

## **TOWN PLANNING BOARD**

### **Minutes of 797<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 9.10.2026**

#### **Present**

Director of Planning  
Mr C.K. Yip

Chairperson

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Ben S.S. Lui

Professor Bernadette W.S. Tsui

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Mr Vincent K.C. Cheung

Professor Herbert P.K. Chia

Dr Chris K.T. Lam

Assistant Commissioner/Urban,  
Transport Department  
Mr B.K. Chow

Chief Engineer (Works),  
Home Affairs Department  
Mr Bond C.P. Chow

Principal Environmental Protection Officer (Territory South),  
Environmental Protection Department  
Ms Marlene Y.H. Ho

Assistant Director/Regional 1,  
Lands Department  
Ms Catherine W.S. Pang

Deputy Director of Planning/District  
Mr Kepler S.Y. Yuen

Secretary

**Absent with Apologies**

Ms Kelly Y.S. Chan

Mr Derrick S.M. Yip

Professor Janet K.Y. Chan

**In Attendance**

Assistant Director of Planning/Board  
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board  
Ms Katy C.W. Fung

Town Planner/Town Planning Board  
Ms Eva K.Y. Tam

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 796<sup>th</sup> MPC Meeting**

[Open Meeting]

1. The draft minutes of the 796<sup>th</sup> MPC meeting held on 25.9.2026 were confirmed without amendment.

**Agenda Item 2**

**Matters Arising**

[Open Meeting]

2. The Secretary reported that there were no matters arising.

## **Deferral Case**

### **Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

### **Presentation and Question Sessions**

3. The Committee noted that there was one case requesting the Town Planning Board to defer consideration of the application. Details of the request for deferral were in **Annex**.

### **Deliberation Session**

4. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information, as recommended in the Paper.

**Tsuen Wan and West Kowloon District**

[Ms Jacqueline C.P. Cheuk and Mr Kervis W.C. Chan, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), and Ms Sylvia L.Y. Lam and Mr Cecil C.C. Chow, Town Planners/Tsuen Wan and West Kowloon (TPs/TWK), were invited to the meeting at this point.]

**Agenda Item 4**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/515                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Information Technology and Telecommunications Industries (Data Centre) Use in “Industrial” Zone, 38 Wing Kei Road, Kwai Chung  
(MPC Paper No. A/KC/515)

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**Presentation and Question Sessions**

5.                      With the aid of a PowerPoint presentation, Ms Jacqueline C.P. Cheuk, STP/TWK, briefed Members on the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

*Parking and Loading/Unloading (L/UL) Provision*

6.                      Noting that some spaces including those for parking and L/UL were proposed to be converted into a fuel tank and a fan room to support the proposed data centre on three floors (i.e. 12/F, 15/F and 16/F) of the industrial building (IB) at the application site, a Member enquired about the L/UL and car parking provision requirements for data centres, and whether such requirements were lower than those for general industrial uses as claimed by the applicant. In response, Ms Jacqueline C.P. Cheuk, STP/TWK, with the aid of some PowerPoint slides, said that according to the Transport Department Circular No. 6/2012 ‘Standards for Goods Vehicle (GV) Parking and L/UL for Data Centres’ (TD Circular), the requirement for GV parking and L/UL provision for data centres was lower than that for

general industrial use specified in the Hong Kong Planning Standards and Guidelines (HKPSG). According to TD Circular, one GV space per 3,400m<sup>2</sup> to 3,800m<sup>2</sup> was required for the first 20,000m<sup>2</sup> gross floor area (GFA) for data centres. Under HKPSG, one GV space per 700m<sup>2</sup> to 900m<sup>2</sup> GFA was required for general industrial uses. While TD Circular did not stipulate any requirement for private car parking spaces, HKPSG requirement for general industrial uses including data centres was one parking space for every 1,000m<sup>2</sup> to 1,200m<sup>2</sup> of GFA.

7. In response to a Member's enquiry as to whether hourly parking spaces were provided and whether information on the occupancy rate of the parking spaces at the subject IB was available, Ms Jacqueline C.P. Cheuk, STP/TWK, said that according to the applicant, no hourly parking spaces were provided at the subject IB and the parking spaces were for the use of the building's tenants/occupants only. The applicant had not provided information on the occupancy rate of the parking spaces. As the subject IB was not yet fully occupied, with three floors proposed for the data centre and some floors under renovation, there were only a few parking spaces occupied as observed during site visit.

