

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/MOS/131

<u>Applicant</u>	: Towerich Limited represented by KTA Planning Limited
<u>Site</u>	: 29 On Chun Street, Ma On Shan, New Territories
<u>Site Area</u>	: About 8,000m ²
<u>Lease</u>	: Sha Tin Town Lot No. 461 (a) New Grant No. 13008 (b) For hotel purposes, and other purposes including bank, fast food shop, place of entertainment, private club and retail shop only within the first three floors above the ground level of the building (c) Maximum gross floor area (GFA): 56,000m ² (d) Maximum GFA for commercial purposes: 16,000m ²
<u>Plan</u>	: Approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/28
<u>Zoning</u>	: “Residential (Group A) 12” (“R(A)12”) <i>[Restricted to a maximum plot ratio (PR) of 7.0 and maximum building height (BH) of 50mPD]</i>
<u>Application</u>	: Proposed Exhibition or Convention Hall

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed exhibition or convention hall at the application site (the Site) falling within an area zoned “R(A)12” on the OZP (**Plan A-1**). According to the Notes of the OZP for “R(A)” zone, ‘Exhibition or Convention Hall’ is a Column 2 use requiring planning permission from the Town Planning Board (the Board).
- 1.2 In 2021, the applicant obtained approval via a s.12A application No. Y/MOS/6 to rezone the Site from “Other Specified Uses” annotated “Hotel” (“OU(Hotel)”) to “R(A)12” and the OZP was so amended in 2022 (as detailed in paragraph 4.1 below). The s.12A application was to facilitate residential development with supporting retail and dining facilities (the Building) by conversion of the existing hotel building at the Site. According to the applicant, a set of building plans was approved by the Building Authority in 2023 for the in-situ conversion of the existing hotel building into a residential development, providing about 772 units.

- 1.3 The applicant submits the current application further proposing to use part of the non-domestic GFA of the Building as an exhibition or convention hall, which will not result in exceeding the total PR restriction of the Site. While the proposed use requires planning approval from the Board, for the rest of the uses within the Building as indicated in the previously agreed application No. Y/MOS/6, 'Flat' is always permitted, and 'Shop and Services' as well as 'Eating Place' are always permitted on the lowest three floors of a building within the "R(A)12" zone. The current application for proposed exhibition or convention hall does not involve the abovementioned uses at the Site.
- 1.4 According to the applicant, the proposed exhibition or convention hall, with a GFA of about 998m², will provide a venue for public to arrange various events, including exhibitions, conventions, conferences, receptions, trade fairs and ceremonies. The proposed use can also address the local demand for holding exhibitions and events for the community of Ma On Shan where has only one community centre and one community hall operated by the government. After the in-situ conversion works at the Site, which will mainly follow the existing building footprint and form, the proposed use will occupy part of the L1/F of the Building, having a clear physical delineation, separate access and means of escape from the residential portion (**Drawing A-1**). As accesses to the proposed exhibition or convention hall will be provided at On Chun Street with a pedestrian footpath at the southwestern side and/or via the shop entrance at the northeastern side of the Site, no disturbance or nuisance to the future residents of the Building will be anticipated. The floor plan and section plan of the proposed use within the Building submitted by the applicant are at **Drawings A-1** and **A-2**.
- 1.5 In support of the application, the applicant submitted a Supporting Planning Statement (SPS) with technical assessments, including Traffic Impact Assessment (TIA), Environmental Noise Impact Assessment (NIA), Environmental Air Quality Impact Assessment (AQIA) and sewerage calculation.
- 1.6 According to the TIA conducted by the applicant, all concerned key junctions in the vicinity of the Site will operate satisfactorily. As the Site is highly accessible by public transport facilities (e.g. the nearby MTR Ma On Shan Station) (**Plan A-1**), the estimated public transport demand induced by the Building (including the proposed use) can be fully accommodated. Besides, internal transport facilities, among others, including seven car parking spaces, one motorcycle parking space and two loading/unloading (L/UL) bays, will be provided for the proposed use at the Site to meet the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). TIA concludes that the proposed use will not induce adverse traffic impact onto the adjacent road network.
- 1.7 For the environmental aspects, according to the NIA and AQIA, no significant fixed noise source is identified in the vicinity of the Site, and no adverse air quality impact associated with the proposed use is anticipated during the operational/construction phases respectively. Moreover, as the proposed exhibition or convention hall will be equipped with central air-conditioning and will not rely on openable windows for ventilation, no adverse noise and air quality impacts are anticipated. According to the sewerage calculation for the Building (including the proposed use) submitted by the applicant, the total foul water flow will be reduced as compared to that of the existing hotel use. As such,

no adverse sewerage impact is anticipated.

