

Previous Application for the Site

Application No.	Proposed Uses	Date of Consideration (RNTPC/TPB)	Approval Conditions
A/TM/523	Proposed 'Hotel', 'Office' and 'Shop and Services' (Wholesale Conversion of an Existing 15-storey Industrial Building)	22.3.2019 Approved with conditions By RNTPC	(1) to (4)

Approval Conditions

- (1) 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 (TPB).
- (2) 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 TPB.
- (3) 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 TPB.
- (4) The submission and implementation of sewerage improvement proposal to the satisfaction of the Director of Drainage Services or of the TPB.

**Similar s.16 Applications within the areas zoned “I” or previously zoned “I”
in Areas 9 and 12, Tuen Mun
on the approved Tuen Mun Outline Zoning Plan No. S/TM/35 since 2010**

Approved applications

Application No.	Proposed Uses	Date of Consideration (RNTPC/TPB)	Approval Conditions
A/TM/403	Proposed wholesale conversion of all industrial floor spaces to ‘Shop and Services’ use	18.3.2011 Approved with conditions By RNTPC	(1) and (2)
A/TM/413	Proposed wholesale conversion for office, eating place, and shop and services	20.5.2011 Approved with conditions by RNTPC	(1) to (3)
A/TM/420	Proposed wholesale conversion for office, eating place, and shop and services	19.8.2011 Approved with conditions by RNTPC	(1) to (3)
A/TM/424	Proposed wholesale conversion of all industrial floor spaces to office use	20.1.2012 Approved with conditions by RNTPC	(1) and (2)
A/TM/464	Proposed office cum shop & services/ private club/ eating place (Wholesale conversion of existing industrial building)	19.6.2015 Approved with conditions by RNTPC	(1), (2) and (4)
A/TM/478	Proposed office cum shop & services/ private club/ eating place (Wholesale conversion of existing industrial building)	20.11.2015 Approved with conditions by RNTPC	(1), (2), (5) to (7)
A/TM/481	Proposed eating place/shop and services and office (Wholesale conversion of existing building)	5.2.2016 Approved with conditions by RNTPC	(1), (2), (10) and (11)
A/TM/482	Proposed eating place / shop & services (Wholesale conversion of existing building)	5.2.2016 Approved with conditions by RNTPC	(1), (2), (10) and (11)
A/TM/483	Proposed shop and services, office and eating place (Wholesale conversion of an existing building)	8.1.2016 Approved with conditions by RNTPC	(1), (2), (8), (9) and (10)
A/TM/542	Proposed Commercial Uses including Office cum Shop and Services/ Eating Place/ Place of Recreation, Sports or Culture/ Art Studio/ Audio-visual Recording Studio/ Design and Media Production/ Research, Design and Development Centre (Wholesale Conversion of an Existing Building)	3.1.2020 Approved with conditions by RNTPC	(1), (12), (13), (14) and (15)

A/TM/549	Proposed Commercial Development with Office, Shop and Services, Eating Place and Other Uses (including Art Studio, Office and/or Information Technology and Telecommunications Industries) (Wholesale Conversion of an Existing Industrial Building)	26.6.2020 Approved with conditions by RNTPC	(1), (2), (15), (16)
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Approval Conditions

- (1) the submission and implementation of fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (2) the design and provision of parking facilities, loading/unloading spaces and lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (3) the submission of an assessment on the public sewerage system and implementation of proposed mitigation measures identified in the assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (4) the submission and implementation of an upgrading proposal for the existing 225mm sewer at the applicants' cost, as proposed by the applicants, to the satisfaction of the Director of Drainage Services or of the TPB;
- (5) the submission of revised traffic impact assessment and implementation of the proposed junction improvement scheme at the applicants' own costs as proposed by the applicants to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (6) the submission of revised sewerage impact assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (7) the submission and implementation of the drainage proposal for the site to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (8) the submission of revised traffic impact assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (9) the submission of revised sewerage impact assessment and the implementation of the proposed sewerage improvement works identified therein at the applicant's own costs as proposed by the applicant to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (10) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (11) the submission and implementation of sewerage improvement proposal at the applicant's own costs as proposed by the applicant to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (12) the design and provision of parking facilities, loading/unloading spaces, vehicular access and measures to restrict heavy goods vehicles from accessing the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;

- (13) the submission and implementation of a drainage proposal for the proposed development and the maintenance of the drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (14) the submission of a sewer upgrading proposal for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (15) the implementation of the sewer upgrading proposal to the satisfaction of the Director of Drainage Services or of the TPB.
- (16) the submission of land contamination assessments and the implementation of the remediation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;

Advisory Clauses

(a) the approval of the application does not imply that the proposed building design elements could fulfil the requirements under the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession for the proposed development will be approved/ granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) and the Lands Department (LandsD) direct to obtain necessary approval. If the building design elements and the GFA concession are not approved/ granted by BA and the Lands Authority and major changes to the current scheme are required, a fresh section 16 application to the Town Planning Board may be required;

