 14/F and 15/F (new floor)	Office and E&M
R/F (new floor)	E&M

- 1.6. The floor plans and a schematic section of the proposed development are shown on **Drawings A-1 to A-9**.
- 1.7. As a fire/ explosive hazards mitigation measure against the adjacent PFS, the applicant proposes a new radiation wall with Fire Resistance Rating to comply with the requirement of Fire Services Department (FSD). The proposed radiation wall is shown on **Drawing A-10**.
- 1.8. In support of the application, the applicant submitted the following documents:

(a) Application Form received on 24.4.2018

(Appendix I)

- (b) Supplementary Planning Statement received on 24.4.2018 **(Appendix Ia)**
- (c) Applicant's letter dated 24.4.2018 clarifying the existing uses of the Site and enclosed replacement pages of the Executive Summary of the Supplementary Planning Statement **(Appendix Ib)**
- (d) Applicant's letter dated 26.4.2018 clarifying the GFA of the Proposal **(Appendix Ic)**
- (e) Applicant's letter dated 8.5.2018 clarifying the provision of central air conditioning system and well gasketed window
[accepted and exempted from publication and recounting requirements.] **(Appendix Id)**
- (f) Applicant's letter dated 1.6.2018 providing responses to departmental comments and enclosed a revised Sewerage Impact Assessment (SIA), replacement pages of signal junction analysis and a sketch about the headroom of the run-in/outs of the proposed development
[accepted and exempted from publication and recounting requirements.] **(Appendix Ie)**
- (g) Applicant's letter dated 18.7.2018 providing responses to departmental comments and enclosed plans indicating the proposed locations of fresh air intake and radiation wall at the proposed development and supplementary information to the Traffic Impact Assessment (TIA)
[accepted and exempted from publication and recounting requirements.] **(Appendix If)**
- (h) Applicant's letter dated 16.8.2018 providing responses to departmental comments and enclosed supplementary information on possible mitigation measures for junctions and clarifications on signal junction analysis
[accepted and exempted from publication and recounting requirements.] **(Appendix Ig)**
- (i) Applicant's letter dated 7.9.2018 providing responses to comments of Fire Services Department and Quantitative Risk Assessment in response to comments of Fire Services Department (FSD)
[accepted but not exempted from publication and recounting requirements.] **(Appendix Ih)**

- (j) Applicant's letter dated 6.11.2018 enclosing responses to comments of Transport Department (TD) **(Appendix Ii)**
[accepted and exempted from publication and recounting requirements.]
- (k) Applicant's letter dated 4.2.2019 enclosing responses to comments of TD and relevant annex and updated TIA **(Appendix Ij)**
[accepted and exempted from publication and recounting requirements.]
- (l) Applicant's letter dated 20.2.2019 enclosing replacement page of Figure 4.8 in the updated TIA **(Appendix Ik)**
[accepted and exempted from publication and recounting requirements.]
- (m) Applicant's letter dated 8.3.2019 enclosing updated G/F plan indicating the proposed radiation wall **(Appendix Il)**
[accepted and exempted from publication and recounting requirements.]

1.9. The application was originally scheduled for consideration by the Rural and New Town Planning Committee (the Committee) of the Board on 15.6.2018, 7.9.2018, 2.11.2018 and 4.1.2019. On 15.6.2018, 7.9.2018, 2.11.2018 and 4.1.2019, the Committee decided to defer a decision on the application for a total of eight months (two months in each deferment) as requested by the applicant in order to allow more time to prepare FI to address the departmental comments received. Subsequently, the applicant submitted FI for the application on 18.7.2018 (**Appendix If**), 7.9.2018 (**Appendix Ih**), 6.11.2018 (**Appendix Ii**), 4.2.2019 (**Appendix Ij**), 20.2.2019 (**Appendix Ik**) and 8.3.2019 (**Appendix Il**). The application is rescheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia and Ik**. They can be summarised as follows:

- (a) The proposal is in line with the planning intention of "OU(B)" zone, which is intended for general business and other commercial uses. The proposed development will provide important business-related facilities in support of the growing business operations in the area.
- (b) The proposed development is in line with tourism development trend in Hong Kong. Recent tourism statistics reveals that Hong Kong continues to have a keen demand for tourist accommodation, where hotel occupancy rate remains high despite the continued supply in hotel accommodation in the past years. In addition, the number of visitors in Tuen Mun is expected to surge in the coming decade due to the connection to the Mainland China via Shenzhen Bay Bridge and the upcoming Tuen Mun-Chek Lap Kok Link. The proposed hotel will provide a

wider range of new hotel rooms at a convenient location in response to the strong demand.

- (c) The proposal is in line with the trend of transformation of the former Tuen Mun industrial area into a commercial area. The proposed conversion to a mixed-use development of hotel and commercial uses could bring wider variety of activities in the district. The proposed development together with a new hotel in operation located two blocks away at the southeast of the Site at No. 6 Tsun Wen Road, will create synergy effect, catalyse the transformation of obsolete industrial buildings and improve the townscape and streetscape in the surrounding area.
- (d) Considering the planning intention of “OU(B)” zone and ongoing transformation of the area from industrial use to commercial use, as well as the rezoning of part of the former Tuen Mun Industrial Area in 2012, the industrial buildings in the surroundings are anticipated to be gradually transformed into business or commercial use. Hence, the proposed hotel is compatible with the land uses in the vicinity of the Site despite the buildings surrounding the Site are industrial uses.
- (e) The Site has fairly good accessibility and is served by public transport. Tuen Mun West Rail Station is within walking distance from the Site. The Site is about 200m to the west of Ho Tin Light Rail Station and is proximate to the cycling network along Tuen Mun River.
- (f) In regards to building bulk, the proposed building height of 69.055mPD is not incompatible with the area, and the proposed PR is within the maximum permissible PR in the “OU(B)” zone on the OZP.
- (g) The proposed alteration and conversion work to an existing industrial building would be more sustainable in terms of sustainability reducing the amount of construction waste, pollutants, and energy consumption as compared to redevelopment.
- (h) The proposed development will not generate adverse traffic and sewerage impact. With the proposed traffic mitigation measures by modifying the lane configuration at the junctions of Tsun Wen Road/ Shek Pai Tau Road and Tuen Mun Heung Sze Wui Road/ Pui To Road, traffic generated by the proposal would result in negligible impact to surrounding road networks (**Appendix Ik**). The TIA also concluded that the proposal would have negligible impacts to the adjacent pedestrian facilities (**Appendix Ik**). According to SIA, the sewerage impact arising from the proposed development is considered acceptable with the proper implementation of the proposed mitigation measures (Appendix 4 in **Appendix Ia**).

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

The applicant is one of the six ‘current land owners’ and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by obtaining consents of four of the other five ‘current land owners’ and notifying the remaining one. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Development within “OU(B)” Zone (TPB PG - No. 22D) (the TPB Guidelines) promulgated in September 2007 (**Appendix II**) is relevant in the following aspects:

- i. the “OU(B)” zone has been introduced to allow maximum flexibility in the use of existing industrial and industrial-office (I-O) buildings as well as in the development of new buildings for both commercial and clean industrial uses. The planning intention of the “OU(B)” zone is primarily for general employment uses. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure compatibility of the uses within the same building and in existing industrial area until the whole area is transformed to cater for the new non-polluting business uses; and
- ii. for all new development, redevelopment, conversion and material change of use, adequate parking and loading/unloading spaces should be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG), and all other statutory or non-statutory requirements of relevant Government departments must also be met. These include building structure, means of escape and fire safety requirements, which will be considered at the building plan submission stage.

5. Previous Applications

There is no previous s.16 or s.12A application covering the Site.