1.8 In support of the application, the applicant submitted the following documents:

- (a) Application Form received on 8.8.2025 (Appendix I)
- (b) Supplementary Information (SI) with the updated SPS received on 13.8.2025 (Appendix Ia)
- (c) Further Information (FI) received on 26.8.2025* (Appendix Ib)
- (d) FI received on 5.9.2025* (Appendix Ic)
- (e) FI received on 15.9.2025* (Appendix Id)

**exempted from publication and recounting requirements*

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed at the SPS and the FIs at **Appendices Ia to Id**, as summarised below:

- (a) the proposed use is compatible with the shop and services and eating place uses within the Building, as well as the residential and government, institution or community (GIC) uses in the vicinity;
- (b) the proposed use will provide space for the convention and exhibition (C&E) industry, which is in line with the 2023 and 2024 Policy Addresses to continue expanding the C&E facilities in the territory;
- (c) the Ma On Shan area is served by one community centre and one community hall managed by the Home Affairs Department (HAD). The proposed use will offer an additional gathering place for the local residents and community;
- (d) the proposed exhibition or convention hall together with the other commercial activities proposed within the Building will bring vibrancy to the waterfront area;
- (e) locating at the non-domestic portion of the Building and with separate access and means of escape, disturbance or nuisance to the future residents in the same building arising from the proposed use is not anticipated; and
- (f) according to the TIA, NIA, AQIA and sewerage calculation, no adverse traffic, noise, air quality and sewerage impacts are anticipated from the proposed use. Fire safety hazard or drainage impact from the proposed use is also not anticipated.

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. **Background**

- 4.1 On 26.2.2021, the Rural and New Town Planning Committee (the Committee) of the Board agreed to a s.12A application (No. Y/MOS/6), submitted by the same applicant of the current application, to rezone the Site from “OU(Hotel)” to “R(A)12” with a maximum PR of 7.0 and a maximum BH of 50mPD for residential development. The Site was subsequently rezoned to “R(A)12” in 2022.
- 4.2 A comparison of the major development parameters between the indicative full residential scheme under the agreed s.12A application No. Y/MOS/6 and the latest conversion scheme including the proposed use is as follows:

	Indicative Full Residential Scheme under Application No. Y/MOS/6 (a)	Latest Conversion Scheme⁽ⁱ⁾ (b)	Differences (b)-(a)
Site Area (about)	8,000m ²	8,000m ²	No change
Total PR (about)	6.301	6.353	+0.052
Domestic	5.608	5.71	+0.102
Non-domestic	0.693	0.643	-0.05
GFA (about)	50,406m ²	50,823m ²	+417m ²
Domestic	44,863m ²	45,680m ²	+817m ²
Non-domestic	5,543m ²	5,143m ²	-400m ²
-Exhibition/ Convention hall	Nil	998m²	+998m²
-Commercial Facilities and Common Area	5,543m²	3,067m²	-2,476m²
-Covered Carpark and Driveway	Nil	1,078m²	+1,078m²
BH	47.28mPD (16 storeys including one level of basement)	47.28mPD (16 storeys including one level of basement)	No change
Car Parking Spaces	100	181	+81
-Residential (including visitors)	72	153	+81
-Retail	28	21	-7
-Exhibition/ Conventional Hall	Nil	7	+7
L/UL bays	6	7	+1
-Light Goods Vehicles	Not specified	4	N/A
-Heavy Goods Vehicles	Not specified	3	N/A
Motorcycle Parking Spaces	10	12	+2
Bicycle Parking Spaces	51	120	+69
Target Completion Year	2025	2028	Postponed from 2025 to 2028

Notes:

- (i) Except the proposed use, other development parameters of the latest scheme do not form part of the current application and for reference purpose only.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application within the “R(A)” zones on the OZP.