#### *Supporting Facilities for Proposed Data Centre*

8. A Member enquired whether the proposed supporting facilities had to be accommodated in the proposed locations, which had originally been exempted from GFA calculation, rather than elsewhere within the building that had been included in the GFA calculation. In response, Ms Jacqueline C.P. Cheuk, STP/TWK, with the aid of a PowerPoint slide, said that according to the applicant, the proposed fuel tank room on G/F would be provided by converting some existing L/UL spaces that were currently GFA exempted, having regard to fire safety requirements. According to the Fire Services Department (FSD)'s 'A Guide to Application for Dangerous Goods Licence and Approval (01/2025)' (the Guide), such facilities within a building should generally be readily accessible from open air and located on G/F. As for the proposed fan room on 3/F, the area had previously been used for electrical and mechanical (E&M) facilities supporting the ancillary office of the IB, which were GFA exempted under the Buildings Ordinance. However, the above-mentioned two facilities for the proposed data centre were not essential facilities that could be GFA exempted as confirmed by the Building Authority (BA), and hence section 16 (s.16) application for minor relaxation of the plot ratio (PR) restriction to

accommodate the two facilities was required.

9. Noting that data centres were already operating in the subject IB, a Member enquired about the location of the existing fuel tank room. In response, Ms Jacqueline C.P. Cheuk, STP/TWK, said that the existing fuel tank room was located on G/F and had obtained the relevant licence from FSD, with its floor area already included in the GFA calculation. The Member opined that the fuel tank room was essential for a data centre, serving as a backup power source in the event of a power failure. As additional fuel tank facilities were required to support the proposed data centre, the proposal was considered a reasonable arrangement, as there was a genuine need for fuel tank to comply with fire safety requirements. The Chairperson supplemented that there had previously been cases in which fuel tanks were located in the basement or at ground level, subject to compliance with the requirements for Dangerous Goods Licence under the Guide.

#### Deliberation Session

10. The Chairperson said that the application was technical in nature. While it involved minor relaxation of the PR restriction, there was no change in the building bulk. To accommodate the supporting facilities for the proposed data centre, some parking and L/UL spaces would be converted into a fuel tank room to meet fire safety requirements and the E&M facilities would be converted into a fan room. This would result in a slight increase in GFA as the original uses were GFA exempted whereas the proposed facilities would be GFA accountable as advised by BA. Moreover, two strips of building overhang on 3/F, which had previously been 50% GFA exempted, would become fully GFA accountable after the area was no longer used as ancillary car parking spaces.

11. A Member considered that the application was technical in nature, and had no objection to the application. The Member, however, expressed concerns that there might be abuse in future similar applications that the floor area of some originally GFA exempted uses would be converted to uses that were GFA accountable after completion of the development as the current case, thereby resulting in an increase in the PR/GFA of the development. The Member emphasised that approval of the current application should not set precedent for other similar applications, and each application should be considered on its individual merits. The Chairperson said that planning permission, if granted, would be scheme-based. For the

current application, the increase in PR of 0.07 was to accommodate the proposed fuel tank room and fan room to support the proposed data centre, and should not be changed for other uses. Any further expansion of the fuel tank facilities resulting in a further increase in PR would require a separate s.16 application. There was established mechanism to prevent abuse and ensure that the proposal would be implemented in accordance with the approved scheme, and any subsequent changes to the locations of parking and L/UL spaces after approval of the current application would be dealt with under the general building plan submission and the lease. With regard to the reduced provision of parking and L/UL spaces, the Transport Department had no objection to the application.

12. The Vice-chairperson said that there was an advisory clause that the approval of the application would be for the lifetime of the existing building only. The Chairperson supplemented that as stated in the Paper (paragraph 10.4), since the application was for partial conversion of the subject IB for the supporting facilities for the permitted data centre use, the approval would be for the lifetime of the existing building only. Upon redevelopment, the Site would need to conform with the zoning and the development restrictions on the Kwai Chung Outline Zoning Plan. In that regard, an advisory clause (Appendix III of the Paper) was recommended that the additional PR granted under the approved scheme should not be taken as forming part of the 'existing building' upon future redevelopment of the Site.

13. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 9.10.2030, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/605                      Proposed Commercial Bathhouse and Massage Establishment in  
“Commercial” Zone, Rooms 801-804 and 815-820, 8/F, Sun Hing  
Building, 607-609 Nathan Road, Mong Kok, Kowloon  
(MPC Paper No. A/K3/605)

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### **Presentation and Question Sessions**

14.                      With the aid of a PowerPoint presentation, Mr Kervis W.C. Chan, STP/TWK, briefed Members on the background of the application, the proposed uses, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

### ***Proposed Uses***

15.                      Noting that there was no major change in the layout of the current application compared with that of the previously approved application (No. A/K3/410) (the approved application), a Member enquired about the use of the additional area of 34m<sup>2</sup> under the current application, which appeared to have previously formed part of the adjacent mahjong parlour. In response, Mr Kervis W.C. Chan, STP/TWK, with the aid of a PowerPoint slide, said that the additional 34m<sup>2</sup> of floor area at the western corner of the application premises (the Premises) was for massage establishment use and there was no change in the bathhouse portion compared with the approved application.

16.                      Noting the small increase in floor area, a Member enquired whether the boundary of the approved application might have been inaccurately delineated in the previous submission some 20 years ago. In response, Mr Kervis W.C. Chan, STP/TWK, said that PlanD had checked with the applicant and consulted the Buildings Department (BD), but both indicated that they had no information on the exact boundary/area of the application premises after the approval of the previous application. In response to the same Member’s enquiry regarding the photos in Plans A-6 and A-7 of the Paper which showed that the Premises

might have undergone renovation before approval of the current application, Mr Kervis W.C. Chan, STP/TWK, with the aid of a PowerPoint slide, explained that those photos were taken by PlanD during recent site inspection. PlanD had no information on whether the additional 34m<sup>2</sup> floor area for massage establishment use had been renovated or in operation since the previous approval in 2003.

*Need for Planning Application*

17. The Chairperson and a Member raised the following questions:

- (a) whether a section 16 (s.16) application was required if the floor area of the Premises remained the same as that under the approved application; and
- (b) whether the s.16 application could cover only the additional area of 34m<sup>2</sup> for massage establishment use, and whether there was any streamlined arrangement for processing such applications involving minor changes without requiring consideration at a meeting of the Committee.

18. In response, Mr Kervis W.C. Chan, STP/TWK, made the following main points:

- (a) a s.16 application would not be required if there was no change in the floor area of the Premises; and
- (b) the applicant sought planning permission for the expanded premises as a single integrated unit, covering both the previously approved area and the minor extension, in support of subsequent approval by the relevant licensing authority.

19. In response to the same Member's enquiry as to whether the current application was necessitated by a change of operator or licence holder, the Chairperson clarified that planning permission ran with the land/premises, and any change of owner, tenant or operator would not affect the permission granted by the Town Planning Board (the Board).

20. The Chairperson supplemented the following main points:

- (a) where a planning application for proposed uses/development involving both Column 1 and Column 2 uses on an application site, the application would be assessed with reference to the entire site/premises as a single planning unit if the Column 1 and 2 uses were related, even if the Column 1 use was permitted under the Notes of the relevant zone. However, if there was physical separation that divided the site/premises into two separate units, there was no relation of the Column 1 and 2 uses and the application only involved the Column 2 use(s), the assessment would be on the portion that involved a Column 2 use that required planning permission. As the Premises formed a single unit with shared facilities for the proposed uses of commercial bathhouse and massage establishment of the application which required planning permission from the Board, the application had to cover the whole premises; and
- (b) according to the Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals (TPB PG-No. 36C), promulgated by the Board on 17.11.2023, Class A amendments to an approved development proposal did not require a further application to the Board, whereas Class B amendments still required an application under section 16A(2) of the Town Planning Ordinance (the Ordinance). The Board had delegated its authority under section 2(5)(b)(i) of the Ordinance to the Director of Planning, the Deputy Director of Planning and the Assistant Directors of Planning in the District Planning Branch of PlanD for consideration. Where an amendment did not fall within Class A or Class B amendments, a fresh application was required. If an amendment involved an increase in gross floor area (GFA), the Board generally took a more cautious approach and a fresh s.16 application was required in accordance with TPB PG-No. 36C.

