



Section 16 Planning Application

Proposed Industrial Use (including industrial undertakings involving the use/storage of dangerous goods) at Workshop Nos. 14-16 on Ground Floor, Man Lee Industrial Building, No. 13 Kin Hong Street, Kwai Chung, New Territories

Applicants:

CHI WING
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Consultant:



Architect:



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Executive Summary

This Planning Statement is submitted in support of proposed Industrial Use (including industrial undertakings involving the use/storage of dangerous goods) at Workshop Nos. 14-16 on Ground Floor, Man Lee Industrial Building, No. 13 Kin Hong Street, Kwai Chung, New Territories (“the Application Premises”), to seek the approval from the Town Planning Board (“TPB”) under Section 16 of the Town Planning Ordinance.

The Premises falls within an area zoned “Other Specified Uses” annotated “Business” (“OU(B)”) on the Approved Kwai Chung Outline Zoning Plan No. S/KC/32 (the OZP). According to Schedule II of the Notes of the OZP for the “OU(B)” zone applicable to industrial or industrial-office (I-O) building, the proposed use on the Premises is a Column 2 use which requires planning permission from the TPB.

The Applicant intends to convert the Premises of about 48 sq. m. for manufacturing and storage of Chinese medicinal oils, including Camphor (Class 4), Turpentine (Class 3) and Eucalyptus Oil (Class 3). They are the important ingredients for making registered Chinese medicines.

The proposed use at the subject Premises is fully justified mainly on the following grounds:

- Compliance with the planning intention of “OU(B)” zone and TPB PG-NO. 22D;
- Compatible with the surrounding environment;
- The proposed dangerous goods storage is small in scale;
- No adverse fire safety, traffic and environmental impacts on the surrounding areas; and
- The Applicant will follow all the relevant ordinances, code of practices and guidelines for storing dangerous goods.

In view of the planning and justifications put forth in the Supplementary Planning Statement, the Town Planning Board is kindly invited to give favorable consideration to this application.

行政摘要

(內容如與英文版本有任何差異，應以英文版本為準)

此規劃綱領是為一宗位處新界葵涌健康街 13 號萬利工業大廈地下 14 至 16 號工場(「申請地盤」)用作擬議工業用途(包括涉及使用／貯存危險品的工業經營)，並根據《城市規劃條例》第 16 條希望得到城市規劃委員會的申請規劃許可。

申請地點位於葵涌分區計劃大綱核准圖編號 S/KC/32 中的「其他指定用途」註明「商貿」的地帶內。根據「附表 II：適用於工業樓宇或工業—辦公室樓宇」，在該處所內作擬議用途是第二欄用途，須獲得城市規劃委員會(下稱城規會)的規劃許可。

申請人打算將面積約為 48 平方米的處所改建作生產及貯存中藥油的工廠，包括樟腦(第 4 類)、松節油(第 3 類)和桉葉油(第 3 類)。它們是製作中藥的重要成分。

是次的申請主要是基於以下理由得到充分的證明：

- 符合「其他指定用途」註明「商貿」地帶的規劃意向及規劃指引編號 22D；
- 與周邊環境相容；
- 擬議的危險品儲存量規模較小；
- 不會對周邊地區造成不良的消防安全、交通和環境影響；及
- 申請人將遵守所有相關的法例、作業手則和存儲危險品的指南。

基於規劃綱領中的規劃及技術理據，懇請城規會支持是項規劃申請。

Section One - Introduction

1.1 Project Background

- 1.1.1 DeSPACE (International) Limited acts on behalf of the Applicants, **CHI WING** and **LAW OI YING**, to prepare and submit this Section 16 Town Planning Application of the Town Planning Ordinance (Cap. 131) to the Town Planning Board (TPB) to seek planning permission for a proposed 'Industrial Use (including industrial undertakings involving the use/storage of dangerous goods' at Workshop Nos. 14-16 on Ground Floor, Man Lee Industrial Building, No. 13 Kin Hong Street, Kwai Chung, New Territories (The Application Premises).
- 1.1.2 The Application Premises with an area of about 48 sq. m. falls within the area zoned as "Other Specified Uses" annotated "Business" ("OU(B)") on the Approved Kwai Chung Outline Zoning Plan No. S/KC/32 (the OZP) (see **Drawing A-1**). According to the Schedule II of the Notes of the OZP for the "OU(B)" zone applicable to industrial or industrial-office (I-O) building, the proposed use on the G/F of an industrial/I-O building, known as Man Lee Industrial Building (the Subject Building) is a Column 2 use (i.e. 'Industrial Use (including industrial undertakings involving the use/storage of dangerous goods)') which requires planning permission from the Town Planning Board (the TPB).
- 1.1.3 The Applicants are the prospective purchaser of the Premises, which is currently not a 'current land owner' in the land registration system at the time of submission of the planning application. The Applicant has fully complied with the Town Planning Board Guidelines on the 'Owner's Notification' Requirements by obtaining and submitting a consent letter signed by the sole 'current land owner'.
- 1.1.4 The Applicants are a local Hong Kong brand operating in a family-run business (i.e. Singapore Headway Medicine Co.) for research and development of Chinese medicinal oils. As the products are welcomed by many customers, the company introduced and developed their own series of Goldboss (金波士). Their business has now been marketed to overseas for many years.
- 1.1.5 The Application Premises is compatible with the industrial uses in the subject building and the surrounding industrial area. Also, the proposed development would not cause any adverse impacts to the surroundings.