6. Similar Applications (Plan A-1)

- 6.1. There is no similar s.16 application within “OU(B)” zone on the approved Tuen Mun OZP.
- 6.2. Meanwhile, since the promulgation of policy measures to encourage wholesale conversion of old industrial buildings in 2010, there are nine similar applications for wholesale conversion for the lifetime of the building within the “Industrial” (“I”) zone in Areas 9 and 12 of Tuen Mun (Application Nos. A/TM/403, 413, 420, 424, 464, 478, 481, 482 and 483)³. These applications were approved with conditions between 2011 and 2016 by the Committee.
- 6.3. These applications were for wholesale conversion of existing industrial buildings into commercial uses including office with or without shop and services/eating place or private club. They were approved mainly on grounds such as the proposed uses not incompatible with the adjacent land uses; the development meeting TPB PG-No. 25D (Use/ Development within ‘I’ zone); the development meeting the Government policy to encourage the conversion of industrial buildings introduced in 2010; and the proposed uses not having

³ Application Nos. A/TM/413 and 420 were proposed for ‘Office’, ‘Eating Place’ and ‘Shop and Services’ uses approved with conditions by RNTPC in 2011. The application sites were rezoned from “I” to “C(1)” under the draft Tuen Mun OZP No. S/TM/29 in 2012. The owners subsequently developed the sites for hotel developments.

adverse traffic and / or environmental impacts. Details of these applications are summarised in **Appendix III** and the location of the sites are shown on **Plan A-1**.

7. The Site and its Surrounding Areas (Plans A-1 to A-4c)

7.1. The Site (Plans A-2 and A3):

- (a) consists of three buildings/ structures: (i) the existing East Asia Industrial Building, which is the subject of proposed wholesale conversion (application building), (ii) an existing petrol filling station, and (iii) an existing recycling centre;
- (b) is accessible via Kin Kwok Street and Ho Tin Street; and
- (c) is located about 120m and 250m west of the LRT Ho Tin Station and West Rail Tuen Mun Station respectively (**Plan A-3**).

7.2. The application building has the following characteristics:

- (a) it is a 15-storey industrial building completed in 1979; and
- (b) currently mainly used for storage/ logistic centre with some while there arase vacant floors.

7.3. The surrounding areas have the following characteristics (Plans A-2 and A-3):

- (a) to the north across Kin Kwok Street are Baptist Wing Lung Secondary School and private housing estate named Tai Hing Gardens;
- (b) to the immediate east and west are industrial buildings;
- (c) to the south across Ho Tin Road is the Kowloon Motor Bus Company Tuen Mun Depot; and
- (d) about 100m to the east of the Site is Tuen Mun River Channel.

8. Planning Intention

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

9. Comment from the Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):

- (a) the subject building is situated within Tuen Mun Town Lot No. 140 ('the Lot') which is held under New Grant No. 2243 ('New Grant'). The development on the Lot is subject to the following salient lease conditions:
 - (i) user: industrial or godown purposes or both (excluding offensive trade under the Public Health and Municipal Services Ordinance)
 - (ii) type of building: erection of a factory or factories or a warehouse or warehouses, ancillary offices, such quarters as may be required for watchmen or caretakers; and
 - (iii) plot ratio: maximum plot ratio of 9.5 for building height over 100ft.
- (b) the proposed hotel, office and shop and services uses do not comply with the lease conditions. According to paragraph 2.4 of the planning statement, the Lot is currently multi-owned held in undivided shares. The applicant needs to obtain all owners' agreement to apply for lease modification or land exchange to effect the proposal.
- (c) if the application is approved, the registered owners of the Site should apply to LandsD for a lease modification for the proposed conversion. The proposal will only be considered upon receipt of formal application from the registered owners. However, there is no guarantee that approval will be given. The application will be considered by LandsD acting in the capacity as landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions, including, inter alia, payment of premium/waiver fee and administrative fee, as the Government shall deem fit to do so; and
- (d) As one of the measures announced in 2018 Policy Address on revitalisation of industrial buildings, owner(s) of an industrial lot with an existing industrial building aged 15 years or above, located in a zone designated for "Commercial", "OU(B)" or "I" may within specified timeframe apply to LandsD for a special waiver for converting the industrial building into uses permissible under the OZP at nil waiver fee. Under the new measure, the owner(s) have to designate 10% of the converted gross floor area for specific policy-driven uses in relation to the arts and culture sectors, creative industries, innovation and technology industries, social service facilities or sports and recreational uses, etc. to be decided by Government. Similar to the last scheme expired on 31 March 2016, the waiver application