#### *Technical Issue*

21. A Member enquired whether the structural loading capacity of the building was sufficient to accommodate the proposed uses, given that bathing facilities were involved. In response, Mr Kervis W.C. Chan, STP/TWK, with the aid of a PowerPoint slide, said that the current application involved no change to the approved bathhouse portion. The application

was circulated to the Buildings Department (BD), which had no objection to the application, and the proposed uses were required to comply with the Buildings Ordinance.

22. In response to the Chairperson's enquiry, Mr Kervis W.C. Chan, STP/TWK, said that according to the occupation permit (OP) issued in 1966, the 8/F, on which the Premises were located, was for office and other non-domestic uses. There was no record of building plan submission to BD in respect of the commercial bathhouse and massage establishment approved in 2003. The Chairperson supplemented that fire and building safety for the proposed uses would be scrutinised under the licencing mechanism, and the concerned government departments, including BD and the Fire Services Department (FSD), would be consulted.

#### *Public Comment*

23. The Vice-chairperson enquired whether there was an Owners' Corporation (OC) in the subject building and whether any public comments on the application were received from the OC. In response, Mr Kervis W.C. Chan, STP/TWK, said that based on the available information, there was no OC for the subject building. In accordance with the established practice, notice had been posted at the subject building during the statutory public inspection period, and no comment was received from residents/occupants of the subject building. The only public comment received was from the property management company of another building, which indicated no comment on the application.

#### *Concentration of Proposed and Similar Uses within the Same Building*

24. Noting the concentration of uses such as nightclubs, karaoke lounges, private clubs and another commercial bathhouse/massage establishment in the non-domestic portion of the subject building, the Vice-chairperson enquired whether there were any guidelines governing the floor area that could be occupied by such similar uses within a building. In response, Mr Kervis W.C. Chan, STP/TWK, said that the subject building fell within the "Commercial" ("C") zone on the Mong Kok Outline Zoning Plan (OZP). According to the Notes of the OZP for the "C" zone, there was only a restriction on building height but no restriction on GFA/plot ratio (PR), and 'Commercial Bathhouse/Massage Establishment' use was a Column 2 use which required planning permission from the Board. Each application

would be considered on its individual merits. The Town Planning Board Guidelines for Application for Commercial Bathhouse and Massage Establishment under Section 16 of the Town Planning Ordinance (TPB PG-No. 14B) were applicable to the application. The main planning criteria were related to the compatibility of uses in the neighbourhood and within the building, local views and fire safety. TPB PG-No. 14B did not specify any limit on the floor area occupied by similar uses within a building. The permitted uses for each floor of the subject building were specified in its OP.

25. The Vice-chairperson considered that there was a concentration of similar uses in the subject building and the suitability of concentrating such activities/uses within a single building/district should be considered. The Chairperson clarified that the subject building was zoned “C” on the OZP without PR/GFA restriction and the control of GFA/PR was under the Building (Planning) Regulations (Cap. 123). According to the Notes of the OZP for the “C” zone, ‘Place of Entertainment’ use, which included karaoke lounges and nightclubs, fell within Column 1, and planning permission was not required irrespective of the location of such uses within the subject building, while ‘Commercial Bathhouse/Massage Establishment’ was a Column 2 use which required planning permission. For a site zoned “Residential (Group A)” (“R(A)”) on the OZP, it was subject to a maximum domestic PR of 8.5 for domestic building or a maximum PR of 9 for a building that was partly domestic and partly non-domestic, and some commercial uses including ‘Place of Entertainment’ were always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. According to TPB PG-No. 14B, the main planning criteria focused on whether the premises were located within the non-domestic portion of a composite commercial/residential building and whether access to the non-domestic portion was separated from that of the domestic portion, so as to avoid causing nuisance to the occupants in the same building. In any event, the proposed uses should comply with the statutory requirements under the relevant legislation and licencing regimes.

#### Deliberation Session

26. The Chairperson remarked that while the proposed uses might be sensitive in nature, the majority of the Premises had been approved for the same uses in 2003 and the current application merely involved a slight increase in GFA. The planning criteria set out in TPB PG-No. 14B were mainly related to the compatibility of uses, local views and fire

safety. For a composite commercial/residential building, the proposed uses should be located in the non-domestic portion and there should be separate accesses for the proposed uses and the domestic portion to avoid causing nuisance to the residents of the same building. It was noted that the application complied with the requirements of TPG PG-No. 14B.

