

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/762

- Applicant** : China Full Treasure Limited represented by Top Bright Consultants Limited
- Premises** : 2/F to 5/F, 90 Hung To Road, Kwun Tong, Kowloon
- Floor Area** : 1,831.66m²
- Lease** : (a) Kwun Tong Inland Lot (KTIL) No. 203
(b) Restricted to a restaurant, ancillary offices and quarters for persons employed on the premises
- Plan** : Approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/22 (currently in force)
Draft Kwun Tong (South) OZP No. S/K14S/21 ^[1] (in force at time of submission)
- Zoning** : “Commercial (1)” (“C(1)”) (about 84.5%) and “Other Specified Uses” annotated “Business” (“OU(B)”) (about 15.5%)
[both zones subject to maximum plot ratio (PR) of 12 and maximum building height (BH) of 100 meters above Principal Datum (mPD), or the PR and height of the existing building(s), whichever is the greater]
- Application** : Proposed Hotel (Guesthouse) (partial conversion of existing commercial building)

1. The Proposal

- 1.1 The applicant seeks planning permission to convert 4 storeys (2/F to 5/F) (the Premises) of an existing 9-storey commercial building at 90 Hung To Road, Kwun Tong (the Site) for proposed ‘Hotel (Guesthouse)’ use with 49 guestrooms and ancillary facilities. The Site with an area of about 464.515m², is mainly zoned “C(1)” (392.36m², about 84.5% of the Site) with a minor portion zoned “OU(B)” (72.155m², about 15.5% of the Site) on the approved Kwun Tong (South) OZP No. S/K14S/22 (**Plan A-1**). According to the Notes of the OZP, the proposed ‘Hotel

^[1] When the application was submitted on 7.8.2018, the draft Kwun Tong (South) OZP No. S/K14S/21 was then in force. The zoning and development restriction for the Site remain unchanged on the current OZP No. S/K14S/22.

(Guesthouse)' use in both "C(1)" and "OU(B)" (for building other than industrial or industrial-office (I-O) building) zones requires planning permission from the Town Planning Board (the Board).

- 1.2 According to the applicant and recent site inspection, the Premises is currently used as eating places (2/F, 4/F to 5/F) and a religious institution (3/F).
- 1.3 Major development parameters and the proposed floor use are as follows:

Proposed Hotel (Guesthouse)	Major Development Parameters
Site Area (about)	464.515m ²
Total PR/Gross Floor Area (GFA) of the building upon partial conversion for guesthouse under application	PR : 8.47 ^[#] GFA : 3,937.185m ²
GFA of the proposed guesthouse at 2/F to 5/F (about)	1,831.66m ² ^[*]
Proposed floor use under application ^[@] :	
2/F	13 guestrooms, reception area, front desk, pantry, laundry room and E&M
3/F to 5/F	36 guestrooms, conference rooms, meeting rooms, pantries, store rooms and E&Ms
Number of Guestrooms	49
Guestroom Size (m ²)	10.270 to 24.398

^[#] Same as the existing commercial building based on the approved building plan (BP).

^[*] Including all back-of-house (BOH) facilities of about 52.571m² (2.87%).

^[@] Main use of the other floors of the Site, that is not the subject of this application, comprises restaurant and staff quarters, with details given in paragraph 6.2 below. The applicant indicates that the existing uses at these floors will remain unchanged.

- 1.4 According to the applicant, all guestrooms will be provided with windows for natural lighting and ventilation, and central air conditioning system. There is currently no internal parking and loading/unloading (L/UL) facility provided within the Site. The applicant proposes that L/UL activities could be carried out at the G/F non-building area (NBA) within the Site abutting the public backlane, and staff would be deployed to assist the manoeuvring of incoming/outgoing vehicles (**Plans A-2 and A-5**).
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 7.8.2018 (**Appendix I**)
 - (b) Supplementary planning statement received on 7.8.2018 (**Appendix Ia**)
 - (c) Replacement pages to application form and supplementary planning statement vide the applicant's letter received on 9.8.2018 (**Appendix Ib**)
 - (d) First further information (FI) vide the applicant's letter received on 24.9.2018 providing responses to departmental comments and a traffic technical note (TTN) (**Appendix Ic**)

- (e) Second FI vide the applicant's letter received on 30.10.2018 (**Appendix Id**) providing responses to Transport Department (TD)'s comments
 - (f) Third FI vide the applicant's letter received on 2.11.2018 (**Appendix Ie**) providing responses to TD's comments
- 1.6 Plans showing the G/F of the Site, individual floor layout of the Premises and GFA calculations of the Site submitted by the applicant are at **Drawings A-1 to A-4**.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement and the three FIs (**Appendices Ia to Ie**). They are summarized as follows:

