

RNTPC Paper No. A/SK-SKT/20C
 For Consideration
 by the Rural and New Town
 Planning Committee
 on 22.3.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-SKT/20

<u>Applicant</u>	: Albury Garden Investment Limited represented by Townland Consultants Limited
<u>Site</u>	: Lot 1140 in D.D. 215, 1A Chui Tong Road, Sai Kung
<u>Site Area</u>	: About 3,163 m ²
<u>Lease</u>	: New Grant No. 9329 restricted for non-industrial (excluding residential, hotel, service apartment, petrol filling station and godown) purposes
<u>Plan</u>	: Approved Sai Kung Town Outline Zoning Plan (OZP) No. S/SK-SKT/6
<u>Zoning</u>	: "Other Specified Use" annotated "Commercial Development (with Multi-storey Vehicle Park)" ("OU(Commercial Development (with Multi-storey Vehicle Park))") [restricted to a maximum gross floor area (GFA) of 23,722m ² , of which not less than 17,396m ² shall be provided for 'Public Vehicle Park', and a maximum building height (BH) of 10 storeys (excluding basements)]
<u>Application</u>	: Proposed Temporary Minor Relaxation of GFA Restriction for a Period of 3 Years to Enable the Permitted Shop and Services Use

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary relaxation of GFA restriction (i.e. to relax the maximum GFA for the application site (the Site) to 24,025.561m² and the minimum GFA for public vehicle park to 13,374.572m²) for a period of 3 years to enable conversion of existing public vehicle park to shop and services use at the Site. The Site falls within an area zoned "OU(Commercial Development with Multi-storey Vehicle Park)" on the approved Sai Kung Town OZP No. S/SK-SKT/6 (**Plan A-1**). According to the Notes of the OZP for "OU(Commercial Development with Multi-storey Vehicle Park)" zone, 'Shop and Services' use is always permitted. Development within this zone is also subject to a maximum GFA of 23,722m², of which not less than 17,396m² shall be provided for 'Public Vehicle Park', and a maximum BH of 10 storeys (excluding basements). Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA/BH restrictions may be considered by the Board.

- 1.2 The Site is currently occupied by a 10-storey commercial development with public vehicle park for private cars, light goods vehicles (LGVs), heavy goods vehicles (HGVs) and coaches on G/F, 1/F, 2/F, 5/F to 9/F and R/F. The applicant proposes temporary conversion of 8/F and 9/F of the development from public vehicle park to 'Shop and Services' use and close the public vehicle park on R/F (**Drawings A-10 to A-13**). A total of 94 LGV parking spaces, 22 HGV parking spaces and 19 coach parking spaces on G/F to 2/F and 5/F to 7/F are proposed to be removed to make space for ancillary parking facilities of the new 'Shop and Services' use and for repovisioning of parking spaces for private cars. The location, floor and section plans submitted by the applicant are at **Drawings A-1 to A-13**. The proposed changes in floor use and parking spaces are summarized in the following tables:

Table 1: Proposed Change in Floor Use

	Existing Development	Current Proposal
G/F	Vehicle Parking, E&M, Shop and Services	Vehicle Parking, E&M, Shop and Services
1/F	Vehicle Parking, E&M	Vehicle Parking, E&M, Temporary Sewage Storage Tank Room
2/F	Vehicle Parking, Shop and Services	Vehicle Park, Shop and Services
3/F	Shop and Services	Shop and Services
4/F	Eating Place	Eating Place
5/F	Vehicle Parking	Vehicle Parking
6/F	Vehicle Parking	Vehicle Parking
7/F	Vehicle Parking	Vehicle Parking
8/F	Vehicle Parking	Temporary Shop and Services
9/F	Vehicle Parking	Temporary Shop and Services
R/F	Vehicle Parking	Flat Roof

Table 2: Proposed Change in Parking Spaces

	Existing Development			Current Proposal			Difference (b) – (a)
Type of Parking Provision	Public Vehicle Park	Ancillary Parking	Total (a)	Public Vehicle Park	Ancillary Parking*	Total (b)	
Private Car	200	32	232	200	54	254	22 (9.48%)
LGV	100	-	100	6	-	6	-94 (-94%)
HGV	26	7	33	0	11	11	-22 (-67%)
Coach	24	-	24	5	-	5	-19 (-79.17%)

* includes ancillary car parking spaces for proposed 'Shop and Services' use under the application

- 1.3 According to the applicant, the proposed conversion will not involve any change in building bulk of the development. The proposal will result in a total GFA of 24,025.561m² with 13,374.572m² for public vehicle park. In comparison with the

GFA restriction on the OZP, the proposed total GFA increases by 303.561m² (+1.28%) with GFA for public vehicle park reduced by 4,021.428m² (-23.12%). Hence, relaxation of the maximum GFA and minimum public vehicle park GFA restrictions as stipulated on the OZP is required. The proposed change in development parameters are as follows:

	Existing Development (a)	OZP Restriction (b)	Current Proposal (c)	Difference (c) – (b) (Relaxation Sought)
Site Area	3,163m ²	--	3,163m ²	--
Plot Ratio	7.491	--	7.596	+0.105 (+1.4%)
BH	10 storeys/ 53.175m	10 storeys (excluding basements)	10 storeys/ 53.175m	0
Total GFA	23,695.143m ^{2#}	23,722 m ²	24,025.561m ^{2##}	+303.561m ² (+1.28%)
GFA for Public Vehicle Park	17,488.072m ²	not less than 17,396 m ²	13,374.572m ²	-4,021.428m ² (-23.12%).

[#] excluding non-accountable GFA of 330.418m² on 8/F and 9/F under lease

^{##} GFA of 330.418m² would be accountable under lease should 8/F and 9/F be converted to 'Shop and Services'

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application form dated 9.5.2018 (Appendix I)
- (b) Supplementary Planning Statement (Appendix Ia)
- (c) Further Information (FI) dated 3.8.2018 providing responses to comments and a revised Sewerage Impact Assessment (SIA) *(not exempted from publication and recounting requirements)* (Appendix Ib)
- (d) FI dated 3.10.2018 providing responses to comments *(exempted from publication and recounting requirements)* (Appendix Ic)
- (e) FI dated 1.2.2019 providing responses to comments *(exempted from publication and recounting requirements)* (Appendix Id)

1.5 On 6.7.2018, 21.9.2018 and 16.11.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months each, as requested by the applicant, to allow time for preparation of FI in response to departmental comments. The applicant submitted FIs as detailed in paragraph 1.4 above. The application is scheduled 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 the Section 5 of the Supplementary Planning Statement at **Appendix Ia** and the FIs at **Appendices Ib to Id**. They can be summarised as follows:

- (a) The applicant seeks a temporary permission of 3 years for the conversion, the long term planning intention of the Site will not be jeopardized. There will be no structural changes to the existing building or any change to physical building bulk.
- (b) The Site is situated within walking distance from Sai Kung Town and can provide additional retail services to cater for the surrounding residential community and to support tourism. The retention of the existing number of private car parking spaces within the public vehicle park continues to support the increasing residential community and tourists or visitors to Sai Kung for leisure and tourism purposes.
- (c) The Traffic Impact Assessment (TIA) demonstrates that there is a low occupancy rate of the current vehicle park, including virtually nil public demand for LGV, HGV or coach parking within the public vehicle park. The proposed temporary conversion does not reduce private car parking spaces considering the constant demand for private car parking. According to the TIA, the surrounding developments are not dependent on the public vehicle park at the Site. The residential developments that surround the building are low-density village houses or housing estates which include their own parking facilities. The existing cluster of industrial buildings to the west of the Site also have their internal parking facilities or utilise existing open air carparks closer to their operations. The additional ancillary private car parking spaces for the proposed temporary conversion is in line with the Hong Kong Planning Standards and Guidelines (HKPSG). The TIA concludes that the proposed temporary conversion would not result in any adverse traffic impact.
- (d) The major demand for parking of goods vehicles near the Site was mainly from warehouses and storage uses. However, the Sai Kung Industrial Area has been rezoned to “Residential (Group E)” (“R(E)”), which the planning intention is to phase out the industrial uses. In view of the rezoning of the industrial buildings to “R(E)”, the demand for parking of good vehicles has dropped, therefore, the proposed temporary reduction of goods vehicle parking spaces at the Site is acceptable.
- (e) Government policy should not be applied in a draconian manner, but rather implemented with good sense and judgement according to the particulars of each case. Whilst the applicant is not arguing the overall territorial shortage of parking spaces for commercial vehicles, the applicant has already provided sufficient evidence that drivers are choosing not to use the commercial parking available at the Site.
- (f) The existing safety provisions will be extended to cover the new area of shop and services to ensure conformity with all current safety standards.
- (g) The Sewage Impact Assessment (SIA) concludes that there is adequate capacity in the public sewerage and sewage treatment system to accommodate the new flows generated from the proposed temporary conversion. In order to minimise potential adverse impact, it is proposed to provide temporary sewage storage facilities within

the existing building to retain flows from the new toilets and discharge them to public sewer at night, during off-peak times. The temporary storage is to be accommodated on 1/F of the development and will be provided with appropriate odour control equipment.

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

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

4. **Previous Application**

There is no previous application at the Site.

5. **Similar Application**

There is no similar application in the vicinity of the Site.

6. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, Aerial Photo on **Plan A-3** and Site Photos on A-4a to 4c)

6.1 The Site is:

- (a) occupied by a multi-storey commercial development with public vehicle park named Centro;
- (b) abutting Hiram’s Highway, Chui Tong Road and Fui Yiu Lane; and
- (c) falling within the consultation zone of Pak Kong Water Treatment Works (PKWTW), which is a Potentially Hazardous Installation (PHI).

6.2 The surrounding areas have the following characteristics:

- (a) Sai Kung Town centre is about 500m to the northeast;
- (b) to its north across Hiram’s Highway are low-rise residential developments within the “Residential (Group D)” (“R(D)”) zone;
- (c) to its immediate east is the village houses cluster of Fui Yiu Ha. To the further east is the Sai Kung Old Town occupied by village houses with commercial uses including restaurants and retail shops on the ground floors;
- (d) to its south is an existing 8 to 13-storeys residential development named Lakeside Garden; and

- (e) to its southwest across Chui Tong Road are five existing industrial buildings falling within the same “Residential (Group E)1” (“R(E)1”) zone. Planning permissions have been granted for redevelopment of three of the industrial buildings into residential use under applications No. A/SK-SKT/10 and 14.

7. **Planning Intention**

The planning intention of the “OU(Commercial Development with Multi-storey Vehicle Park)” zone is for commercial and multi-storey vehicle parking uses.