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

7.1 The Site is:

- (a) currently occupied by the Horizon Suite Hotel fronting the Sha Tin Hoi (Tide Cove); and
- (b) accessible via On Chun Street.

7.2 The surrounding areas have the following characteristics:

- (a) residential in character and predominated by open space and recreational facilities, including Ma On Shan Waterfront Promenade to the north and Ma On Shan Swimming Pool to the east;
- (b) to the southeast are schools, namely the Hong Kong Taoist Association Shun Yeung Primary School and Po Leung Kuk Riverain Primary School;
- (c) to the south are some residential developments, namely Marbella, The Waterside and Fok On Garden, and a temporary car park; and
- (d) to the further southeast is MTR Ma On Shan Station.

8. Planning Intention

The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD):

- (a) the existing Ma On Shan Horizon Suites Hotel is situated at Sha Tin Town Lot No. 461 (the Lot) governed by New Grant No. 13008 (the New Grant) subject to the following restrictions:
 - (i) the Lot or any part thereof or any building or part of any building erected or to be erected thereon shall not be used for any purpose other than for hotel purposes (Hotel Purposes) and the other purposes including the purpose of bank, fast food shop, place of public entertainment, private club and retail shop only (Commercial Purposes), which may only be accommodated within the first three floors above the ground level of the building erected or to be erected on the Lot;
 - (ii) Hotel Purposes shall not include service apartment purposes;
 - (iii) the total GFA permissible for the Lot under lease shall not exceed 56,000m², of which the GFA for the Commercial Purposes shall not exceed 16,000m²;
 - (iv) design and disposition (including external elevations and finishes) clause; and
 - (v) the prescribed parking, loading and unloading requirements for Hotel Purposes and Commercial Purposes under the New Grant;
- (b) the proposed exhibition or convention hall on its own on L1/F under the current application is not permitted under lease. In fact, the proposed scheme for the proposed residential development cum shop/services/eating place as well as the exhibition or convention hall as a whole as detailed in the SPS is not permitted under lease. If the Board approves the application, the owner of the Lot is required to apply to LandsD for a lease modification to implement the proposed scheme; and
- (c) his advisory comments are at **Appendix II**.

9.1.2 Comments of the Chief Estate Surveyor/Land Supply, LandsD (CES/LS, LandsD):

- (a) notwithstanding that an indicative development scheme has been demonstrated in support of the proposed exhibition or convention hall, in case if the proposed residential development

would be implemented along with the proposed exhibition or convention hall, lease modification shall be required and shall be processed in accordance with the maximum development parameters as permissible for the Lot under the OZP and in accordance with the planning permission, including but not limited to a maximum PR of 7.0 within the “R(A)12” zone under the OZP, instead of the demonstrated scheme with a maximum PR of 6.353 in the subject planning permission; and

- (b) however, there is no guarantee that the lease modification application would be approved. Such application, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject to such terms and conditions including, inter alia, payment of premium and administrative fee, as may be imposed by LandsD.

Environment

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

- (a) he has no objection to the application from environmental planning perspective;
- (b) based on the NIA submitted with the planning application, it is noted that the acoustic performance of the fixed noise sources associated with the application would be designed to meet the relevant criteria stipulated in the HKPSG; and
- (c) his advisory comments are at **Appendix II**.

Building Matters

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

- (a) he has no in-principle objection to the application; and
- (b) his advisory comments are at **Appendix II**.

Traffic

9.1.5 Comments of Commissioner for Transport (C for T):

- (a) she has no objection to the application from traffic engineering point of view; and
- (b) her advisory comments are at **Appendix II**.

Fire Safety

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

- (a) he has no specific comment on the application subject to fire services installations and water supplies for firefighting being provided to his satisfaction; and
- (b) his advisory comments are at **Appendix II**.