1.2 Structure of Report

1.2.1 Section 2 gives a brief overview of the site context and history. Section 3 presents the planning context to the Application Premises. Section 4 contains a full description of the proposed development scheme. Planning and technical justifications for the scheme are elaborated in Section 5. Section 6 draws the concluding remarks and summarizes the grounds for approval of the application.

Section Two - Site Context

2.1 Local Site Context

2.1.1 The Premises with a floor area of about 48 sq. m. is located at Workshop Nos. 14-16 on Ground Floor, Man Lee Industrial Building, No. 13 Kin Hong Street, Kwai Chung, New Territories, which is at the north of Kwai Chung District. It is currently occupied by a canteen.

2.1.2 The subject building is a 16-storey industrial or I-O building including car parking floor (excluding a lower ground floor). The Application Premises has good accessibility to the bus/mini-bus stops on Wo Tong Tsui Street and the terminus in Kwai Chung Shopping Centre within a 5-minutes walking distance with numerous bus lines. A car park is also available in the subject building which its vehicular entrance is located at Kin Chuen Street. The Application premises is accessible via the main entrances of the industrial building at both Kin Chuen Street and Kin Hong Street.

2.2 Surrounding Area of the Site

2.2.1. The surrounding areas have the following characteristics (as shown in **Drawing A-1**):

- It is surrounded by industrial buildings zoned as “OU(B)” zone, including the Chun Kei Factory Building at the north, the Trans Asia Centre at the northeast, the Favor Industrial Centre at the southeast and the Yee Lim Industrial Building Stage III at the south; and
- A residential, namely Kwai Chung Estate zoned “Residential (Group E)” (“R(E)”), is located further south separated from the subject premises by a cluster of industrial buildings and Wo Tong Tsui Street.

2.3 Land Status

- 2.3.1 The Applicants are the prospective purchaser of the Application Premises, which is currently not a 'current land owner' in the land registration system at the time of submission of the planning application. With reference to the latest land registry status, the Application falls within the Kwai Chung Town Lot No. 216 (as shown in **Drawing A-2**) and is held under New Grant No. 5480. According to the New Grant, the Lot is restricted for industrial or godown purposes or both, excluding any offensive trade. The proposed Industrial Use (including industrial undertakings involving the use/storage of dangerous goods) is permissible under the Lease governing the Lot.

Section Three - Town Planning Context

3.1 Statutory Planning Requirements

- 3.1.1 The Application Premises currently falls within an area zoned "OU(B)" on the OZP and the Applicant intends to use the Premises for the 'Industrial Use (including industrial undertakings involving the use/storage of dangerous goods)'. The proposed use is under Column 2 use and may be permitted with or without conditions on application to the TPB.
- 3.1.2 In accordance with the Notes of the OZP with regard to "OU(B)" zone, its planning intention 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 I-O buildings.

3.2 Town Planning Board Guidelines (TPB PG-NO. 22D)

- 3.2.1 The “OU(B)” 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. It is perceived as a combination of the “Commercial” and “Industrial” zones;
- 3.2.2 Whilst it is the intention to provide greater flexibility in the use of the existing industrial or I-O buildings before such buildings are redeveloped, it is necessary to ensure that the fire safety and environmental concerns are properly addressed. In view of the possible presence of existing polluting and hazardous industrial uses, it is necessary to ensure compatibility of the uses within the same building until the whole building is modified/converted to accommodate the new non-polluting and less fire hazard-prone uses; and
- 3.2.3 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.

3.3 Previous Planning Application(s) within the Application Premises / the Subject Building

- 3.3.1 The Application Premises does not involve any previous planning applications. Yet, there are TWO(2) previous planning applications within the subject building. Application No. A/KC/367 was approved for shop and services (fast food shop) and Application No. A/KC/443 was approved for shop and services (pharmacy). They were approved with conditions by the Committee on 3 June 2011 and 17 March 2017 respectively.