8. **Comments from Relevant Government Departments**

- 8.1 The following government departments have been consulted and their views on the application and public comments are summarised as follows:

Land Administration

- 8.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) the Site falls within Lot 1140 in D.D. 215, which has a site area of about 3,163m² and is held under the Conditions of Sale dated 18.6.1998 and registered in the Land Registry as New Grant No. 9329 (“the New Grant”). The New Grant contains, inter alia, the following conditions:
- (i) the lot is restricted to be used for non-industrial (excluding residential, hotel, service apartment, petrol filling station and godown) purposes;
 - (ii) the purchaser shall not erect, construct or maintain upon the lot any building or buildings other than a building or buildings comprising a multi-storey vehicle park. The purchaser may in addition to but not in substitution of the multi-storey vehicle park, erect, construct and maintain upon the lot accommodation for non-industrial (excluding residential, hotel, service apartment, petrol filling station and godown) purposes;
 - (iii) the multi-storey vehicle park shall contain spaces for the parking of not less than 350 motor vehicles licensed under the Road Traffic Ordinance. There shall be provided within the multi-storey vehicle park:
 - not less than 200 parking spaces for the parking of licensed private car, light buses and taxi;
 - not less than 100 parking spaces for the parking of licensed light goods vehicles;

- not less than 50 parking spaces for the parking of licensed medium good vehicles, heavy goods vehicles, coaches or buses;
 - not less than 80% in respect of each of the parking spaces so provided shall be available for letting to the public at any time for parking on an hourly basis;
 - the total GFA of any building and building on the lot shall not be less than 14,233m² and shall not exceed 23,722m² provided that the total GFA of any building or buildings erected or to be erected on the lot excluding the multi-storey vehicle park shall not exceed 6,326m²;
 - any building on the lot shall not exceed 10 storeys including any floor or space below the level of the ground;
 - no part of any building or other structure on the lot shall exceed a height of 42 metres above the mean formation level on which it stands, save the machine rooms, air-conditioning units, water tanks stairhoods and similar roof-top structures may be erected or places on the roof of the building subject to prior written approval of the Director of Lands; and
- (b) the conversion proposal under the planning application is in breach of lease conditions of the New Grant, in particular the GFA restriction and the provision requirement of the multi-storey vehicle park. If the planning application is approved by the Board, the owner of the lot will need to apply to District Lands Office/Sai Kung for a temporary waiver to effect the proposal. However, there is no guarantee that such temporary waiver would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions including payment of a waiver fee and an administrative fee as the Government considers appropriate.

Traffic

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

- (a) he does not support the application;
- (b) the applicant mentions about the low occupancy of the parking spaces which does not directly reflect the parking demand in the district. It is observed that the adjacent car parks and on-street parking spaces are often fully occupied especially at weekends or public holidays. In addition, he has been receiving requests from various parties for providing more parking spaces in Sai Kung;

- (c) contrary to applicant's allegation that the car park is remote from town centre, the car park is actually within walking distance from the town centre and places of attractions in the district;
- (d) the applicant concludes in the TIA submitted in May 2018 (**Appendix Ia**) that the traffic generation has no adverse impact to the local road network. Nevertheless, Transport Department (TD) reiterates that the parking spaces for commercial vehicles shall not be removed considering the parking policy of according priority of parking spaces to commercial vehicles;
- (e) there is a shortage of parking spaces for commercial vehicles in the territory. The proposed reduction of parking spaces for LGVs/HGVs and coaches does not tally with the Government's current policy in according priority of parking spaces to commercial vehicles;
- (f) he has reservation on the statement that the applicant has provided sufficient evidence that the public is choosing not to use the commercial parking available at Centro (**Appendix Ic**):
 - in the FI received on 3.8.2018 (**Appendix Ib**), the applicant states that parking promotion has been given to promote the carpark. However, from the inspection on 28.9.2018, the said parking promotion was not indicated in their advertising board at the carpark entrance;
 - according to the inspection on 28.9.2018, the parking spaces for HGV and coach on the ground floor of Centro were used for parking of private cars and material storage. Therefore there is great doubt on whether the owner of Centro fulfils his responsibility in providing parking spaces for commercial vehicles under the lease requirements;
 - there is no clear signage about the availability of parking spaces for commercial vehicles at Centro. The applicant should consider providing more signage for public's awareness of the carpark at Centro;
 - according to the Traffic Study Final Report by the applicant in May 2018 (**Appendix Ia**), the utilization survey was carried out when the said reduction of parking charge and promotion had not yet been implemented at Centro. The quoted monthly parking charge for LGV, HGV and coach at that time were \$2650 to \$3500, \$5250 to \$5800 and \$5750 to \$6500 respectively which are in general higher than the market price;
 - there are public comments stating that Centro does not accept new application of monthly parking and that the monthly parking charge is more than \$5000;

- (g) according to his observation on a typical Sunday, the observed illegally parked vehicles at Sai Kung Town were 223 no. of private car, 9 no. of LGV, 29 no. of Medium/HGV and 1 no. of coach. Utilization of the subject carpark would be increased if proper enforcement action is taken in future;
- (h) the extract of Legislative Council Paper No. CB(4)326/17-18(01) quoted in the responses-to-comments (**Appendix Ic**) is from paragraph 10 of the paper and in relation to private car park shortage. According to the paper, there is a shortage of parking spaces for commercial vehicles;
- (i) considering the seriousness of illegal parking of various types of vehicles particularly at weekends and holidays, the area of carpark should not be sacrificed for additional shop and services. The applicant may consider and apply for converting some parking spaces for use by private cars if sufficient and genuine justifications on the utilization of parking spaces are given;
- (j) the car park near Mei Yu Street is short-term nature and does not offer coach parking. He is not aware of any planned development for a new public vehicle park at that site for the time being; and
- (k) although the applicant has responded that the proposed development is only on a temporary basis, such type of development, if permitted, will set an undesirable precedent case for similar applications in the future. The resulting cumulative adverse impact on the parking spaces for commercial vehicles in the territory could be substantial.

Environment

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

he has no comment from the environmental protection perspective.

Landscape

8.1.4 Comments of the Chief Town Planner/Urban Design & Landscape, Planning Department:

the application involves conversion of internal use for the temporary relaxation of GFA restriction, significant landscape impact arising from the application is not envisaged.

Sewerage

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

he has no further comment on the revised SIA (**Appendix Ib**) from sewerage point of view.

8.1.6 Comments of the DEP:

the revised SIA (**Appendix Ib**) has demonstrated no adverse sewerage impact to the existing public sewerage system and he has no objection to the application.

Building Matters

8.1.7 Comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):

- (a) she has no in-principle objection to the planning application for temporary conversion under the Buildings Ordinance (“BO”) subject to the following comments:
 - (i) Authorized Person (AP) should be appointed to submit building plans to the Building Authority (BA) for approval;
 - (ii) Barrier Free Access and facilities including accessible lift and accessible toilets should be provided to the proposed temporary conversion under Building (Planning) Regulation (B(P)R) 72;
 - (iii) adequate provision of Means of Escape and sanitary fitments should be provided after the conversion. In particular, the existing required staircases serving the storeys above the ground storey should have a total discharge value of not less than the total occupant capacity of those storeys;
 - (iv) the existing premises on the application site intended to be used for Shop and Services is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority, if applicable;
 - (v) applicant’s particular attention should be drawn to any additional loading implication resulting from the proposed change in use. Reference should be made to Code of Practice for Dead and Imposed Loads 2011;
- (b) noting that the proposed maximum GFA is well within the permissible PR under 1st Schedule of B(P)R, he has no particular comment under the BO on the GFA calculation of the proposal; and

- (c) detailed comments will be provided at building plan submission stage.

Fire Safety

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

- (a) he has no in-principle objection to the application subject to fire service installations and water supplies for fire fighting being provided to the satisfaction of Fire Services Department (FSD). Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) as no details of emergency vehicular access (EVA) have been provided, comments could not be offered by FSD at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department.

Water Supply

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

- (a) he has no objection to the application; and
- (b) according to the applicant's FI at **Appendix Ic**, the application does not necessitate new water supply facility.

8.2 The following government departments have no comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) District Officer/Sai Kung, Home Affairs Department (DO/SK, HAD); and
- (c) Director of Electrical and Mechanical Services (DEMS).

9. Public Comments Received During Statutory Publication Periods

The application and FI were published for public inspection on 19.5.2018 and 10.8.2018. During the statutory public inspection periods, a total of 4 comments were received from individuals of public (**Appendix II**). They object to the application mainly on grounds that Hiram Highway's has been suffered from heavy traffic and there have been shortfall in car parking spaces in Sai Kung, the reduction in parking spaces in the development would have adverse traffic impacts to the area, and the low occupancy rate of the current car park is due to its high rental price.

10. Planning Considerations and Assessments

- 10.1 The application is for temporary relaxation of GFA restriction for a period of 3 years to enable conversion of existing public vehicle park to shop and services use at the Site. At present, the development at the Site provides a total of 350 parking spaces for private cars, good vehicles and coaches. The applicant proposes to convert 8/F and 9/F of the development from public vehicle park to shop and services use and close the public vehicle park on R/F. A total of 94 LGV parking spaces, 22 HGV parking spaces and 19 coach parking spaces are proposed to be deleted. The Site falls within the "OU(Commercial Development with Multi-storey Vehicle Park)" zone on the OZP. The planning intention of the said "OU" zone is for commercial and multi-storey vehicle parking uses. Development within this zone is subject to a maximum GFA of 23,722m², of which not less than 17,396m² shall be provided for 'Public Vehicle Park'. According to the Explanatory Statement of the OZP, to provide design flexibility for innovative design adopt to the characteristic of the Site, minor relaxation of the GFA restriction may be considered by the Board.
- 10.2 The proposed temporary conversion would result in an increase of the total GFA of the development to 24,025.561m² (i.e. an increase of 303.561m² (+1.28%)), whereas the GFA for public vehicle park would be reduced to 13,374.572m² (i.e. a reduction of 4,021.428m² (-23.12%)) when compare with the GFA restriction stipulated on the OZP. While the proposal only involves internal conversion works at the existing building and 'Shop and Services' use is always permitted within the subject "OU" zone and such use is considered not incompatible with the surrounding area, no information is provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area.
- 10.3 The Site is located at the junction of Hiram's Highway and Chui Tong Road. It is within walking distance from Sai Kung Town Centre and other places of attraction in the area. The development of the Site is currently one of the major vehicle parking facilities in Sai Kung. C for T objects to the application as the proposed reduction of parking spaces for goods vehicles and coaches does not tally with the Government's policy in according priority of parking spaces to commercial vehicles. He advises that the adjacent car parks and on-street parking spaces are often fully occupied especially at weekends or public holidays. Besides, requests have been received from various parties for providing more parking spaces in Sai Kung. Considering the seriousness of illegal parking of various types of vehicles particularly at weekends and holidays, the area of carpark should not be sacrificed for additional shop and services uses.
- 10.4 The applicant has submitted revised SIA and supplementary information on the water demand of the proposal to demonstrate that the proposal will not create adverse impacts on sewerage and water supply. Relevant departments including DEP, CE/MN, DSD, DEMS and CE/Construction, WSD have no objection to/comment on the application.
- 10.5 The public comments received are mainly expressing concerns on traffic condition and inadequacy of car park provision in the area. In this regard, the assessments in paragraphs 10.2 to 10.4 above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessment made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9, the Planning Department does not support the application for the reason that no information is provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area.
- 11.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years from 22.3.2019 to 22.3.2022. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the design of public vehicle parking within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 22.9.2019;
- (b) in relation to (a) above, the provision of public vehicle parking within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 22.12.2019;
- (c) the submission of water supplies for firefighting and fire service installations proposals within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.9.2019;
- (d) in relation to (c) above, the implementation of water supplies for firefighting and fire service installations proposals within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 22.12.2019; and
- (d) if the above planning conditions is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

12. Decision Sought

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

- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicants.