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

- (a) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Commissioner of Police (C of P); and
- (d) District Officer (Sha Tin), HAD (DO(ST), HAD);

10. Public Comments Received During Statutory Publication Period (Appendix III)

On 15.8.2025, the application was published for public inspection. During the statutory public inspection period, a total of 17 public comments were received from residents in Ma On Shan and individuals. All of them object to the application mainly on the grounds that the proposed use would bring about adverse traffic impact; and demolition of the existing hotel and construction of a tall residential building at the Site would induce visual, air quality, traffic and noise impacts, reduce green area, overload the existing GIC facilities capacity, and negative effect on the value of surrounding properties. There are also views that the existing hotel should be retained to serve the Ma On Shan area and suggestion to provide sports related exhibitions at the Site.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed exhibition or convention hall use on L1/F of the Building at the Site zoned “R(A)12” on the OZP (**Plan A-1**). The applicant intends to convert the existing hotel building into a proposed residential development with commercial and exhibition/convention uses at the lower floors. The “R(A)” zone is primarily intended for high-density residential developments, and commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. According to the Notes of the OZP for “R(A)” zone, the proposed exhibition or convention hall use requires planning permission from the Board. While the proposed use is not entirely in line with the planning intention of the “R(A)” zone, according to the applicant, it will contribute to the C&E industry and provide a gathering place for the local residents and community. The proposed use will only occupy part of the L1/F of the Building (**Drawing A-1**) with a GFA of about 998m². The total PR of the Building including the proposed use will not exceed the PR restriction of “R(A)12” zone.

- 11.2 According to the applicant, the proposed exhibition or convention hall will be located in the non-domestic portion of the Building (i.e. L1/F), with separate access and means of escape. D of FS has no adverse comment in this regard. With a clear physical delineation, separate access and means of escape from the residential portion, the proposed use is not anticipated to cause nuisance to the residents to the upper floors within the Building. Besides, it is considered not incompatible with the other proposed uses (e.g. shop and services) on the same floor of the Building.
- 11.3 Fronting the Sha Tin Hoi, the Site is mainly surrounded by various open space, recreational/GIC facilities and residential developments. The Site is well served by public transport (e.g. MTR Ma On Shan Station to its further southeast) (**Plan A-1**). The proposed exhibition or convention hall is considered not incompatible with the surrounding areas which are residential in character and intermixed with open space and recreational/GIC facilities.
- 11.4 Various technical assessments submitted by the applicant have demonstrated that the proposed use will not induce adverse impacts on the surrounding environment from traffic, noise, air quality and sewerage perspectives. According to the TIA submitted by the applicant, the proposed use will not cause adverse traffic impact onto the adjacent road network. Adequate car parking spaces and L/UL bays will be provided for the proposed use at the Site. As for the environmental aspect, the NIA and AQIA submitted by the applicant have revealed that no significant fixed noise source is identified in the vicinity of the Site, and no adverse air quality impact associated with the proposed use is anticipated. Moreover, the proposed exhibition or convention hall will be equipped with central air-conditioning and will not rely on openable windows for ventilation. Potential nuisances to the future residents of the Building as well as the neighbourhood and surroundings are not anticipated. Regarding the technical aspects, relevant government departments consulted, including DEP, CE/MS, DSD, D of FS and C for T have no objection to/adverse comments on the application on environmental, drainage, fire safety and traffic aspects. To address the technical requirement of the concerned government department, appropriate relevant approval condition is recommended in paragraph 12.2 below.
- 11.5 Regarding the public comments on the application as detailed in paragraph 10, the government departments' comments and planning assessments above are relevant. As for the concerns about the impacts arising from demolition of the existing hotel and construction of the residential building at the Site, as well as suggestion to retain the existing hotel, they are not relevant to the current application.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.

- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 19.9.2029, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following condition of approval and advisory clauses are suggested for Members' reference:

Approval Condition

the submission and implementation of fire services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix II**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use is not in line with the planning intention of the "Residential (Group A)" zone which is primarily for high-density residential developments. There is no strong planning justification in the submission for a departure from the planning intention.

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 8.8.2025
Appendix Ia	Supporting Planning Statement received on 13.8.2025
Appendix Ib	FI received on 26.8.2025
Appendix Ic	FI received on 5.9.2025
Appendix Id	FI received on 15.9.2025
Appendix II	Recommended Advisory Clauses
Appendix III	Public Comments
Drawing A-1	Floor Plan
Drawing A-2	Section Plan
Plan A-1	Location Plan

Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2025**