### *The Proposed Uses*

27. A Member supported the application and remarked that Hong Kong currently needed to develop its night-time economy. The Member observed that the concentration of various entertainment uses in a building effectively functioned as a comprehensive entertainment centre, conceptually similar to “Ginza-style” developments in Japan and entertainment complexes in Thailand. Provided that the premises/buildings were properly managed and the activities were conducted lawfully, this type of development could also serve as a tourist attraction worthy of promotion.

### *Technical Aspects*

28. A Member noted that according to the OP, the Premises were located on a floor designated for office use, with a structural loading requirement of 3kPa, compared with 5kPa for shop use. Nevertheless, the operator could engage a structural engineer to demonstrate compliance with the loading requirement for the proposed uses for consideration by the relevant government department(s) at the building plan submission/licensing stage. Another Member supplemented that the applicant would have to obtain planning permission from the Board before submitting general building plans for alterations and additions (A&A) works to BD. The structural loading and safety issues would be followed up by BD at the subsequent stage. The Chairperson concurred with Members’ views that the applicant should carry out the necessary A&A works for BD’s approval, should the application be approved.

### *Concentration of Proposed and Similar Uses in a Building/District*

29. While raising no objection to the application, the Vice-chairperson recalled that the Board had earlier considered a review application for proposed minor relaxation of PR and building height restrictions for a permitted hotel use in Tsim Sha Tsui that involved the redevelopment of Champagne Court Block B (a premises previously reported in the media to

be associated with vice activities). In considering the mixture of uses within a building, the Committee should also consider the impact of such uses, particularly on the residents of the building. The absence of guidelines for assessing the suitability of locating uses similar to the proposed ones in a composite building might lead to an over concentration of such uses, which might not be conducive to the well-being of the community. There should be a careful review when considering Column 1 and Column 2 uses of a zone in a district for the benefit of the community. For instance, the Committee might consider whether there should be a mechanism to monitor the provision of tutorial schools in Kai Tak Malls following the approval of certain s.16 applications for such use in the shopping malls zoned “Other Specified Uses” annotated “Stadium” on the Kai Tak OZP, so as not to jeopardise the planning intention of the zone, which was intended for the provision of a multi-purpose stadium complex and other ancillary leisure and recreational facilities.

30. The Chairperson said that when considering the s.16 application for ‘Commercial Bathhouse/Massage Establishment’ use, the planning criteria set out in TPB PG-No. 14B would be adopted by the Committee to ensure a consistence approach. Given that the application generally complied with the planning criteria set out in TPB PG-No. 14B and there was no objection from the residents of the building and relevant government departments, PlanD recommended approval of the application. Concerns about the concentration of similar uses within the non-domestic portion of the building alone would not preclude favourable consideration of the application. Any unlawful activities would be dealt with by law enforcement agencies while fire and structural safety matters would be followed up by FSD and BD respectively.

31. Regarding the planning control for buildings with mixed uses, the Chairperson said that some areas covering mixed-use developments in the old urban districts, such as Mong Kok and Yau Ma Tei, were previously zoned “Commercial/Residential” (“C/R”) on the OZPs, which permitted commercial uses including ‘Place of Public Entertainment’ and ‘Flat’ uses in the same building. From the 1990s onwards, the “C/R” zones on various OZPs were rezoned to “R(A)” or “C”, taking into account the predominant uses of the buildings and the development character of the areas. Sites along both sides of Nathan Road, for example, were rezoned to “C” having regard to the predominant uses, locations and development context. Given the historical background and mixed-use buildings in the area, ‘Commercial Bathhouse/Massage Establishment’ use was specifically put under Column 2 of the Notes for the “C” zone under the OZPs for Mong Kok, Yau Ma Tei and Tsim Sha Tsui,

rather than Column 1 of the Notes for the “C” zone on some other OZPs.