13. Attachments

Appendix I	Application form dated 9.5.2018
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI dated 3.8.2018
Appendix Ic	FI dated 3.10.2018
Appendix Id	FI dated 1.2.2019
Appendix II	Public Comments
Appendix III	Advisory Clauses
Drawing A-1	Location Plan
Drawings A-2 to A-12	Floor Plans
Drawing A-13	Section Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

PLANNING DEPARTMENT
MARCH 2019

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the conversion proposal under the planning application is in breach of lease conditions of the New Grant, in particular the Gross Floor Area (GFA) restrictions and the provision requirement of the multi-storey vehicle park. If the planning application is approved by the Board, the owner of the lot will need to apply to District Lands Office/Sai Kung for a temporary waiver to effect the proposal. However, there is no guarantee that such temporary waiver would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions including payment of a waiver fee and an administrative fee as the Government considers appropriate;
- (b) to note the following comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):
 - (i) Authorized Person (AP) should be appointed to submit building plans to the Building Authority (BA) for approval;
 - (ii) Barrier Free Access and facilities including accessible lift and accessible toilets should be provided to the proposed temporary conversion under Building (Planning) Regulation (B(P)R) 72;
 - (iii) adequate provision of Means of Escape and sanitary fitments should be provided after the conversion. In particular, the existing required staircases serving the storeys above the ground storey should have a total discharge value of not less than the total occupant capacity of those storeys;
 - (iv) the existing premises on the application site intended to be used for Shop and Services is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority, if applicable;
 - (v) applicant's particular attention should be drawn to any additional loading implication resulting from the proposed change in use. Reference should be made to Code of Practice for Dead and Imposed Loads 2011;
 - (vi) detailed comments will be provided at building plan submission stage; and
- (c) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department.



SPCTR

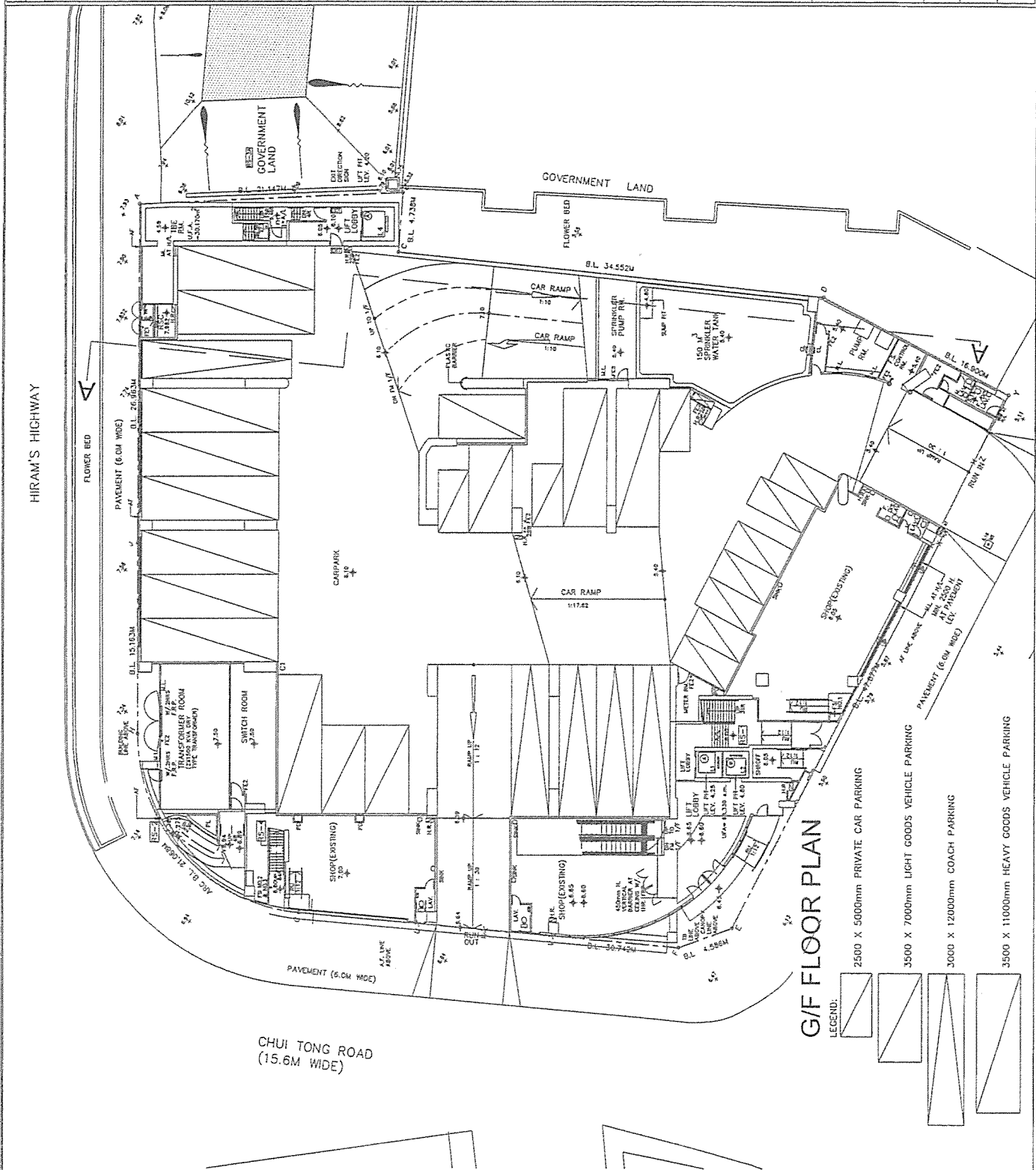
SITE LOCATION PLAN

(資料來源：由申請人提供的位置圖)
(Source : Location Plan supplied by the Applicant)

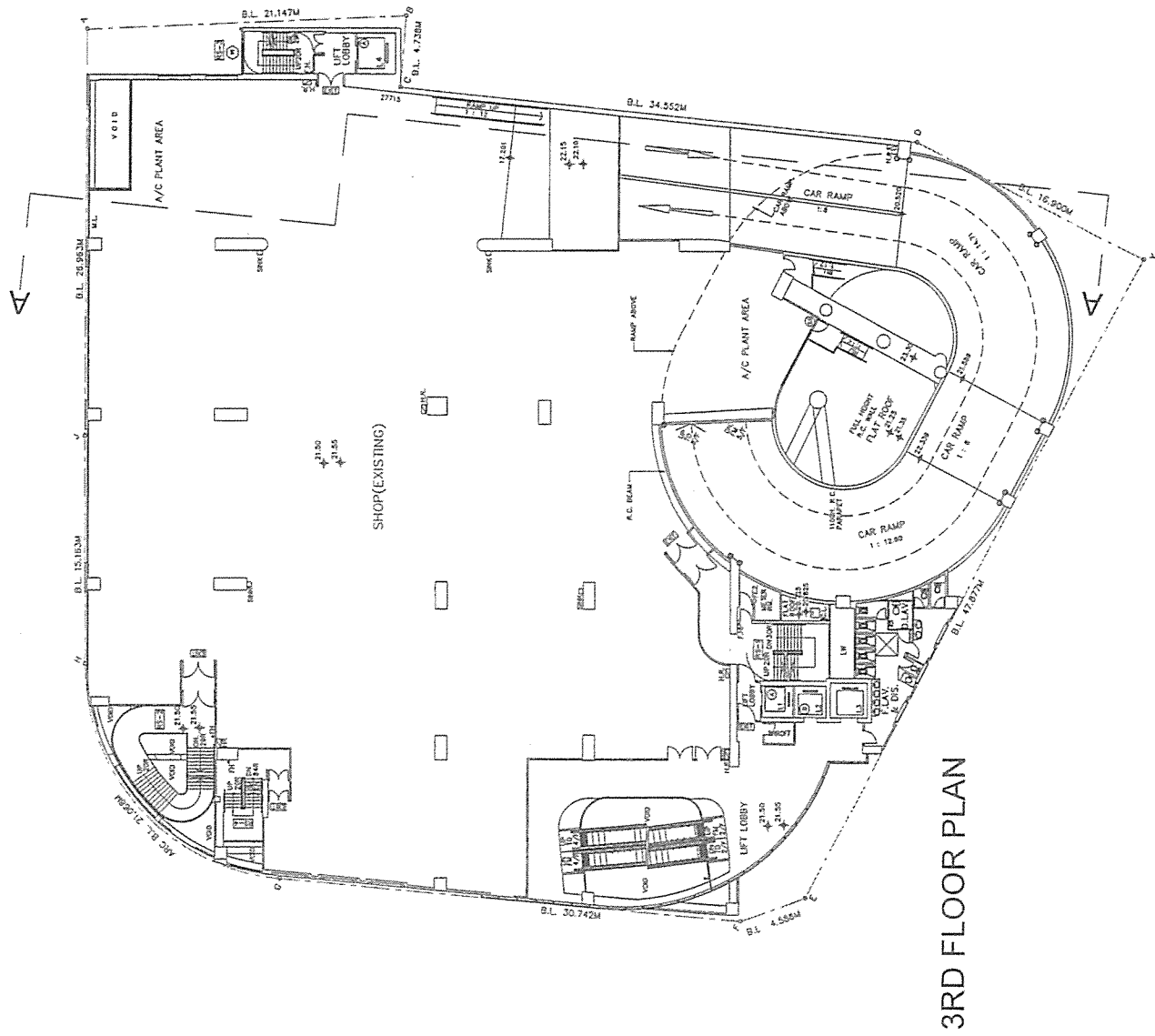
參考編號
REFERENCE No.
A/SK-SKT/20

繪圖
DRAWING
A-1

B.D. REF.		F.S.D. REF.	
NOTES:			
1. DO NOT SCALE THIS DRAWING.			
2. FIGURED DIMENSIONS ARE TO BE FOLLOWED.			
3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECT'S SPECIFICATION & CONDITIONS OF CONTRACT.			
4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED.			
5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.			
REV.	DATE	DESCRIPTION	
ARCHITECT		OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 9/F, FLAT D, SIOWA COMMERCIAL BUILDING, No.26-32 PARKES STREET, JORDAN, KUN TEL:348-4999 FAX:3020-1403	
PROJECT:			
PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE:			
FLOOR PLAN AT G/F			
DRAWN BY	SCALE	CHECKED BY	DATE
BF		BF	06/12/2017
JOB No.	DWG NO.	REVISION	
A-1706	G-01		