- (a) The applicant's parent company, a large enterprise in catering industry in Hong Kong, will operate an eating place on 1/F of the Site for training its staff as well as promoting culinary arts. The proposed guesthouse on 2/F to 5/F will mainly serve the invited guests, culinary art instructors from overseas and trainees in order to meet the operational needs of the applicant, and will be opened to individual and business/budget travellers only when no such function/training takes place.
- (b) The proposed guesthouse could meet the increasing demand for budget hotel and support tourism and related industries in Hong Kong.
- (c) G/F (except lift lobby and adjoining areas) and the entire M/F of the Site are being used as restaurants by other owners (**Plan A-3**). The rest of the Site is owned by the applicant and its parent/subsidiary companies. Despite the multiple ownership of the Site, the applicant could implement its own management plan in using the two lifts to serve the Site, e.g. installing an access card system to only allow authorized cardholders to access guesthouse floors. With a long history of mixed use in the Site, no interface problem/nuisance among different users has been encountered in the past, and is not expected in the future.
- (d) The proposal is in line with the Energizing Kowloon East (EKE) initiative in facilitating the transformation of the Kowloon East area into another premier Central Business District of Hong Kong. Since the introduction of the policy of revitalization of industrial buildings, redevelopment and/or wholesale conversion for commercial buildings have been taking place in the Kwun Tong Business Area (KTBA) over the years. While the planning intention of the "C(1)" zone is primarily for commercial developments to serve the local workers, floor spaces of existing buildings within the "OU(B)" zones have been converted for shop and services and eating places; as such commercial uses are no longer confined to the "C(1)" zone. Being at the fringe of the KTBA, the attractiveness of the Premises as a commercial outlet serving the local workers is comparatively low. The proposed guesthouse development is considered compatible with the surrounding land uses and meeting the changing needs of the KTBA.
- (e) The Site is located in a bustling environment near major roads and is in close proximity to Kwun Tong MTR Station and public transport interchange with about

10-20 minutes' walk. Guests are expected to travel mostly by public transport and minimal by limousines and small coaches. The small scale of the proposed use with only 49 guestrooms will not likely to attract tour groups, and only induce small and limited additional amount of traffic.

- (f) According to the Transport Planning and Design Manual (TPDM), guesthouse use generally generates less traffic in the peak commuting hours than retail use. The parking and L/UL requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) (**Appendix II**) for hotel are lower than those for retail (eating place included). Besides, according to the "Practice Note for Authorized Persons and Registered Structural Engineers" for 'Hotel Development' (APP-40) published by the Buildings Department (BD), it is stated that "for hotels having 100 or more guestrooms, provisions in accordance with the HKPSG should normally be provided in respect of parking and L/UL facilities". The above implies that there is scope for relaxation of the HKPSG's requirements for hotels with less than 100 guestrooms.
- (g) There is currently no vehicular access and internal parking and L/UL facility provided on G/F, which is not under the applicant's ownership, and therefore modification works to provide such facilities is infeasible. However, all the guesthouse-related L/UL activities would be carried out at the existing NBA within the Site abutting the backlane on appointment basis (**Plans A-2 and A-5**). A traffic survey at other small hotels with less than 100 rooms revealed that their L/UL demands were very minimal, including regular delivery of consumables and out-source laundry services (one trip per day each) with durations of 5 and 10 minutes respectively. A traffic management plan could be worked out such that L/UL activities would only be conducted at non-peak hours during weekdays. It is not expected to impose additional traffic on Hung To Road and King Yip Street. Since the backlane is a dead-end road and vehicles have to access it either back-in or back-out, the applicant is committed to provide site staff to assist vehicles to manoeuvre in and out of the NBA in order to enhance road safety. In view of the above, the applicant considers that nil provision of additional parking and L/UL facility under the application is acceptable from traffic viewpoint.
- (h) Given the small scale of development, the proposed use will not generate any adverse visual, environmental and sewerage impacts.
- (i) A previous application (No. A/K14/593) for the same use on part of the Premises (4/F and 5/F only) was approved by the Board in 2009. A number of applications for wholesale conversion of buildings in the "OU(B)" zone in KTBA for hotel use were also approved. Approval of the current application would not set an undesirable precedent for similar applications in KTBA.
- (j) The proposed guesthouse will create more job opportunities and bring more economic activities to the area.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is one of the two "current land owners" and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under sections 12A and 16 of the Town

Planning Ordinance (TPB PG-No. 31A) by obtaining consent of the other owner. Detailed information would be deposited at the meeting for Member's inspection.