3.4 Similar Planning Application(s)

- 3.4.1 There are no similar planning applications for the proposed Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “OU(B)” Zone within the same OZP. Yet, there have been THREE(3) similar approved cases in other areas and they share similarities in terms of the locational context for storage of dangerous goods within a portion of an existing industrial building in “OU(B)” zone (as shown in **Table 1**).

Table 1 – Approved Planning Application for Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “OU(B)” Zone

Application No. & Address	Applied Use & Total Floor Area	Planning Justifications & Meeting Minutes
<p>A/TW/536 (Approved on 19/5/2023)</p> <p><u>Address:</u> 3/F, Excelsior Industrial Building, 68-76 Sha Tsui Road, Tsuen Wan, New Territories</p>	<p><u>Applied Use</u> Proposed Industrial Use (including industrial undertakings involving the use/storage of dangerous goods)</p> <p><u>Total Floor Area</u> 1,866.6 sq. m.</p>	<p>The proposed industrial use including <u>the use/storage of dangerous goods is considered compatible with the subject industrial building and the surrounding industrial uses.</u> The applicant is <u>required to apply for a Dangerous Goods Licence</u> from FSD after obtaining approval from the Committee.</p> <p>The applied use in general complies with TPB PG-No. 22D in that it would not <u>induce adverse fire safety, environmental, traffic and infrastructural impacts on the developments within the subject building and the adjacent areas.</u> Members had no questions on the application.</p>
<p>A/K9/278 (Approved on 15/7/2022)</p> <p><u>Address:</u> Portion of Workshop 404, 4/F, Guardforce Centre, 3 Hok Yuen Street East, Hung Hom, Kowloon</p>	<p><u>Applied Use</u> Proposed Industrial Use (Dangerous Goods Store) in “OU(B)” zone</p> <p><u>Total Floor Area</u> 11.725 sq. m.</p>	<p>The floor area of the <u>proposed dangerous goods store is considered small in scale.</u></p> <p>The <u>proposed dangerous goods store will not cause insurmountable environmental impact and the applicant has pledged to follow the relevant legislative requirements in handling the chemicals</u> from its operation.</p> <p>Members raised concerns on ensuring that the storage of dangerous goods would be confined within the Premises and the monitoring mechanism of the proposed DG store in future. The applicant would provide four store rooms with concrete block wall for the proposed DG store. The applicant would also <u>apply for Dangerous Goods</u></p>

		<u>Licences from FSD.</u>
<p>A/K5/832 (Approved on 15/10/2021)</p> <p><u>Address:</u> Portion of Workshop A6, 1/F, Block A, Hong Kong Industrial Centre, Nos. 489- 491 Castle Peak Road, Kowloon</p>	<p><u>Applied Use</u> Proposed Industrial Use (Dangerous Goods Store) in “OU(B)” zone</p> <p><u>Total Floor Area</u> 7 sq. m.</p>	<p>The floor area of the <u>proposed dangerous goods store is considered small in scale.</u></p> <p>The <u>proposed dangerous goods store will not cause insurmountable environmental impact and the applicant has pledged to follow the relevant legislative requirements in handling the chemicals</u> from its operation.</p> <p>Members raised concerns on the safety measures and specific requirement when delivering dangerous goods to the premises. The applicant would provide suitable training to its staff members on handling nitric acid and the related chemical waste, other <u>suitable safety measures</u> were also in place, subject to the satisfaction of FSD.</p>

3.4.2 In summary, the above-mentioned planning applications demonstrated that the proposed Industrial Uses (including industrial undertakings involving the use/storage of dangerous goods) were only in small scales and will not cause an insurmountable environmental impact. The applicants are required to apply for a Dangerous Goods Licence from FSD after obtaining approval from the Town Planning Board and relevant legislative requirements will be followed during their operations. The applied uses were considered not incompatible with the surrounding development in terms of scale, intensity, and land use nature in the “OU(B)” zone. These justifications are also applicable to the subject application.

Section Four - Proposed Development

4.1 Proposed Development

4.1.1 The Premises is applied for 'Industrial Use (including industrial undertakings involving the use/storage of dangerous goods) use with total Floor Area of about 48 sq. m. on G/F of the subject building. The Applicant proposes to conduct addition and alternation works to convert the Premises for manufacturing of Chinese medicinal oils. A small portion of the area about 18 sq. m. will be partitioned into dangerous good stores for storing Class 3 and Class 4 items (i.e. Camphor, Turpentine and Eucalyptus Oil), which are three of the essential ingredients for making registered Chinese medicines (such as Strain Active Oil (活絡油) (registration number: HKP-00354) and Herbal Medicated Oil (黑鬼油) (registration number: HKP-01765)). The stores are ancillary to the non-polluting process of making Chinese medicinal oil. There will be no change to the GFA and site coverage of the building due to the proposed uses. The Floor Layout Plan is presented in **Drawing A-4**.