32. A Member opined that the presence of karaoke lounges, private clubs, and a commercial bathhouse and massage establishment in the non-domestic portion of the subject building was considered acceptable, given that the building was located in Mong Kok, a district characterised by a mix of uses rather than a pure residential area. There was a demand for such uses, and provided that they operated lawfully, concentrating such activities in districts such as Yau Tsim Mong (YTM) was preferable to dispersing them across predominantly residential neighbourhoods. For instance, the Member drawn an analogy to the concentration of museums in certain districts in London, which provided convenience to visitors. Furthermore, residents and potential patrons/occupants should be well aware of the existing and permitted uses in the building. Currently, many shops in Mong Kok were unable to find tenants and the district was gradually losing its vibrant nightlife. As the existing business could continue to operate without closure, subject to the approval of the current application, and the applicant would be required to apply for a massage establishment licence from the Commissioner of Police (C of P), the Member considered that the application could be approved.

33. Another Member said that the application was different from the circumstances of Champagne Court Block B in that the applicant would be required to apply for a massage establishment licence from C of P, the subject building had been in operation for a long period of time and no complaints had been received, whereas the vice activities associated with Champagne Court Block B were illegal. The designation of ‘Commercial Bathhouse/Massage Establishment’ use under Column 2 of the Notes for the “C” zone on the OZP took into account the historical background and other planning considerations in Mong Kok, ensuring that a s.16 application would be subject to the Board’s consideration while allowing the needs of society to be addressed.

34. A Member said that while the proposed uses might give a negative impression or potentially cause a nuisance, the Mong Kok district had historically developed as a mixed-use area. From sociological perspective, this developmental trajectory had shaped the district into what it was today. For the current application, the proposed uses had been operating after the planning approval in 2003. Noting that no complaints about the operation at the Premises had been received by the Hong Kong Police Force or the Food and Environmental

Hygiene Department (FEHD) in the past 3 years, and majority of the Premises was the subject of the previous approval for the same uses, the Member considered that there were no strong grounds to reject the application.

35. In response to the Member's further enquiry, the Chairperson said that if the licence application was referred to PlanD for comment, given that the floor area under the current application was larger than that of the previously approved application, PlanD would raise objection and the licence would not be granted. However, if the floor area remained unchanged from that of the previously approved application, and there was only a change of operator or licence holder, no further planning application would be required.

36. A Member considered that anyone choosing to reside in the subject building should be well aware of the permitted or existing uses in the building before making a decision to live there. The mixed-use character of the YTM district had not emerged overnight, but had evolved and taken shape gradually over a long period of time.

37. Another Member opined that there was a demand for such uses, similar to the demand for beauty parlours. Taking an off-course betting centre as an example, there were differing views in society on whether such use should be located in a neighbourhood. The zoning control on the OZP should have taken into account the planning circumstances and relevant considerations when it was formulated, while the circumstances might change over time. Should the current application be approved, approvals would still be required from other authorities, e.g. BD and FSD, prior to implementation of the proposed uses. Noting that the applicant had suspended the business pending planning approval, the increase in floor area was minor, and no objection was received during the statutory public inspection period of the application, the Member had no objection to the application.

38. The Chairperson concluded that in general, Members had no objection to the application, taking into account the following considerations: planning permission for the proposed uses at the Premises had previously been granted in 2003, with only a slight increase in floor area of 34m<sup>2</sup> in the current application; the application complied with TPB PB-No. 14B; there was a similar approved application in the same building; the applicant would apply for a massage establishment licence from C of P while the commercial bathhouse was covered by a licence issued by FEHD, with the operations subject to the respective licensing requirements; no public objection was received; and the historical

mixed-use development character of the YTM district should be duly considered.

39. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 9.10.2030, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

### **Hong Kong District**

[Mr Tony K.Y. Yip, Senior Town Planner/Hong Kong (STP/HK), and Mr Boris J.T. Lai, Town Planner/Hong Kong (TP/HK), were invited to the meeting at this point.]

### **Agenda Item 6**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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| A/H25/24 | Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years in "Open Space" Zone, Part of Basement Level B1 of the Car Park Complex, Hong Kong Convention and Exhibition Centre (Phase 1), 1 Harbour Road, Wan Chai<br>(MPC Paper No. A/H25/24A) |
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#### **Presentation and Question Sessions**

40. With the aid of a PowerPoint presentation, Mr Boris J.T. Lai, TP/HK, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The

Planning Department (PlanD) had no objection to the application.