has to be submitted by the owner(s) of the lot on which the building is erected or, if the building is in multiple ownership, jointly submitted by all existing owners of the lot. Details of the waiver application would be announced in the Lands Administration Office Practice Notes to be issued shortly.

Traffic

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

- (a) He has no objection to the application.
- (b) According to the applicant's TIA (**Appendices Ij and Ik**), the proposed development will not generate adverse traffic impact with implementation of the proposed traffic mitigation measures at the junctions of Tsun Wen Road/ Shek Pai Tau Road and Tuen Mun Heung Sze Wui Road/ Pui To Road. Besides, parking facilities and L/UL will be provided according to HKPSG.
- (c) An approval condition requiring the design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of his department should be imposed.

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

He has the following comments from highways maintenance point of view:

- (a) It is noted that the proposed vehicular accesses are via Kin Kwok Street and Ho Tin Street. The access arrangement shall be commented and approved by TD;
- (b) existing road gully, if any, to be affected by the proposed run-in should also be relocated away from the run-in to the satisfaction of HyD. In this connection, the applicant shall submit the works proposal to HyD. The applicant is reminded that no works shall start until the works proposal is accepted by HyD and an excavation permit is obtained from HyD; and
- (c) adequate drainage measures should be provided to prevent surface water running from the application site to the nearby public roads and drains.

Environment

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

He has no objection to the application and has the following comments:

Sewerage Impact Assessment

- (a) While he has no objection from sewerage planning perspective, he is of the view that the concerned branch sewer along Ho Tin Street upstream of Manhole No. FMH1021187 would require upgrading to cater for the proposed development.

Air Quality

- (b) The proposed development will be equipped with central air conditioning system and will not rely on openable window for ventilation as clarified by the applicant.
- (c) The applicant has confirmed that the only chimney in the vicinity is situated on the wholesale conversion building, which will be demolished. The applicant will select a proper location for the fresh air intake for the central air conditioning system away from Tsun Wen Road. Furthermore, for handling any potential asbestos containing material during the wholesale conversion process, it is noted that the applicant would hire a registered asbestos contractor.

Landscape

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

With reference to the submitted information, since the application involves conversion of internal use within an existing building, significant landscape impact arising from the application is not envisaged.

Sewerage and Drainage

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

He has no objection to the application from public drainage viewpoint and has the following comments:

- (a) Should the application be approved, an approval condition should be imposed to request the applicant to submit and implement the sewerage improvement proposal at the applicant's cost; as proposed by the applicant, to the satisfaction of the Director of Drainage Services or of the Board.
- (b) The applicant shall meet the full satisfaction of Environmental Protection Department, the planning authority of sewerage infrastructure, for the proposed sewage disposal scheme.

Building Matters

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

- (a) Carparking spaces, loading & unloading lay-by may be disregarded from GFA calculation subject to the compliance with the requirements in PNAP APP-2 & APP-111, otherwise, it will be counted as non-domestic GFA.
- (b) Before any building works are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorised Building Works (UBW). An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO).
- (c) Noting the proposed development is a hotel, the applicant's attention is drawn to Building (Planning) Regulation 23A and the design requirements for hotel as outlined in PNAP APP-40.
- (d) If the proposed use under application is subject to the issue of a licence, the applicant is reminded that the area intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.
- (e) Detailed comments under BO will be provided in the building plan submission stage.