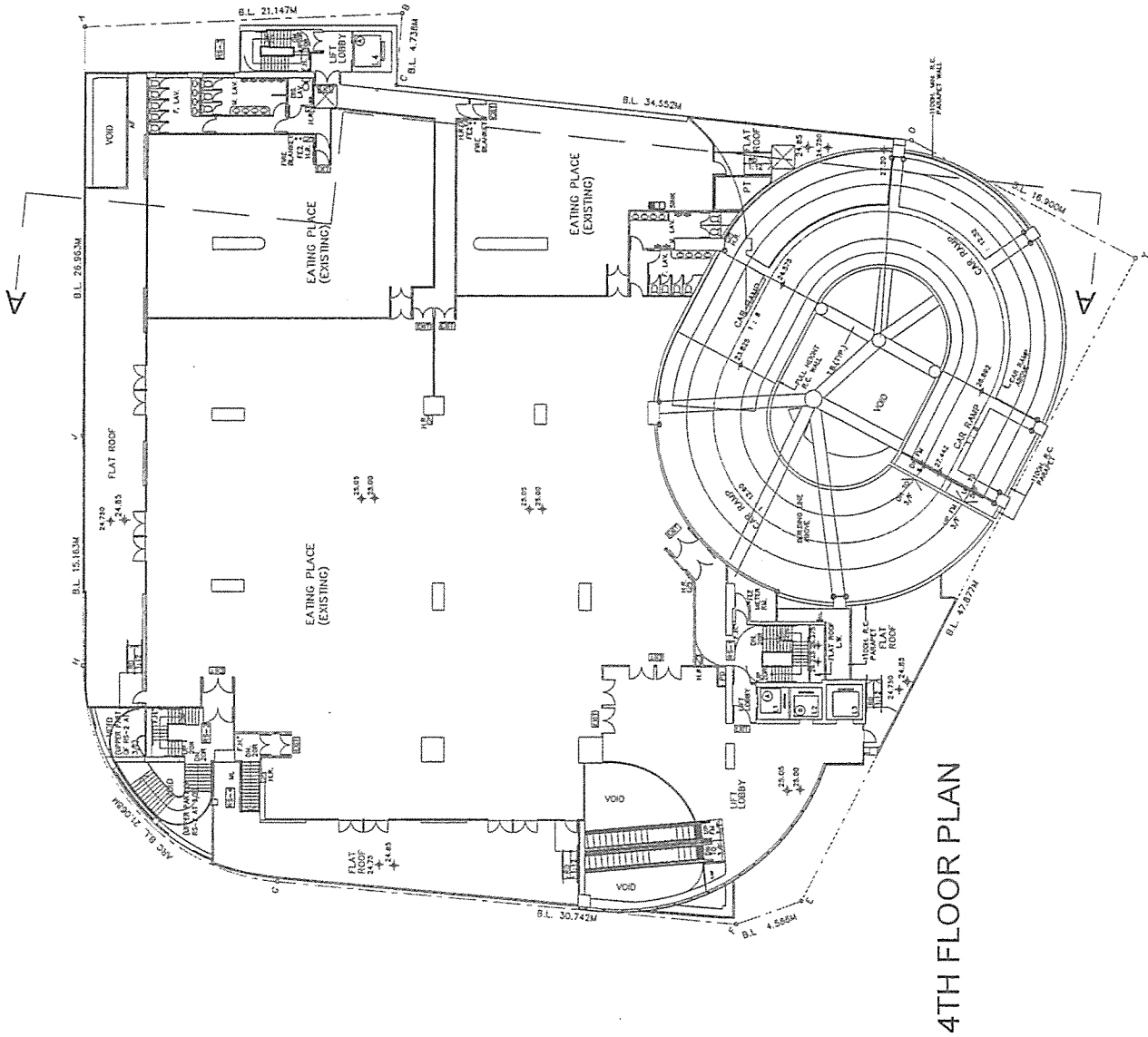


B.D. REF.		F.S.D. REF.	
NOTES: 1. DO NOT SCALE THIS DRAWING; 2. FIGURED DIMENSIONS ARE TO BE FOLLOWED; 3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION & CONDITION OF CONTRACT; 4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED; 5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.			
REV.	DATE	DESCRIPTION	
ARCHITECT OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 8/F, FLAT D, SINGHA COMMERCIAL BUILDING, No.28-32 PARKES STREET, JORDAN, KLN TEL:3489-1890 FAX:3020-9409			
PROJECT: PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE: FLOOR PLAN AT 3/F			
DRAWN BY BF		SCALE	
CHECKED BY BF		DATE 06/12/2017	
JOB No. A-1705		DWG.NO. G-04	
		REVISION	



3RD FLOOR PLAN

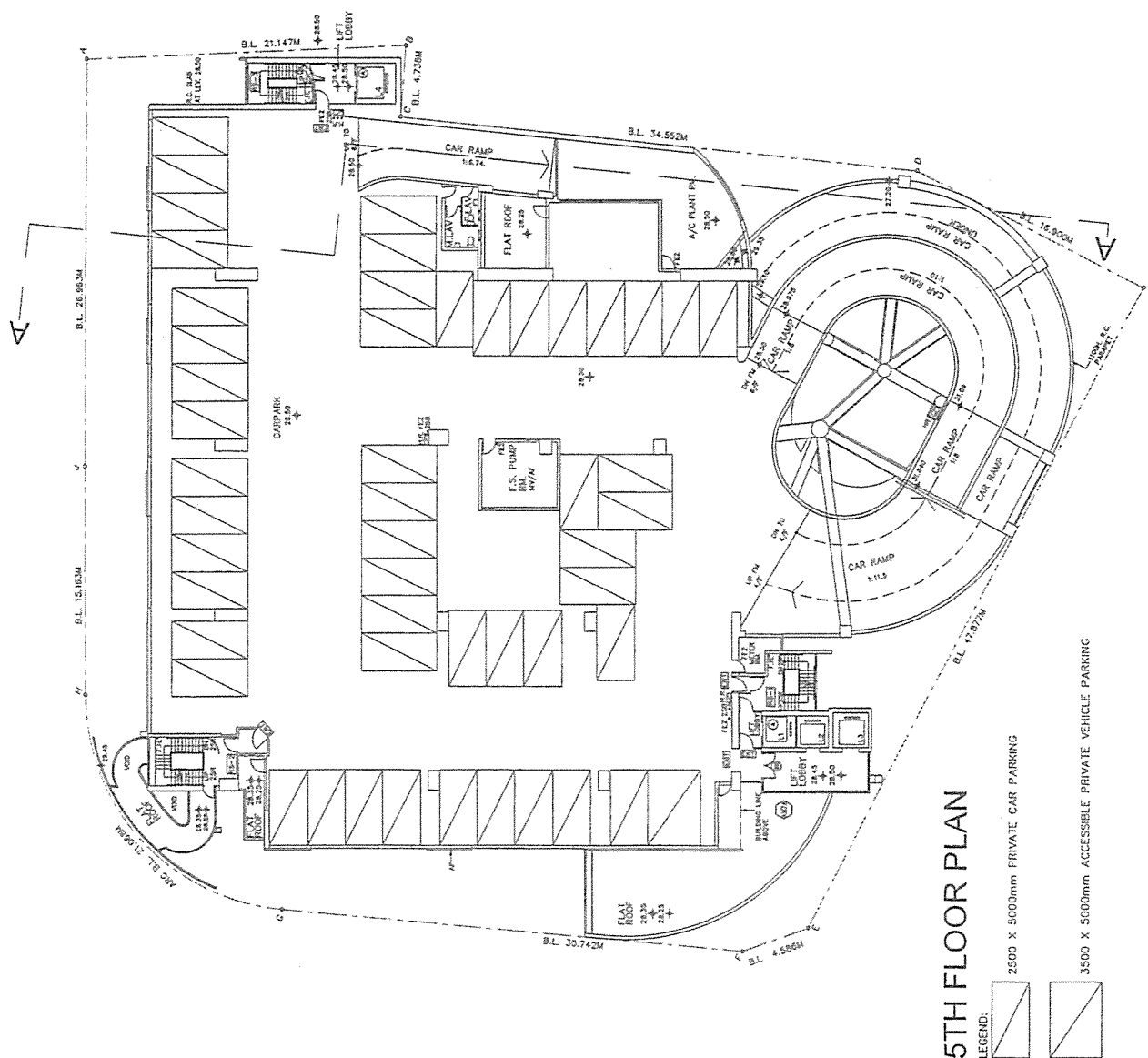
B.D. REF.		F.S.D. REF.	
NOTES: 1. DO NOT SCALE THIS DRAWING. 2. FIGURED DIMENSIONS ARE TO BE FOLLOWED. 3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION & CONDITION OF CONTRACT. 4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED. 5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS. 6.			
REV.	DATE	DESCRIPTION	
ARCHITECT		OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 8/F FLAT D SINGWA COMMERCIAL BUILDING, No.28-32 PARKES STREET, JORDAN, KUN TEL: 3469-1999 FAX: 3020-9409	
PROJECT: PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE: FLOOR PLAN AT 4/F			
DRAWN BY BF	SCALE	CHECKED BY BF	DATE 06/12/2017
JOB No. A-1705	DWG. NO. G-05	REVISION	