41. Noting that the government office buildings in the Wan Chai North (WCN) area would be demolished and redeveloped in the coming years and hence there would be reduction in the number of employees and the demand for parking in the area, and a temporary waiver for the applied use issued by the Lands Department (LandsD) was required, a Member raised the following questions:

- (a) whether the recommendation to approve the application on a temporary basis for a period of 2 years, instead of 5 years sought, in view of the redevelopment in WCN was appropriate; and
- (b) whether the planning approval could be granted for a period of 5 years while leaving the control/termination of the applied use under the temporary waiver upon request from concerned government bureaux/departments (B/Ds).

42. In response, Mr Tony K.Y. Yip, STP/HK, with the aid of a PowerPoint slide, made the following main points:

- (a) the approval period was recommended after taking into consideration the comments of the consulted B/Ds. According to the indicative redevelopment scheme prepared for the WCN Outline Zoning Plan (OZP) amendment in 2023, the site currently occupied by the government office buildings in WCN was planned to be redeveloped into office, hotel and convention and exhibition facilities with public vehicle park (PVP). The government office buildings would be vacated by 2027 at the earliest. While traffic conditions and parking demand in the vicinity would be affected during the demolition and construction phases, new parking demand would arise upon completion of the redevelopment. Besides, having considered the parking demand during events at the Hong Kong Convention and Exhibition Centre (HKCEC), the Commerce and Economic Development Bureau (CEDB) and the Transport Department (TD) considered that a prudent approach should be adopted in determining the

approval period to allow flexibility to review the parking demand in a timely manner, as necessary; and

- (b) the temporary waiver was prepared based on the planning approval and would be renewed on a quarterly basis. Approval conditions could be imposed to monitor the number of cars parked and number of visitors to the application premises (the Premises) during the approval period. If there was any breach of statutory requirements, such as fire safety requirements or non-compliance with the Town Planning Ordinance (i.e. failure to comply with the approval conditions resulting in the revocation of the planning permission), LandsD could terminate the waiver.

43. Noting that the previous applications (No. A/H5/10, 12, 14, 18 to 21 and 23) of the Premises was also approved for 2 years each instead of 3 or 5 years sought, a Member enquired about the reasons for the shorter approval periods granted for the previous applications and whether there had been any material change in the circumstances that warranted a longer approval period for the current application. In response, Mr Tony K.Y. Yip, STP/HK, said that CEDB and TD were consulted on the previous applications and both considered that a conservative approach should be adopted and hence suggested a shorter approval period to monitor the operation of the motor vehicle showroom and the future demand for car parking spaces, taking into account the construction works and redevelopment in WCN. As the circumstances remained unchanged, CEDB and TD maintained their recommendation for a shorter approval period for the same reasons.

44. The same Member enquired whether the basement car park of the government office buildings in WCN would be open to the general public. In response, Mr Tony K.Y. Yip, STP/HK said that the car park in the government buildings were originally open to the public but the arrangement had recently ceased. That said, according to the indicative redevelopment scheme of the government office buildings site, about 880 parking spaces would be provided for public use upon completion of the redevelopment.

45. A Member asked whether there were any other locations in Hong Kong where large-scale second-hand motor-vehicle showrooms could operate on a permanent basis. In response, Mr Tony K.Y. Yip, STP/HK, with the aid of some PowerPoint slides, said that one

example was a motor vehicle mart located in the basement of Kowloon City Plaza, while another was in Kowloon Bay where there were showrooms selling new and/or second-hand cars. In response to the Member's further enquiry, the Chairperson said that the premises in Kowloon City Plaza were previously used as a car park, while the showrooms in Kowloon Bay were situated in a commercial building. The use was regarded as 'Shop and Services' and was generally permitted in the "Commercial" zone and on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building zoned "Residential (Group A)".

#### Deliberation Session

46. The Chairperson recapitulated that while the applicant sought temporary approval for shop and services (motor-vehicle showroom) use at the Premises for a period of 5 years, PlanD recommended a shorter approval period of 2 years, having considered the comments of CEDB and TD. The shorter approval period would allow flexibility to review the parking demand in light of the progress of the redevelopment in WCN, the associated traffic conditions during redevelopment, and the parking needs of HKCEC during the event periods. There were 10 previous approvals for the same use at the Premises, and the applied use was considered compatible with the surrounding areas and would not generate significant traffic impact. The Chairperson invited Members to express their views, including on the approval period.