4.1.2 The dangerous goods store is proposed to store 700kg Camphor (UN No. 2717), 1300L Turpentine (UN No.1299) and 1300L Eucalyptus Oil (UN No. 1197), which are a Class 3 and a Class 4.1 Dangerous Goods under the Dangerous Goods Ordinance (Cap. 295) respectively. As a result of exceeding the Exempt Quantity in industrial premises of 150L and 50kg for Class 3 and Class 4.1 Dangerous Goods respectively, the Applicant is required to apply a Dangerous Goods Licence from the Fire Services Department.

4.1.3 Relevant building plan submissions and an application for Dangerous Goods Licence will be submitted accordingly, once the planning application is approved by the TPB.

4.2 Fire Safety Measures

4.2.1 The proposed dangerous goods stores will be separated from the main industrial portion of the Premises by building materials with acceptable fire resistance period (FRP) in accordance with the Buildings Ordinance (Cap. 123), the Code of Practice for Fire Safety in Buildings in 2011, the Dangerous Goods Ordinance (Cap. 259), a guide to application for dangerous goods licence and approval and the relevant code of practices and guidelines promulgated from the Government. Please refer to **Section 5.3** of the planning statement and **Drawing A-5** for details.

Section Five - Planning and Development Justifications

5.1 Compliance with Planning Intention of “OU(B)” zone and TPB PG-NO. 22D

5.1.1 The proposed use is located on the ground floor of the subject building, in which industrial uses including manufacturing/workshops, logistics and warehouse/storage are predominately found. The manufacturing of Chinese medicine in the Premises itself is a clean, non-polluting industrial establishment, which is permitted as of right on the OZP regardless of the Dangerous Goods components. The dangerous goods stores for storing essential ingredients of Chinese medicinal oils is only an incidental use to support the main industrial use of the Premises and will not affect the nature of the main use. Fire safety and environmental concerns are properly addressed as detailed in Para 5.4 below. The proposed use is thus generally compatible with the surrounding uses and in line with the planning intention of the “OU(B)” zone and TPB PG-NO. 22D.

5.2 Compatible with the Surrounding Area

5.2.1 The subject building is surrounded by industrial buildings including Chuan Kei Factory Building to its north, Trans Asia Centre to its northeast, Favor Industrial Centre to its southeast and Yee Lim Industrial Building Stage III to its south. According to the 2020 area assessment of industrial land in the territory published from the Planning Department, the top three uses in Central Kwai Chung (Site D08) are warehouse/storage, office and manufacturing/workshop, largely sharing the similar use pattern of the subject building. There are currently no plannings/recommendations for transformation of the whole area into a business or commercial area. Therefore, it is also compatible with the surrounding land uses.

5.2.2 The nearest residential buildings (i.e. Kwai Chung Estate) is separated by a Wo Tong Tsui Street and are about 90m away from the subject building. The separation distance is considered adequate.

5.3 The proposed dangerous goods storage is small in scale

5.3.1 The proposed dangerous goods storage is small in scale, only occupying about 18 sq. m, meaning that the amount of dangerous goods to be stored in a purpose-built location is limited. With the fire safety measures implemented under the well-established licensing controls for Dangerous Goods, the potential hazardous risk will be minimized to a safe limit.