Fire Safety

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

- (a) He has no specific comment on the submitted information regarding Section 16(1)(b) in Chapter 123 of the BO subject to fire services installations and water supplies for firefighting being provided to the satisfaction of D of FS. Detailed fire service requirement 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 Building 2011 which is administered by the BD.
- (b) He has no objection to the applicant's proposal of installation of 'Durasteel' panels on the inner surface of the existing external wall to achieve the additional Fire Resistance Rating (FRR) of 2 hours in order to further manage the risks associated with the adjoining PFS. However, all dimensions of proposed installation and existing walls should be clearly indicated on relevant submission and any necessary prior consent, approval or permission from other Government departments or agencies in relation to the proposed installation should be sought. Hence, he

suggests the imposition of an approval condition to require the applicant to submit and implement mitigation measures against the fire and explosive hazards associated with the adjoining petrol filling station to the satisfaction of the D of FS or of the Board; and

- (c) Some discrepancies/ irregularities were noted in the submitted risk assessment.

Others

9.1.9 Comments of Commissioner for Tourism:

He supports the application and comments that the proposed hotel development in Tuen Mun will help increase the provision of hotel facilities, broaden the range of accommodation for visitors, and support the development of convention, tourism and hotel industries, provided that it is agreeable to all relevant Government departments, and that the applicant is able to meet all requirements laid down by the relevant departments.

9.1.10 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

He has no objection to the application and has the following comments under the Hotel and Guesthouse Accommodation Ordinance (HAGAO):

- (a) at the time of application under HAGAO, an evidence showing that the Building Authority has granted prior approval for the change of use of the premises from industrial use to hotel use and a copy of the occupation permit for the additional 2 storeys on top of the existing building should be submitted.
- (b) the licensing requirements will be formulated after his inspection upon receipt of the application under HAGAO.

9.1.11 Comments of the Director of Electrical and Mechanical Services (DEMS):

He has no particular comment on the application from electricity supply safety aspect. However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

District Officer's Comments

9.1.12 Comment of the District Officer/Tuen Mun, Home Affairs Department (DO/TM, HAD):

He has no comment on the application and consultation letters were distributed to the local.

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

- (a) Project Manager/New Territories West, Civil and Engineering Development Department (PM/NTW, CEDD);
- (b) Director of Leisure and Cultural Services Department;
- (c) Director for Food and Environmental Hygiene;
- (d) Chief Engineer / Construction, Water Supplies Department;
- (e) Commissioner of Police (C of P); and
- (f) Director-General of Trade and Industry Department

10. Public Comments Received During Statutory Publication Period

10.1 The application was published for public inspection on 4.5.2018 and 7.9.2018. During the statutory public inspection periods, three public comments were received from a Tuen Mun District Council (TMDC) member, an individual and the Shell Petroleum Company Limited (**Appendix IV**).

10.2 The TMDC member objected to the application mainly on the grounds that Tuen Mun needs more industrial uses/ business to provide employment opportunities, the existing transport infrastructure in Tuen Mun could not accommodate the anticipated demand brought by the proposed hotel. The Shell Petroleum Company Limited objected to the application for lack of mitigation measures to address the potential adverse impacts on security and traffic congestion in the area. The remaining individual indicated that he has no comment on the application.

11. Planning Considerations and Assessments

The Proposal

11.1 The application is for conversion of an existing 15-storey industrial building to a 17-storey commercial development comprising 'Hotel', 'Office' and 'Shop and Services' uses. The proposed development has a total GFA of 43,333.695m², PR of 6.47 and BH of about 69.055mPD (at the main roof) with 599 guest rooms.

Planning Intention

11.2 The planning intention of the "OU(B)" zone is primarily for general business uses. Commercial uses such as 'Shop and Services' and 'Office' in a converted "business" building within "OU(B)" zone are always permitted, and 'Hotel' use requires planning permission from the Board. The proposed development is generally in line with the planning intention of the "OU(B)" zone which is to encourage development or redevelopment/conversion of the

whole buildings for commercial and clean industrial uses.