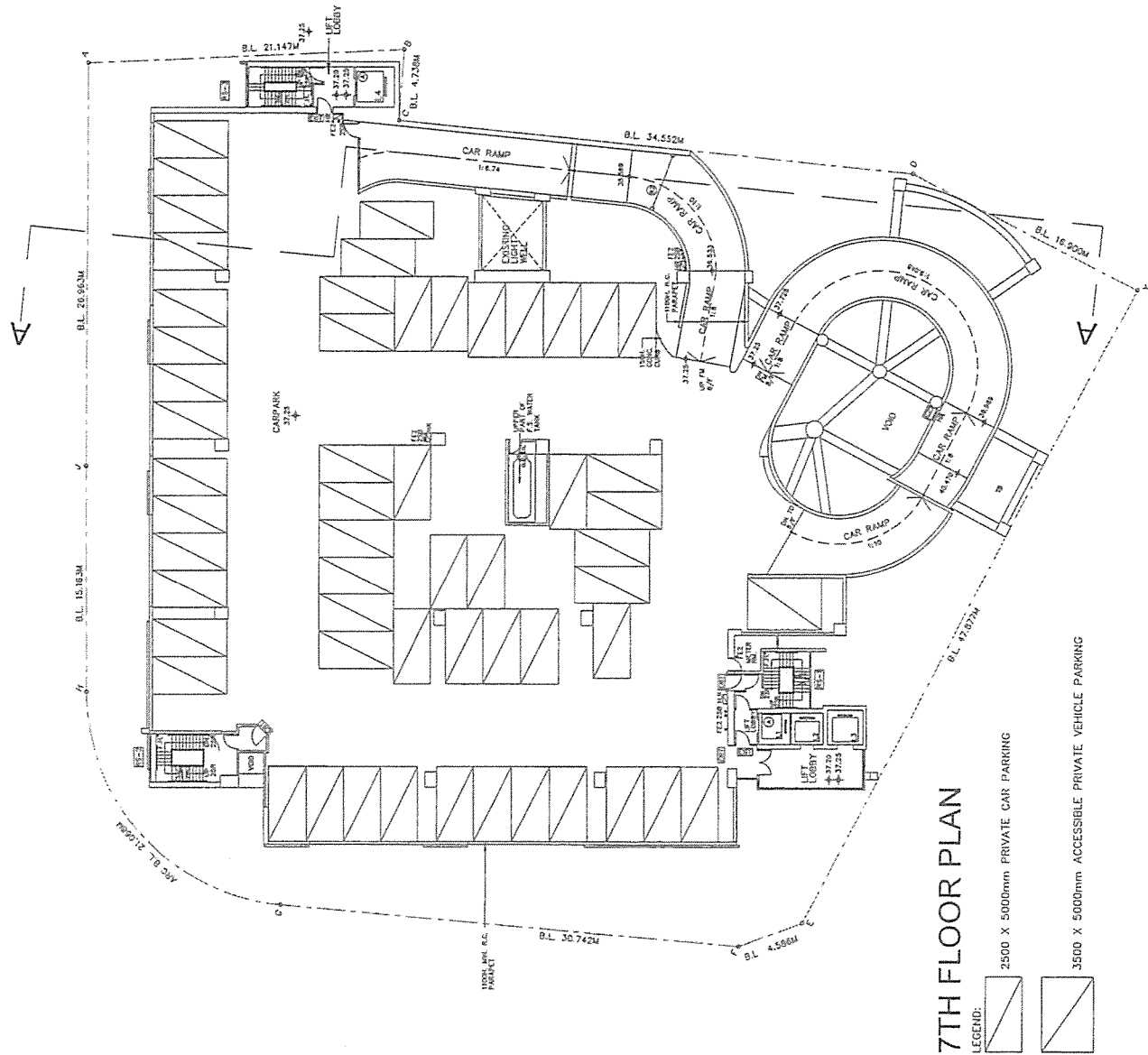
4TH FLOOR PLAN

參考編號 REFERENCE No. A/SK-SKT/20	繪圖 DRAWING A-7
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(資料來源：由申請人提供的樓宇平面圖)
(Source: Floor Plan supplied by the Applicant)



B.D. REF.		F.S.D. REF.		NOTES:	
				1. DO NOT SCALE THIS DRAWING; 2. FIGURED DIMENSIONS ARE TO BE FOLLOWED; 3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION & CONDITION OF CONTRACT; 4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED; 5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.	
REV.	DATE	DESCRIPTION			
ARCHITECT		PROJECT:			
OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 8/F, FLAT D, SINGWA COMMERCIAL BUILDING, No.26-32 PARKES STREET, JORDAN, KUN TEL: 3483-1990 FAX: 3020-9409		PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE:		FLOOR PLAN AT 7/F			
DRAWN BY BF	SCALE				
CHECKED BY BF	DATE	06/12/2017			
JOB No. A-1706	DWG. NO. G-08	REVISION			

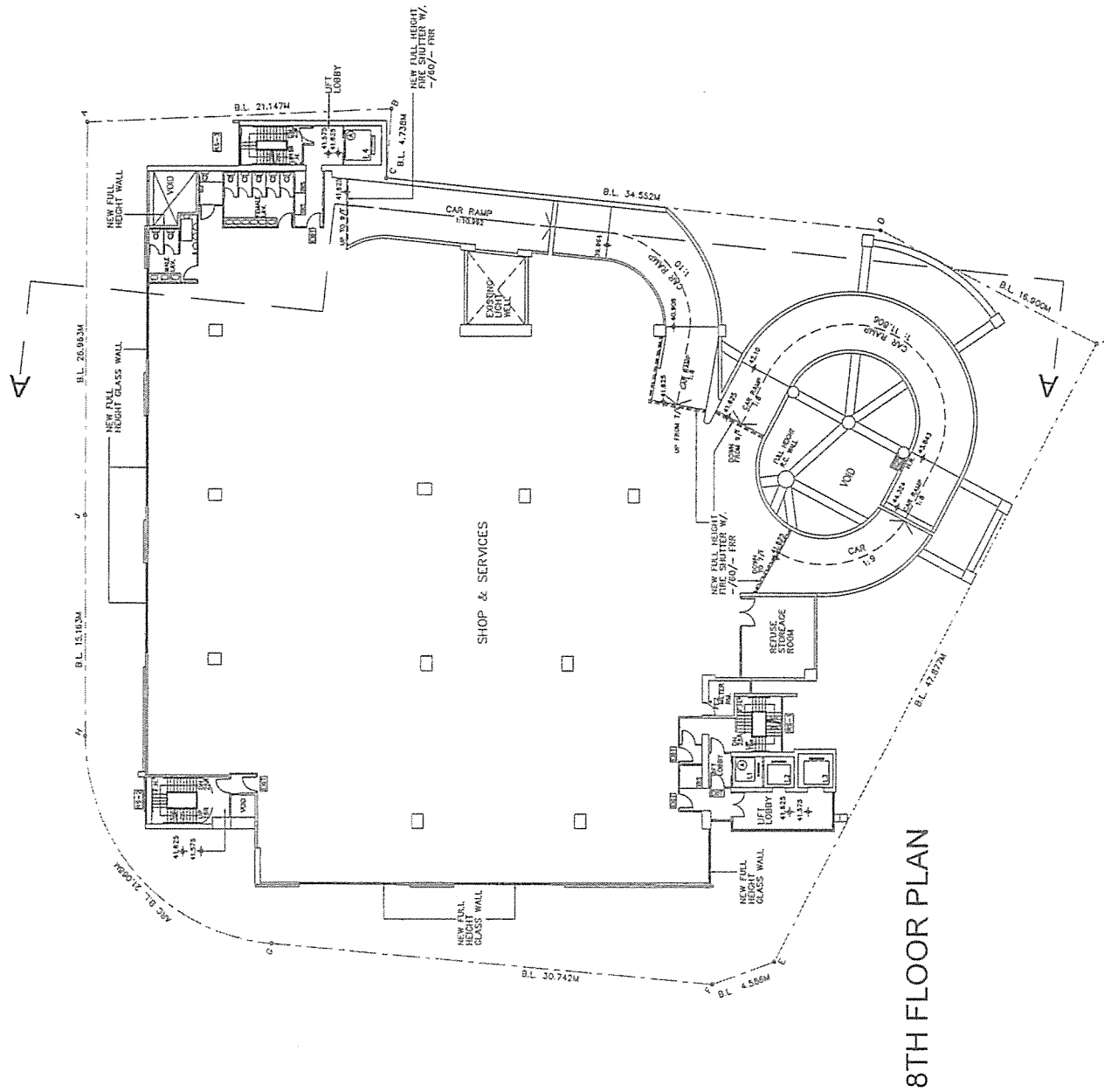


7TH FLOOR PLAN

- LEGEND:
- 2500 X 5000mm PRIVATE CAR PARKING
 - 3500 X 5000mm ACCESSIBLE PRIVATE VEHICLE PARKING

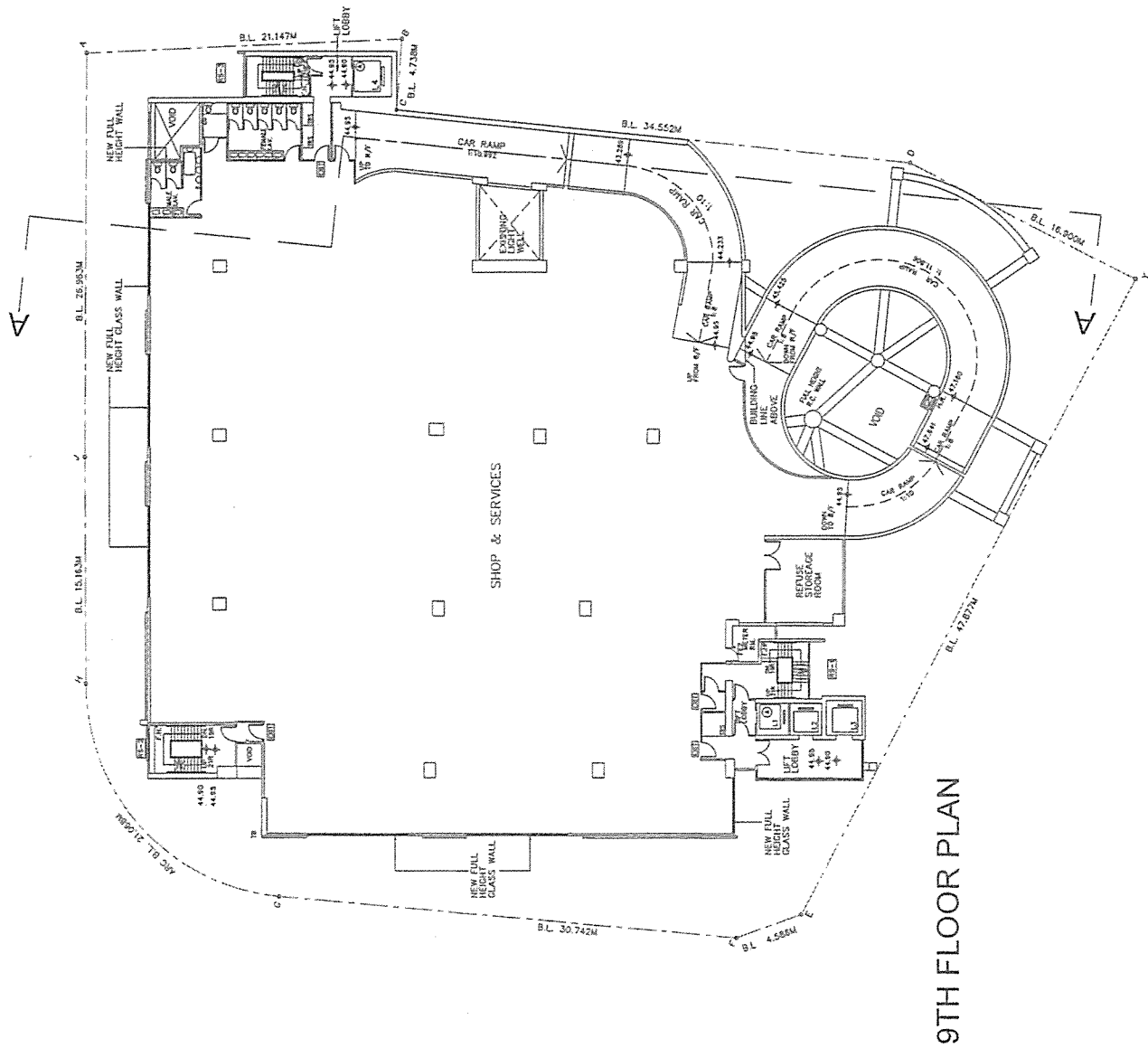
(資料來源：由申請人提供的樓宇平面圖)
(Source: Floor Plan supplied by the Applicant)