4. Previous Application

Part of the Premises (4/F and 5/F) was the subject of a previous application No. A/K14/593 for the same use with 52 guestrooms (without any parking and L/UL facility), which was approved with condition upon review by the Board on 25.9.2009 (**Appendix III**) as majority of Members generally supported the application in that the proposed guesthouse use would not jeopardize the planning intention of the "C(1)" zone and other case specific considerations, such as the concerns on natural lighting and ventilation could be addressed by the revised layout and there was no adverse comment/objection from the concerned Government departments. The planning permission however ceased to have effect on 25.9.2013 since the development thereby permitted was not commenced and the permission was not renewed before the said date.

5. Similar Applications

"C(1)" Zone

- 5.1 Other than the previous application in paragraph 4 above, there is no other application on the "C(1)" zones in KTBA for hotel/guesthouse use.
- 5.2 There are three similar applications for proposed hotel developments on the "C" zone in the adjoining Kowloon Bay Business Area (KBBA) (**Plan A-1**) since 2003, all were approved with conditions by the Committee/the Board in that the proposed hotel developments were generally in line with the planning intention of KBBA; the application sites were well served with road and other infrastructures; and no adverse comment/objection were received from the Government departments concerned. For details of these similar applications, please refer to **Appendix III**.

"OU(B)" Zone

- 5.3 A total of 36 ^[2] similar applications for hotel or office-cum-hotel developments on the "OU(B)" zone in KTBA have been considered by the Committee/the Board since 2003 (**Plan A-1**). 33 of these applications (including four approvals on three sites within the same street block as the Site) were approved with conditions mainly on reasons that the proposed uses were generally in line with the planning intention of the "OU(B)" zone and would help phase out the industrial uses in KTBA, no adverse impact on the surrounding area, and that the traffic impacts would be addressed by provision of sufficient parking and L/UL facilities. Six of these permissions granted were implemented for approved hotel use (**Plan A-1**). The remaining three applications for redevelopment/wholesale conversion of entire building for hotel uses were rejected, mainly for the reasons of failure in meeting the parking and L/UL requirements under the HKPSG, and adverse traffic impact on the local road network. For details of these similar applications, please refer to **Appendix III**.

^[2] 22 of them applied for development/redevelopment while 14 applied for wholesale conversion of existing buildings.

6. The Premises and Its Surrounding Areas (Drawings A-1 to A-4, Plans A-1 and A-2 and photos on Plans A-3 to A-8)

6.1 The Premises:

- (a) occupies 2/F to 5/F of the commercial building, namely 90 Hung To Road (**Drawings A-2 and A-3**), and is currently used as eating places and a religious institution (**Plans A-7 and A-8**);
- (b) is served by two common lifts and two common staircases for direct access to G/F (**Drawings A-1 to A-3**).

6.2 The Site:

- (a) comprises a nine-storey commercial building built in 1965 (**Plans A-3 and A-4**); and
- (b) has no internal transport facilities except the NBA (about 3.05m (W) × 23.7m (L)) at G/F of the Site (outside the building) was designated for the parking and L/UL of motor vehicles (**Plan A-5**) under lease conditions; and
- (c) has the following existing uses:

Floor ^[^]		Main Uses
G/F		Eating places, lift lobby of the building and NBA (Plans A-3 and A-6)
M/F		Eating place (Plan A-3)
1/F		Eating place (Plan A-3)
2/F	Floors under application	Eating place (Plan A-7)
3/F		Religious Institution (Plan A-7)
4/F to 5/F		Eating places (Plan A-8)
6/F to 7/F		Staff quarters ^[+]

^[^] 1/F to 7/F are numbered as 2/F to 8/F on site, i.e. 1/F is omitted.

^[+] The applicant indicates that, according to the Occupation Permit (OP) issued by the Building Authority (BA) in 1965, 6/F and 7/F of the subject building are designated for domestic use as staff quarters, which are also allowed under the lease conditions of the Site. In other words, such uses were in existence before the publication in the Gazette of the notice of the first statutory plan (the first plan) covering the land or building in 1987. The applicant also indicates that no alteration and addition (A&A) works had been performed thereat according to desktop study, hence there was no material change of use on 6/F and 7/F since occupation of the building (and after the publication of the first plan). As such, the applicant claims that the staff quarters can be regarded as “existing use of land or building” that is always permitted under the Covering Notes of the OZP. In the current submission, the existing staff quarters remain unchanged and the applicant states it will only be used by the staff employed by the eating place/guesthouse.