(b) to note the comments of the Secretary for Development (SDEV) that the exact location and designated use(s) in relation to the 10% designated floor space, as well as the mode of operation of the Designated Portion, will be determined by his Bureau in consultation with relevant parties after LandsD has received the industrial building owner's application for a special waiver for wholesale conversion. The approved designated use(s) must fall within the uses to be covered by the planning permission;

(c) to note the comments of the District Lands Officer/Tuen Mun, LandsD (DLO/TM, LandsD) that:

the proposed hotel development with shop and services/ eating place, and other specified uses to be accommodated in the Designated Portion in accordance with Lands Administration Office Practice Note No. 6/2019 (the 'PN 6/2019') do not comply with the lease conditions. The applicant may consider applying to LandsD for a waiver for implementation of the proposal. The proposal will only be considered upon receipt of formal application from the applicant;

(d) to note the comments of the Comments of Chief Estate Surveyor/ Development Control, LandsD (CES/DC, LandsD) that:

(i) the applicant may refer to the PN 6/2019 for the prerequisites, no change to existing building structure/bulk/building height, requirement of Designated Portion, Specified Uses for application for a special waiver;

(ii) according to the PN 6/2019, recovery of total accountable GFA due to conversion works is not permitted except subject to restrictive exceptions stated in the PN 6/2019. Recovery of total accountable GFA due to the demolition of the floor slabs as proposed is not permitted;

(iii) as revealed from the submitted building design, it involves demolition of external building structure and internal building works. The 'additional 2 storeys on top of the original R/F (forming 14/F and 15/F) in order to utilise the remained GFA from the demolition of the external building structures' as claimed by the applicant should be internal floor slabs as revealed from the building design and will be outside the Industrial Buildings Revitalisation Scheme announced in the 2018 Policy Address;

- (iv) 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 formal application to LandsD for a special waiver is submitted;
 - (v) the subject lot is under multiple ownership. The application for special waiver to LandsD has to be submitted jointly by all existing owners of all the shares of the lot; and
 - (vi) there is no guarantee that the application (if received) for special waiver for conversion of the entire industrial building will be approved by LandsD. The application will be considered by LandsD acting in the capacity as the landlord at its own discretion and any approval given will be subject to such terms and conditions, including restriction on alienation of the Designated Portion, payment of administrative fee, etc. as may be imposed;
- (e) to note the comments of the Commissioner for Transport (C for T) that:
- (i) the proposed mechanical parking spaces should be properly managed and operated so that the mechanical parking spaces, particularly the upper deck, can be readily used by drivers. In addition, both the upper and lower deck of the mechanical parking spaces should meet the width, length and headroom requirements stipulated in the Hong Kong Planning Standards and Guidelines;
 - (ii) detailed design of the junction improvement schemes should be agreed in the detailed design stage; and
 - (iii) regarding the headway of the bus route, the applicant may wish to check with the website of the Transport Department (TD) or the websites of the relevant Public Transport Operators for obtaining the updated information as and when necessary;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- (i) if the proposed run-in is agreed by TD, the applicant should provide a run-in/out at the access point in accordance with the latest version of Highways Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement;
 - (ii) if the off-site traffic improvement schemes recommended in the Traffic Impact Assessment are considered necessary by TD, they shall be implemented to the satisfaction of TD and his department by the applicant at his own costs; and
 - (iii) adequate drainage measures should be provided to prevent surface water running from the application site to the nearby public roads and drains;

- (g) to note the comments of the Director of Environmental Protection (DEP) that the generation of construction and demolition (C&D) materials should be minimised, the C&D materials on site should be reused and recycled as far as possible, and legislative requirements and prevailing guidelines on proper waste management for the proposed development should be observed and complied with;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, BD (CBS/NTW, BD) that:
 - (i) carparking spaces, loading/unloading lay-by may be disregarded from GFA calculation subject to the compliance with the requirements in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2 & 111, otherwise, it will be counted as non-domestic GFA;
 - (ii) before any building works are to be carried out on the application site, the prior approval and consent of BD should be obtained, otherwise they are Unauthorised Building Works (UBW). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
 - (iii) 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;
 - (iv) 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; and
 - (v) detailed comments under the BO will be provided in the building plan submission stage;
- (i) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) detailed fire service requirement will be formulated upon receipt of formal submission of general building plans;
 - (ii) all dimensions of proposed 'Durasteel' panels and existing walls should be clearly indicated and any necessary prior consent, approval or permission from other Government departments or agencies in relation to the proposed installation should be sought; and
 - (iii) prior consent must be obtained from his Department should there be any alteration to the dangerous goods storage provision(s) at the adjoining petrol filling station;
- (j) to note the comments of Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD) that:

- (i) at the time of application under the Hotel and Guesthouse Accommodation Ordinance (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; and
- (ii) the licensing requirements will be formulated after his inspection upon receipt of the application under HAGAO; and
- (k) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that 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 (i.e. CLP Power) 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.