B.D. REF.		F.S.D. REF.		NOTES:	
				1. DO NOT SCALE THIS DRAWING; 2. FIGURED DIMENSIONS ARE TO BE FOLLOWED; 3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECT'S SPECIFICATION & CONDITIONS OF CONTRACT; 4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED; 5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.	
REV.	DATE	DESCRIPTION			
ARCHITECT		OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 8/F, FLAT B, SINGWA COMMERCIAL BUILDING, No.20-32 PARKES STREET, JORDAN, KUN TEL:3489-1990 FAX:3020-9409			
PROJECT:		PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE:		FLOOR PLAN AT 8/F			
DRAWN BY	BF	SCALE			
CHECKED BY	BF	DATE		08/12/2017	
JOB No.	A-1705	DWG. NO.		G-09	
		REVISION			



8TH FLOOR PLAN

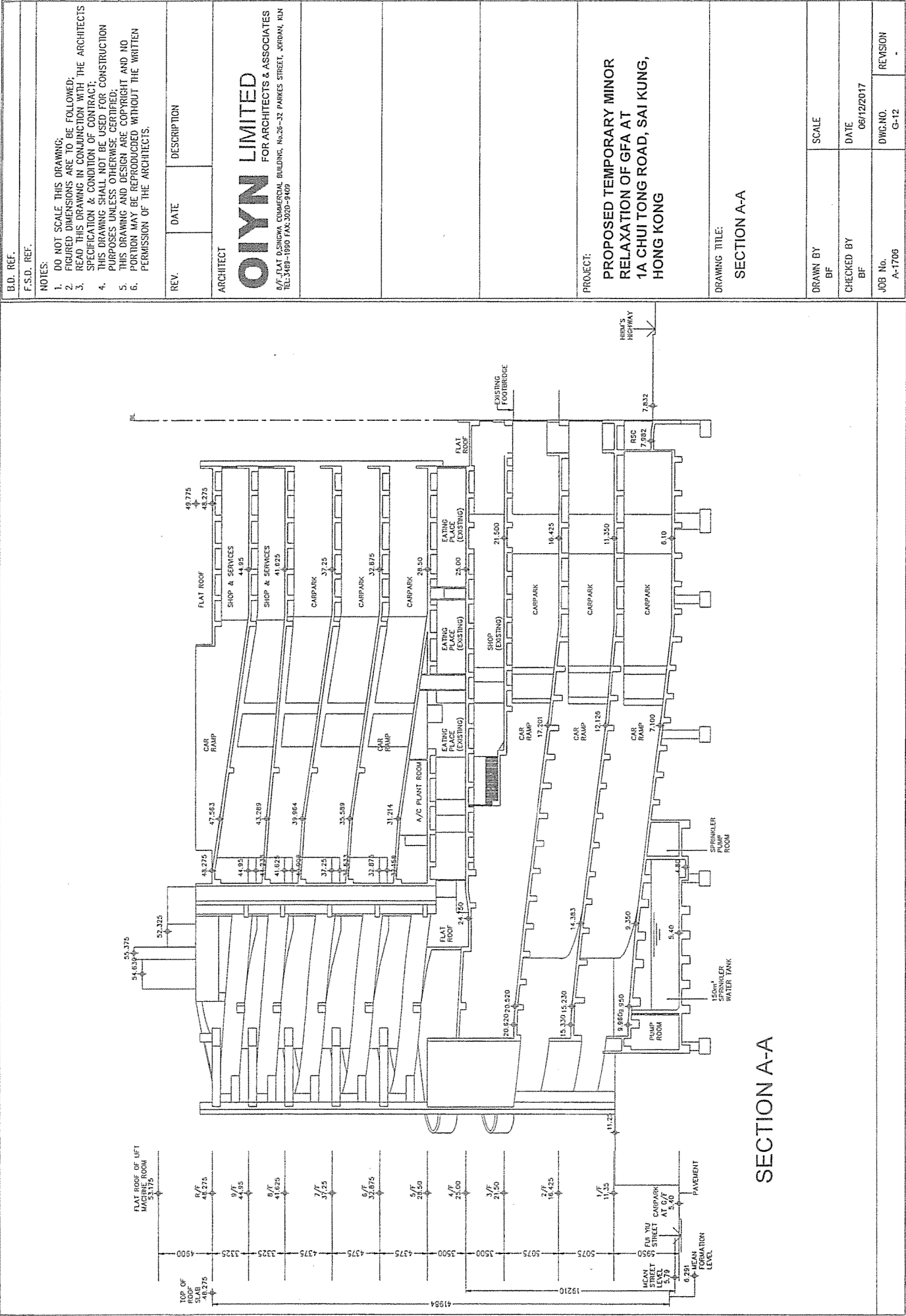
B.D. REF.		F.S.D. REF.		NOTES: 1. DO NOT SCALE THIS DRAWING; 2. FIGURED DIMENSIONS ARE TO BE FOLLOWED; 3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION & CONDITION OF CONTRACT; 4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED; 5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.	
REV.	DATE	DESCRIPTION			
ARCHITECT		OIYN LIMITED FOR ARCHITECTS & ASSOCIATES 8/F, FLAT D, SHINGWA COMMERCIAL BUILDING, No.26-32 PARKES STREET, JORDAN, KUN TEL:3483-1890 FAX:3020-4409			
PROJECT:		PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE:		FLOOR PLAN AT 9/F			
DRAWN BY BF	SCALE				
CHECKED BY BF	DATE	08/12/2017			
JOB No. A-1705	DWG.NO. G-10	REVISION			



9TH FLOOR PLAN

參考編號 REFERENCE No. A/SK-SKT/20	繪圖 DRAWING A-11
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(資料來源：由申請人提供的樓宇平面圖)
(Source: Floor Plan supplied by the Applicant)

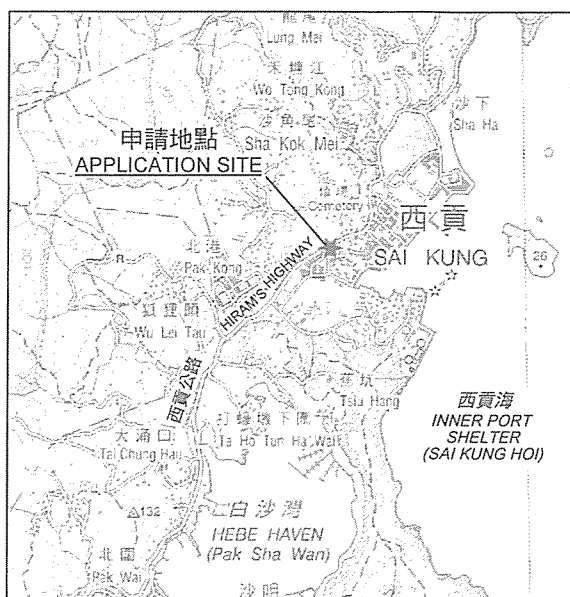


B.D. REF.		F.S.D. REF.	
NOTES:			
1. DO NOT SCALE THIS DRAWING;			
2. FIGURED DIMENSIONS ARE TO BE FOLLOWED;			
3. READ THIS DRAWING IN CONJUNCTION WITH THE ARCHITECTS SPECIFICATION & CONDITION OF CONTRACT;			
4. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS OTHERWISE CERTIFIED;			
5. THIS DRAWING AND DESIGN ARE COPYRIGHT AND NO PORTION MAY BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECTS.			
REV.	DATE	DESCRIPTION	
ARCHITECT			
OIYN LIMITED			
FOR ARCHITECTS & ASSOCIATES			
8/F, FLAT D, SINGWA COMMERCIAL BUILDING, No.26-32 PARKES STREET, JORDAN, HONG KONG			
TEL:3409-1890 FAX:3020-9409			
PROJECT:			
PROPOSED TEMPORARY MINOR RELAXATION OF GFA AT 1A CHUI TONG ROAD, SAI KUNG, HONG KONG			
DRAWING TITLE:			
SECTION A-A			
DRAWN BY	SCALE		
BF			
CHECKED BY	DATE		
BF	06/12/2017		
JOB No.	DWG NO.	REVISION	
A-1706	G-12	-	

路口 (有待詳細設計)
ROAD JUNCTION
(SUBJECT TO DETAILED DESIGN)



路口 (有待詳細設計)
ROAD JUNCTION
(SUBJECT TO DETAILED DESIGN)



要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺

申請地點
APPLICATION SITE

商業發展
(包括多層停車場)
COMMERCIAL DEVELOPMENT
(WITH MULTI-STOREY VEHICLE PARK)

CULTURAL/
HERITAGE
TOURISM
RELATED USES

灰窖里 FUI YIU LANE

翠塘花園
LAKESIDE GARDEN

翠塘路 CHUI TONG ROAD

對面海
TUI MIN HOI

西貢戶外康樂中心
SAI KUNG OUTDOOR
RECREATION CENTRE

北港濾水廠諮詢區
CONSULTATION ZONE OF
PAK KONG WATER TREATMENT WORKS

紅磡路 HONG KIN ROAD

北港濾水廠
PAK KONG
WATER
TREATMENT WORKS

申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

臨時略為放寬總樓面面積限制 (為期3年),
以容許作准許的商店及服務行業用途
西貢翠塘路1A號

TEMPORARY MINOR RELAXATION
OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS
TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