5.4 No adverse fire safety, traffic and environmental impacts on the surrounding areas

No Adverse Fire Safety Impact

- 5.4.1 The proposed use complies with the relevant considerations as stipulated in the TPB PG-No. 22D by ensuring that fire safety concerns are properly addressed. Fire safety measures will be carried out to the satisfaction to the Director of Fire Services and in compliance with all the relevant statutory requirements, code of practices and guidelines.
- 5.4.2 The proposed use will not pose a fire hazard to the subject building. It is situated on G/F, where the ceiling of the Premises is about 4m, below the prescribed height limit of 30m. The location of the dangerous goods stores will not obstruct any existing exit routes of the Premises and the subject building. They will be completely enclosed and separated from the remaining portion of the Premises by block walls with a fire resistance rating (FRR) of not less than 120 minutes (i.e. FRR -/120/120) to avoid a spread of fire smoke and fumes easily. The stores will be kept cool and well-ventilated without any source of heat and sparks. Please see **Drawing A-5** for details.
- 5.4.3 Neither the subject building nor the Application Premises is currently listed in the Industrial Buildings with licensed Dangerous Goods Store (New Territories and Island), meaning that there are no other dangerous goods stores located directly under or above the proposed dangerous goods store. An aggregate fire hazard of dangerous goods in the subject building because of stack effect is thus avoidable.
- 5.4.4 The Application Premises will be equipped with adequate fire safety measures, such as fire extinguisher, fire hose wheel, emergency light, bucket of sand and etc. in accordance with the requirement of “Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment” and other relevant guidelines and delegations to the satisfaction of the Director of Fire Services. The Applicant is required to apply a Dangerous Goods Licence from the Fire Services Department and detailed fire safety measures would be formulated and submitted. The Dangerous Goods stores will be subject to annual inspection by the Fire Services Department. As such, the risk of fire hazard will be reasonably under strict control.

No Adverse Traffic Impact

- 5.4.5 The Application Premises has good accessibility to the bus/mini-bus stops on Wo Tong Tsui Street and the terminus in Kwai Chung Shopping Centre within a 5-minutes walking distance with numerous bus lines, which encourages the use of public transport (see **Drawing A-3**). Despite the small development scale of the dangerous good store, the frequency of loading and unloading the dangerous goods is low, around once a day. The proposed transport route is illustrated in **Drawing A- 6** for detail. In a small scale and with no increase in GFA, the traffic impact caused to the surroundings is negligible.

No Adverse Environmental Impact

- 5.4.6 In view of the small scale of the proposed use within the existing Premises, the proposed use would not cause adverse environmental impact on the surrounding area. The dangerous good store will be enclosed properly and physically separated from the remaining areas of the Premises. No chemicals other than dangerous goods will be stored in that area. All the dangerous goods will be properly labelled to clearly differentiate with others chemicals, which will be stored in the remaining portion of the Premises. All the chemicals will be maintained properly to prevent accidental spills or contamination.
- 5.4.7 The manufacturing process inside the premises is presented as follow:
- i. Step 1: Weighing all the materials according to a specific formula.
 - ii. Step 2: Mixing all the materials together.
 - iii. Step 3: Filling the medicinal oil into the bottles.
 - iv. Step 4: Packing the bottles into boxes with labels.
- 5.4.8 The dangerous goods will be stored properly in a cool and well-ventilated location with a suitable container and away from direct sunlight, ignition sources and adverse weather conditions. Please refer to the location of the natural ventilating system and relevant calculation in **Drawing A-5**. The temperature and pressure will be controlled in accordance with the manufacture's instructions. In normal circumstances, turpentine and camphor can be stored at room temperature and pressure. Please also refer to **Appendix 1** of for the Material Safety Data Sheet of the dangerous goods.
- 5.4.9 The proposed use is located on the ground floor of the subject building, in which industrial uses including manufacturing/workshops, logistics and warehouse/storage are predominately found. The subject building is also surrounded by other industrial buildings with compatible uses. The manufacturing of Chinese medicine in the Premises itself is a clean, non-polluting industrial

establishment, which is permitted as of right on the OZP regardless of the Dangerous Goods components. The transportation of the dangerous goods to the Premises will be taken once a day. It will not involve any night-time traffic. No adverse environmental impact is anticipated arisen from the proposed use.

5.4.10 The applicant has an established procedure in handling dangerous goods from storage, operation to disposal that follow the relevant legislative requirements, like the Dangerous Goods Ordinance, Waste Disposal Ordinance and Water Pollution Control Ordinance (WPCO). It is anticipated that its operation would not generate any adverse waste, water discharge, odor smell of dust on the locality.

Section Six - Conclusion

6.1 The Section 16 town planning application regards to a proposed 'Industrial Use (including industrial undertakings involving the use/storage of dangerous goods) at Workshop Nos. 14-16 on Ground Floor, Man Lee Industrial Building, No. 13 Kin Hong Street, Kwai Chung, New Territories.

6.2 The proposal is fully justified on the following grounds: -

- Compliance with the planning intention of "OU(B)" zone and TPB PG-NO. 22D;
- It is considered compatible with the surrounding environment;
- The proposed dangerous goods storage is small in scale;
- No adverse fire safety, traffic and environmental impacts on the surrounding areas; and
- The Applicant will follow all the relevant ordinances, code of practices and guidelines for storing dangerous goods.

6.4 To conclude, the proposed use is fully justified in terms of planning considerations. In view of the above, members of the TPB are respectfully requested to favorably consider the present application.