Land Use Compatibility and TPB Guidelines

- 11.3 The proposed development with 'Hotel', 'Office' and 'Shop and Services' are generally in line with the Town Planning Board Guidelines (TPB PG-No. 22D) for "OU(B)" zone in that it is not incompatible with the surrounding land uses. There are existing school and residential developments to the north and industrial buildings to the west and bus depot to the south (**Plans A-1 and A-2**). The proposed development would also help improve the existing environment. The interface issue associated with the proposed hotel and the existing PFS is discussed in paragraph 11.6 below.

Traffic and Other Technical Aspects

- 11.4 According to the applicant's TIA (**Appendices Ij and Ik**), the proposed development will not generate adverse traffic impact with implementation of the proposed traffic mitigation measures at the junctions of Tsun Wen Road/ Shek Pai Tau Road and Tuen Mun Heung Sze Wui Road/ Pui To Road. Besides, parking facilities and L/UL will be provided according to HKPSG. C for T has no objection to the application subject to the imposition of an approval condition to ensure that the parking facilities, L/UL spaces, lay-bys, vehicular access and internal driveway for the proposed development will be provided to the satisfaction of C for T.
- 11.5 The applicant's SIA (Appendix 4 in **Appendix Ia and Appendix Ie**) concluded that the proposed development will not have adverse sewerage impact with the proposed upgrading of sewers and connections in the vicinity. DEP and CE/MN of DSD have no objection to the application subject to the imposition of an approval condition on the submission and implementation of sewerage improvement proposal to ensure the proposed upgrading works will be provided to the satisfaction of CE/MN, DSD.
- 11.6 Regarding the risk associated with the adjacent PFS, the applicant has proposed to install a new radiation wall at the proposed development to manage the risks associated with the PFS (**Drawing A-10**). D of FS has no objection to the proposed radiation wall subject to the imposition of an approval condition requiring the applicant to submit and implement mitigation measures against the fire and explosive hazards associated with the adjoining PFS to the satisfaction of D of FS.
- 11.7 The proposed development will not generate unacceptable visual impacts on the surrounding areas. Although the proposed development involves increase in BH by 2 storeys, the proposed BH of about 69.055mPD and PR of about 6.47 do not exceed the restrictions of the OZP, i.e. maximum BH of 100mPD and maximum PR of 9.5. Besides, the proposed development would unlikely generate adverse environmental and landscape impacts. Concerned Government departments, including DEP and CTP/UD&L of PlanD have no adverse comment on the application.

Public Comments

- 11.8 A total of three public comments were received, with two expressing objection to the application. The departmental comments in paragraph 9.1 and the planning assessments in paragraphs 11.1 to 11.7 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.3.2023, 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 and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission and implementation of fire services installations and water supply for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the submission and implementation of mitigation measures against the fire and explosive hazards associated with the adjoining petrol filling station to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (d) the submission and implementation of sewerage improvement proposal 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 V**.

- 12.3 There are no strong reasons to recommend rejection of the application.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Applicant's letter dated 24.4.2018
Appendix Ic	Applicant's letter dated 26.4.2018
Appendix Id	Applicant's FI dated 8.5.2018
Appendix Ie	Applicant's FI dated 1.6.2018
Appendix If	Applicant's FI dated 18.7.2018
Appendix Ig	Applicant's FI dated 16.8.2018
Appendix Ih	Applicant's FI dated 7.9.2018
Appendix Ii	Applicant's FI dated 6.11.2018
Appendix Ij	Applicant's FI dated 4.2.2019
Appendix Ik	Applicant's FI dated 20.2.2019
Appendix Il	Applicant's FI dated 8.3.2019
Appendix II	Town Planning Board Guideline No. 22D
Appendix III	Similar Applications
Appendix IV	Public comments received
Appendix V	Advisory Clauses
Drawings A-1 to A-8	Floor Plans
Drawing A-9	Section Plans
Drawing A-10	Proposed Radiation Wall
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4c	Site Photos

**PLANNING DEPARTMENT
MARCH 2019**