SCALE 1 : 5 000 比例尺
METRES 100 0 100 200 METRES

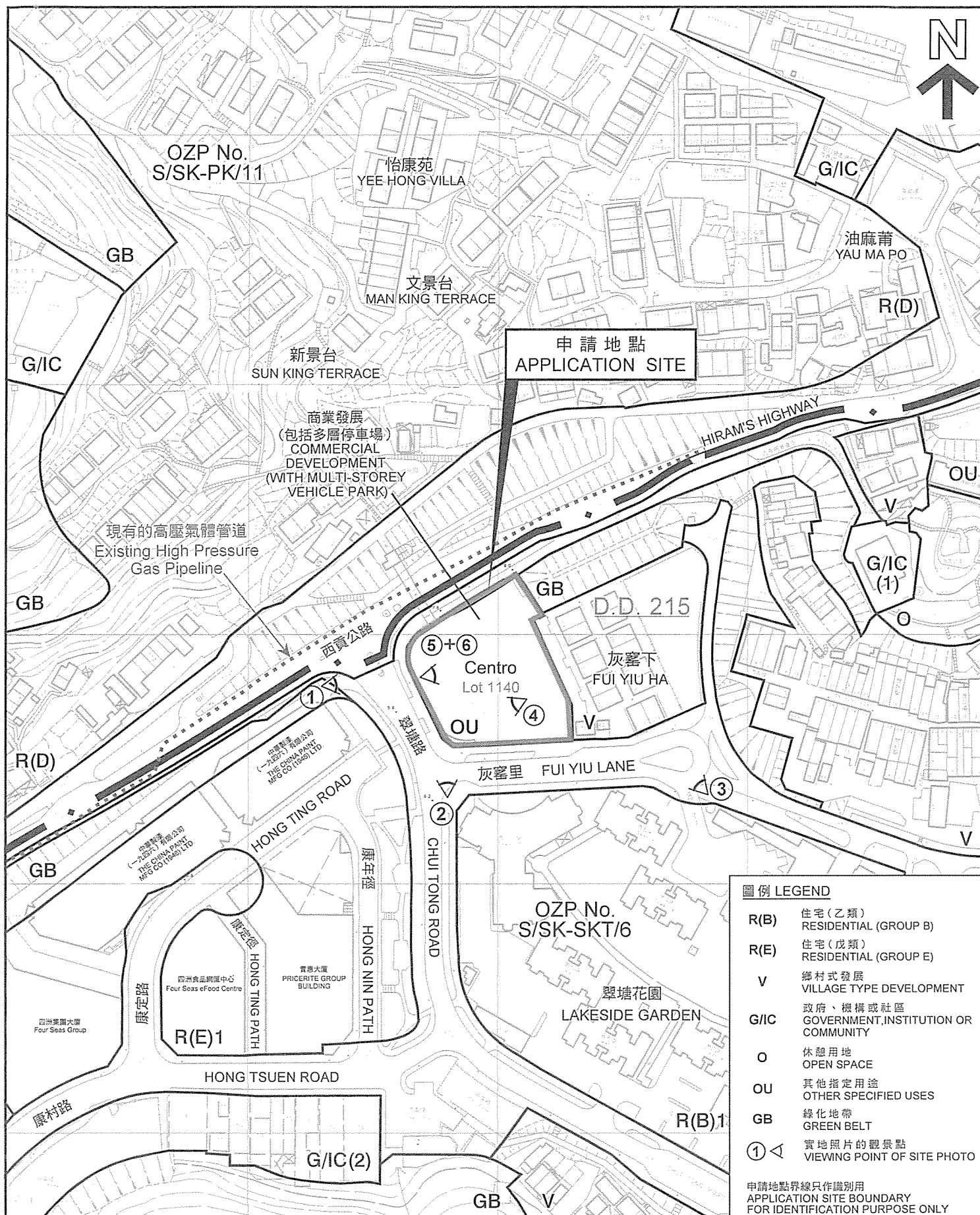
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/20

圖 PLAN
A-1

本摘要圖於2019年2月1日擬備,
所根據的資料為於2013年6月4日
核准的分區計劃大綱圖編號S/SK-SKT/6
EXTRACT PLAN PREPARED ON 1.2.2019
BASED ON OUTLINE ZONING
PLAN No. S/SK-SKT/6
APPROVED ON 4.6.2013



平面圖 SITE PLAN

本摘要圖於2019年2月1日擬備，
所根據的資料為測量圖編號
8-SW-11A、11B、11C和11D
EXTRACT PLAN PREPARED ON 1.2.2019
BASED ON SURVEY SHEETS No.
8-SW-11A, 11B, 11C & 11D

臨時略為放寬總樓面面積限制(為期3年)，
以容許作准許的商店及服務行業用途
西貢翠塘路1A號
TEMPORARY MINOR RELAXATION
OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS
TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

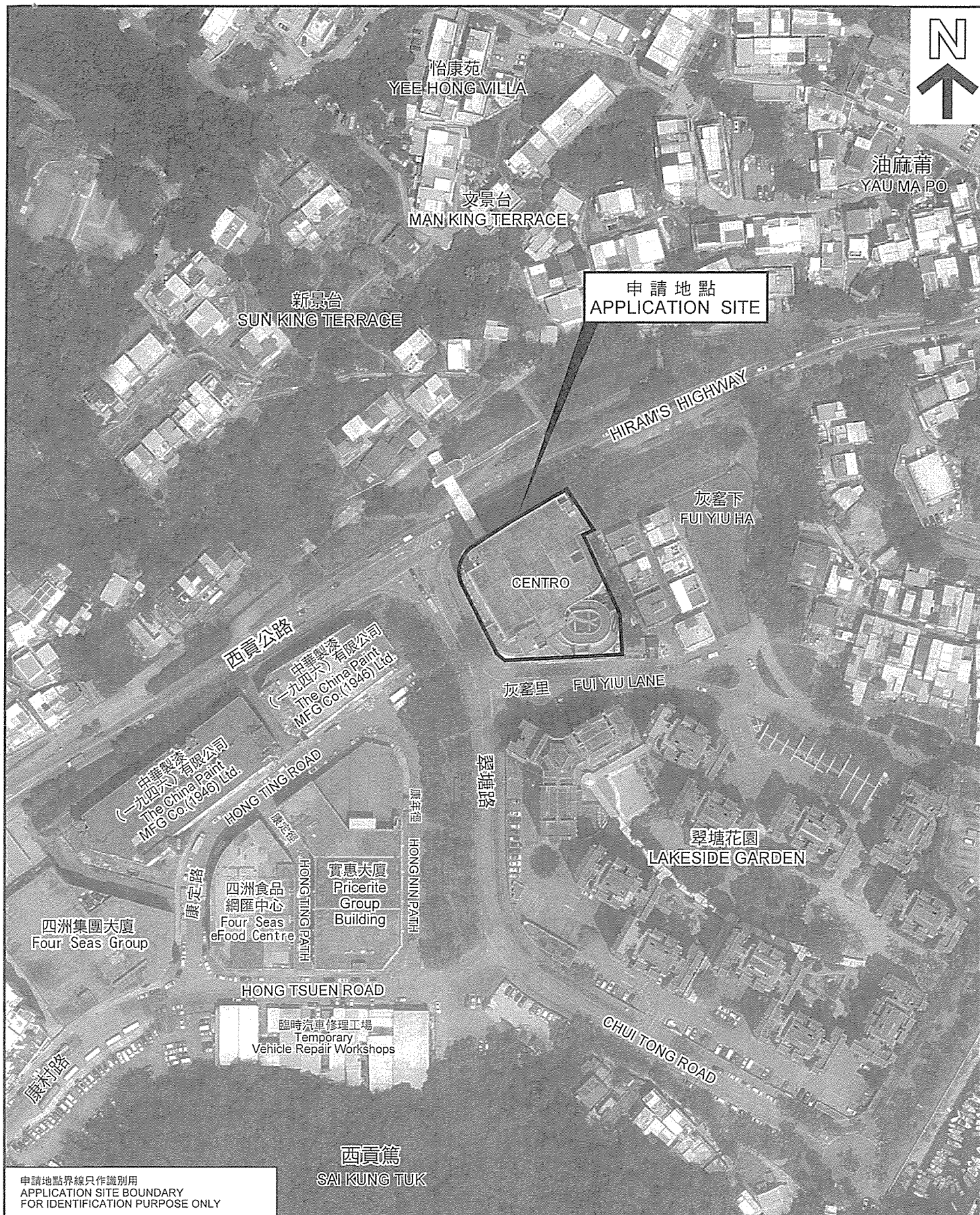
SCALE 1:2 000 比例尺
米 40 0 40 80 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/20

圖 PLAN
A-2



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

航攝照片 AERIAL PHOTO

本摘要圖於2019年2月1日提備，
所根據的資料為地政總署於
2018年3月23日拍得的
航攝照片編號E038756C
EXTRACT PLAN PREPARED ON 1.2.2019
BASED ON AERIAL PHOTO No. E038756C
TAKEN ON 23.3.2018
BY LANDS DEPARTMENT

臨時略為放寬總樓面面積限制（為期3年），
以容許作准許的商店及服務行業用途
西貢翠塘路1 A號
TEMPORARY MINOR RELAXATION
OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS
TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/20

圖 PLAN
A-3

1

申請地點
APPLICATION SITE



2

申請地點
APPLICATION SITE



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

臨時略為放寬總樓面面積限制（為期3年），
以容許作准許的商店及服務行業用途
西貢翠塘路1A號

TEMPORARY MINOR RELAXATION
OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS
TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT



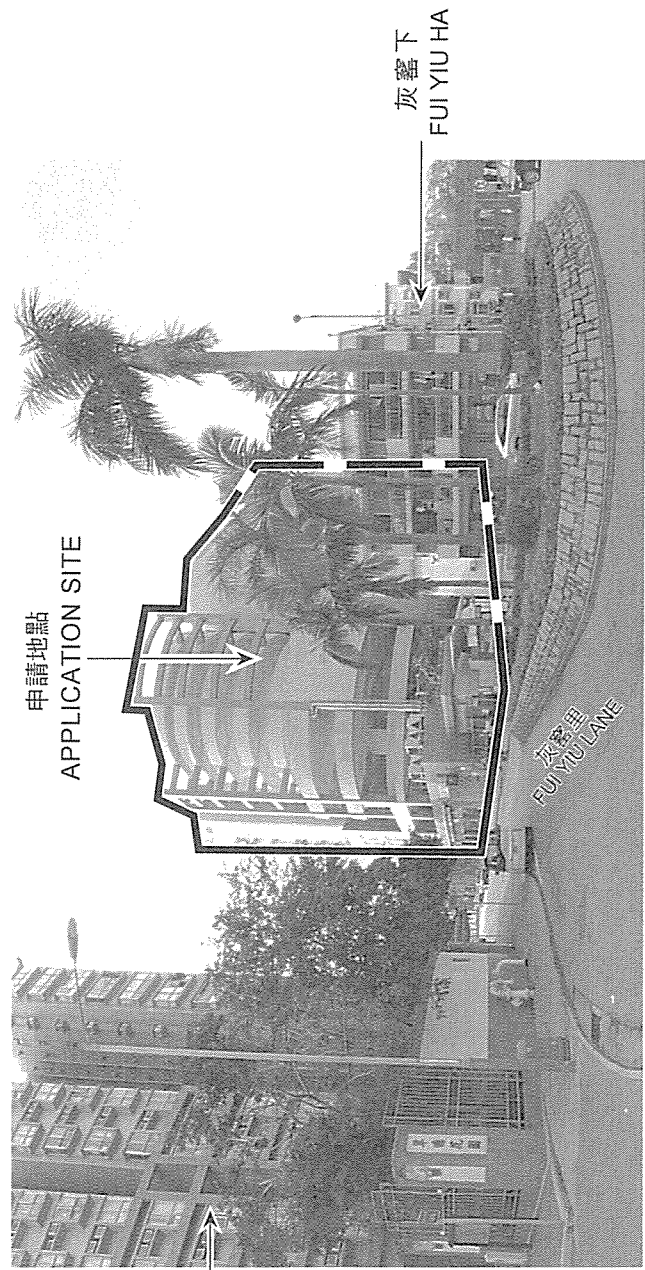
參考編號
REFERENCE No.
A/SK-SKT/20

圖 PLAN
A-4a

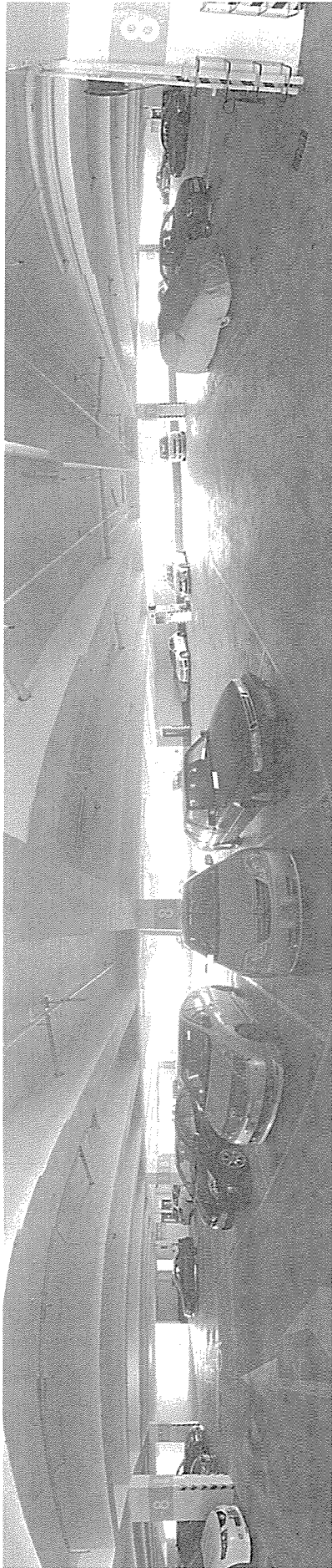
本圖於2019年2月1日擬備，所根據的
資料為攝於2019年1月23日的實地照片
PLAN PREPARED ON 1.2.2019
BASED ON SITE PHOTOS
TAKEN ON 23.1.2019

3

翠塘花園
LAKESIDE GARDEN



4



申請地點 (八樓室內) APPLICATION SITE (INTERIOR AT 8/F)

申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2019年2月1日製備，所根據的資料為攝於2019年1月23日的實地照片
PLAN PREPARED ON 1.2.2019
BASED ON SITE PHOTOS TAKEN ON 23.1.2019

實地照片 SITE PHOTO

臨時略為放寬總樓面積限制 (為期3年)，以容許作准許的商店及服務行業用途
西貢翠塘路1A號
TEMPORARY MINOR RELAXATION
OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS
TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/20

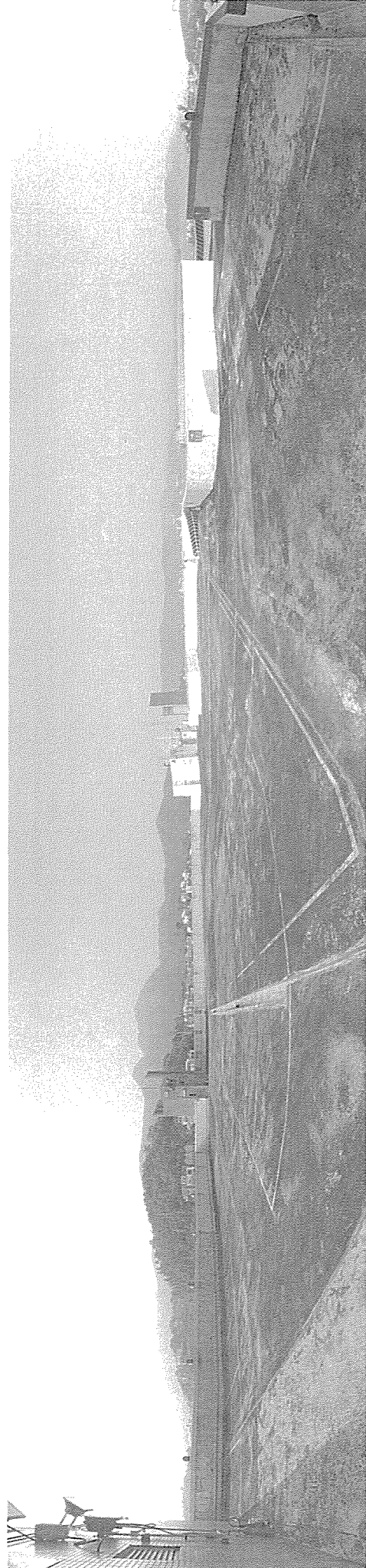
圖 PLAN
A-4b

5



申請地點（九樓室內） APPLICATION SITE (INTERIOR AT 9/F)

6



申請地點（天台） APPLICATION SITE (ROOFTOP)

本圖於2019年2月1日製備，所根據的資料為攝於2019年1月23日的實地照片
PLAN PREPARED ON 1.2.2019 BASED ON SITE PHOTOS TAKEN ON 23.1.2019

實地照片 SITE PHOTO

臨時略為放寬總樓面積限制（為期3年），以容許作准許的商店及服務行業用途
西貢翠塘路1A號

TEMPORARY MINOR RELAXATION OF GROSS FLOOR AREA RESTRICTIONS FOR A PERIOD OF 3 YEARS TO ENABLE THE PERMITTED SHOP AND SERVICES USE
1A CHUI TONG ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/20

圖 PLAN
A-4c

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/20 Proposed Temporary Minor Relaxation of Gross Floor Area Restrictions for a Period of 3 Years to Enable the Permitted Shop and Services Use in “Other Specified Uses” annotated “Commercial Development (with Multi-storey Vehicle Park)” Zone, Lot 1140 in D.D. 215, 1A Chui Tong Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/20C)

38. The Secretary reported that the application was submitted by Albury Garden Investment Ltd. (AGL). The following Member had declared interest on the item:

Mr K.K. Cheung - his firm having current business dealings with

AGL.

39. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

40. Mr William W.T. Wong, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed temporary minor relaxation of gross floor area (GFA) restrictions for a period of three years to enable the permitted shop and services use;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) considered that the conversion proposal was in breach of lease conditions of the New Grant. If the planning application was approved by the Board, the owner of the lot would need to apply to DLO/SK, LandsD for a temporary waiver to effect the proposal. The Commissioner for Transport (C for T) did not support the application as there was a shortage of parking spaces for commercial vehicles in the territory and the district, and the low occupancy of the parking spaces mentioned by the applicant did not directly reflect the parking demand in the district. Illegal parking at Sai Kung Town was observed and the application would set an undesirable precedent case for similar applications in the future, resulting in cumulative adverse impact on the parking provision for commercial vehicles in the territory. Other concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, four

comments were received from individuals, objecting to the application. Major grounds were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for the reason that no information was provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area. C for T did not support the application as the proposed reduction of parking spaces for commercial vehicles did not tally with the Government's policy and the area of car park should not be sacrificed for additional shop and services. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

41. A Member considered that the location and design of the existing public vehicle park (PVP) was not convenient to coach users and enquired the current occupancy rate of the PVP. Mr William W.T. Wong, STP/SKIs, responded that according to the occupancy survey conducted in October 2017 by the applicant, there was minimal usage for coach parking. PlanD had similar observation in the recent site visit. He supplemented that there was high demand of on-street metered parking spaces near Sai Kung town and apart from the subject PVP, there was only one location for on-street parking of coaches at Fuk Man Road.

42. In response to a Member's enquiry on the existing hourly parking fee for coaches, Mr William W.T. Wong, STP/SKIs, responded that the on-street parking charge for coaches at Fuk Man Road was HK\$8 per hour and the subject PVP was HK\$20 per hour for weekdays and HK\$25 per hour during weekends and public holidays.

Deliberation Session

43. Members noted that there could be other reasons for the low occupancy rate of the subject PVP, including inadequate publicity, high parking fee, the willingness to rent the parking spaces to public and the effectiveness of combatting illegal on-street parking. It was also noted that there was high parking demand for both private and commercial vehicles in the district and the applicant might consider swapping the provision of parking spaces

between private and commercial vehicles.

44. After deliberation, the Committee decided to reject the application. The reason was:

“no information is provided in the application to demonstrate any planning merit for the proposed relaxation of GFA restrictions which would result in reduction in the provision of public vehicle park in the area.”

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/SK-SKT/20

By Registered Post & Fax (2521 6631)

12 April 2019

Townland Consultants Ltd.
Unit 1801, 18/F
101 King's Road
North Point, Hong Kong
(Attn: Cindy Tsang)

Dear Sir/Madam,

**Proposed Temporary Minor Relaxation of Gross Floor Area Restrictions
for a Period of 3 Years to Enable the Permitted Shop and Services Use
in "Other Specified Uses" annotated "Commercial Development (with Multi-storey
Vehicle Park)" Zone, Lot 1140 in D.D. 215, 1A Chui Tong Road, Sai Kung**

I refer to my letter to you dated 12.2.2019.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reason is:

- no information is provided in the application to demonstrate any planning merit for the proposed relaxation of gross floor area restrictions which would result in reduction in the provision of public vehicle park in the area.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 22.3.2019 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 3.5.2019). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. William Wong of Sai Kung & Islands District Planning Office at 2158 6162.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Raymond Kan', written in a cursive style.

(Raymond KAN)
for Secretary, Town Planning Board

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the conversion proposal under the planning application is in breach of lease conditions of the New Grant, in particular the Gross Floor Area (GFA) restrictions and the provision requirement of the multi-storey vehicle park. If the planning application is approved by the Board, the owner of the lot will need to apply to District Lands Office/Sai Kung for a temporary waiver to effect the proposal. However, there is no guarantee that such temporary waiver would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions including payment of a waiver fee and an administrative fee as the Government considers appropriate;
- (b) to note the following comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):
 - (i) Authorized Person (AP) should be appointed to submit building plans to the Building Authority (BA) for approval;
 - (ii) Barrier Free Access and facilities including accessible lift and accessible toilets should be provided to the proposed temporary conversion under Building (Planning) Regulation (B(P)R) 72;
 - (iii) adequate provision of Means of Escape and sanitary fittings should be provided after the conversion. In particular, the existing required staircases serving the storeys above the ground storey should have a total discharge value of not less than the total occupant capacity of those storeys;
 - (iv) the existing premises on the application site intended to be used for Shop and Services is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority, if applicable;
 - (v) applicant's particular attention should be drawn to any additional loading implication resulting from the proposed change in use. Reference should be made to Code of Practice for Dead and Imposed Loads 2011;
 - (vi) detailed comments will be provided at building plan submission stage; and
- (c) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department.