47. A Member said that the application was technical in nature. The site was originally a car park, and the operator could also rent the parking spaces on a monthly basis for use as a motor vehicle showroom. As commercial transactions would take place, it would be more appropriate to obtain planning approval for the motor vehicle showroom use. Regarding the concerns on fire safety and pedestrian flow, the number of cars parked and the number of visitors/users at the Premises would be similar under both motor vehicle showroom and car park uses. There was a need for permanent venues for this type of the business in Hong Kong, and HKCEC could serve this purpose, although the cost might be high. If there was other means for relevant B/Ds to monitor parking provision and terminate the applied use whenever necessary, a longer approval period of 5 years could facilitate the operator's business operation, while the Member had no objection to the recommended approval period of 2 years.

48. A Member concurred that a longer approval period could facilitate the operation of the motor vehicle showroom. In response to the Member's enquiry on whether the car park would affect the provision of open space at the site given that the site where the Premises was located was zoned "Open Space" ("O") on the Wan Chai North Outline Zoning Plan (OZP), the Chairperson clarified that as the open space was built on top of the carpark, the proposed temporary 'shop and services' use in the basement car park would not affect the functioning or integrity of the existing open space. There would therefore be no conflict between the open space and the car park underneath it.

49. Other Members generally supported granting approval for 2 years, allowing relevant B/Ds to review and assess traffic conditions and parking provision in the WCN area in timely manner, taking account of the redevelopment of the government office buildings in the area and car parking demand during event periods of HKCEC. Some Members also expressed the following views:

- (a) while there appeared to be sufficient parking spaces for public use even with the applied use in place, there was reduction in car parking spaces available for public use due to the closure of the PVP in the government office buildings in WCN, a shorter approval period would provide flexibility for relevant B/Ds to review the traffic situation and parking need;
- (b) there was strong parking demand during the event periods of HKCEC. As mentioned in the Paper, there was a shortage of parking spaces during certain event periods, such as the Wedding Fair and the Book Fair, when the number of available parking spaces fell to zero. If the Premises were not used as a motor-vehicle showroom, more parking spaces would be available during the event periods, and situations in which no parking spaces available might be avoided;
- (c) while the temporary waiver for the motor vehicle showroom could be terminated at the request of relevant B/Ds, granting planning approval for 5 years might create an expectation on the part of the applicant that the use could continue for the full 5-year period. Consequently, it might be difficult to terminate the temporary waiver before the expiry of that period. Having considered a public comment that the applied approval period of 5

years was too long, granting approval for 2 years was a prudent and preferable approach; and

- (d) given the rapid changes in society and the economy, a shorter approval period would allow flexibility for relevant B/Ds to review, particularly as the parking spaces made available to visitors to HKCEC and the public served the interests of the general public.

50. The Chairperson said that motor vehicle showroom was regarded as ‘Shop and Services’ use, which was always permitted in HKCEC zoned “Other Specified Uses” annotated “Exhibition Centre with Commercial Development” on the OZP. As the Premises were zoned “O” on the OZP, planning permission was required. Having considered the need for motor vehicle showrooms in Hong Kong and the need to allow flexibility for relevant B/Ds to monitor traffic conditions and parking provision in WCN, Members generally had no objection to the recommendation to approve the application on a temporary basis for a period of 2 years.

51. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years until 9.10.2028 instead of 5 years sought, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairperson thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

**Agenda Item 7**

**Any Other Business**

[Open Meeting]

52.           There being no other business, the meeting was closed at 10:55 a.m.

**Minutes of 797<sup>th</sup> Meeting of the Metro Planning Committee  
(held on 9.10.2026)**

**Deferral Case**

Request for Deferment by Applicant for 2 Months

| <b>Item No.</b> | <b>Application No.*</b> | <b>Times of Deferment</b> |
|-----------------|-------------------------|---------------------------|
| 3               | Y/TW/20                 | 1 <sup>st</sup>           |

*\* Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/MPC/Agenda/797\\_mpc\\_agenda.html](https://www.tpb.gov.hk/en/meetings/MPC/Agenda/797_mpc_agenda.html) for details of the planning application.*