6.3 The surrounding areas have the following characteristics:

- (a) the neighbouring buildings along Hung To Road and King Yip Street are mainly industrial or I-O buildings;

- (b) to the northwest of the Site is a hotel, namely, Dorsett Kwun Tong (application No. A/K14/532-3), and some commercial/office buildings (redevelopments or wholesale conversions) can be found in the surroundings, namely, Ray Centre, The Rays, KOHO, Contempo Place and EGL Tower to the northwest on Hung To Road; Kin Sang Commercial Centre and King Palace Plaza to the northeast on King Yip Street; and Manulife Financial Centre and Lu Plaza to the southwest on Wai Yip Street (**Plan A-2**);
- (c) there is a vacant site to the southwest of the Site across the back alley, with building plans for office development recently submitted (**Plan A-2**);
- (d) the G/F units of the nearby buildings are mainly used as retail shops, eating places, real estate agency, motor repair services and courier service;
- (e) the MTR Kwun Tong Station is approximately 500m to the northeast (**Plan A-1**); and
- (f) a comprehensive residential development, Laguna City, is approximately 200m to the southeast across Tsui Ping River and Kwun Tong By-pass (**Plan A-1**).

7. Planning Intention

- 7.1 The planning intention of the “C(1)” zone is primarily for commercial developments, which may include shop, service, place of entertainment and eating place serving the needs of local workers.
- 7.2 The planning intention of the “OU(B)” zone is primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or I-O buildings.

8. Comments from Relevant Government Departments

- 8.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 8.1.1 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) No objection to the application.
- (b) The Premises falls within KTIL No. 203 (“the Lot”) which is held under Conditions of Sale No. UB6678 for a term of 99 years less 3 days commencing from 1.7.1898 and was further extended to 30.6.2047. The lease conditions of the Lot contain, inter alia, the following restrictions:

- (i) the Lot shall be used only for the purpose of a restaurant; and
 - (ii) no building shall be erected on the lot except a restaurant, ancillary offices and quarters for persons employed on the premises.
- (c) The proposed use of the Premises for guesthouse is in breach of the relevant lease conditions. Should the Board decide to approve the planning application, the applicant is required to apply to his office for a temporary waiver/lease modification to give effect to the proposal. However, there is no guarantee at this stage that the temporary waiver/lease modification would be approved. If the application for a temporary waiver/lease modification is approved by LandsD in the capacity as landlord at his sole discretion, it will be subject to those terms and conditions including the payment of waiver fee/premium as appropriate as imposed by LandsD.
- (d) Site inspection revealed that 3/F has been put to religious use in breach of the relevant lease conditions. Any approval of the planning application by the Board and application to his office for temporary waiver/lease modification to implement the proposal should not prejudice Government's right to take appropriate lease enforcement action against the said religious use.
- (e) His office does not have any record on the size or floor plan of the Premises. The applicant is required to demonstrate the dimensions and calculation of the floor area when a temporary waiver/lease modification application is submitted.

Traffic Aspect

8.1.2 After reviewing the supplementary planning statement, TTN and further responses (**Appendices Ia to Ie**), the Commissioner for Transport (C for T) has no adverse comments on the traffic assessments and has no objection to the application. To secure the smooth operation of the L/UL activities at the NBA as proposed by the applicant, C for T recommends that an approval condition on the provision of the traffic management plan and proper implementation of such measures should be imposed if the application is approved.

Environment

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

- (a) Hotel developments are normally provided with central air conditioning system and the applicant/authorized persons (AP) should select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact.
- (b) Approval conditions requiring the submission of Sewerage Impact Assessment (SIA) and the implementation of the local sewerage upgrading/sewerage connection works identified therein are recommended should the Board approve this application.

Building Matters

8.1.4 Comments of the Chief Building Surveyor/Kowloon, BD (CBS/K, BD):

- (a) No objection in principle to the application.
- (b) All building works/change in use are subject to compliance with the Buildings Ordinance (BO).
- (c) Application for hotel concession under Building (Planning) Regulation (B(P)R) 23A will be considered upon formal submission of building plans subject to compliance with the criteria under PNAP APP-40 and favourable comments from the concerned departments.
- (d) The applicant is advised to appoint an AP to submit BPs for the proposed change in use and/or A&A works to demonstrate compliance with the BO. The particular details are stated in the recommended advisory clause (c) in **Appendix V**.
- (e) The proposed operation of the hotel will be subject to the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349.
- (f) Detailed comments under BO can only be provided at the BP submission stage.
- (g) For unauthorized building works (UBW) erected on leased land/private buildings (if any), enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any UBW on the application site under the BO.
- (h) The applicant's attention should be drawn to Practice Note for AP, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the BA has no power to give retrospective approval or consent for any UBW.

Fire Safety

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

- (a) No objection in principle to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to the satisfaction of his Department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.
- (b) The fire services requirements regarding licensing premises would be imposed upon receipt of formal application via Licensing Authority.
- (c) As no details of the EVA have been provided, comments could not be offered by his Department at this stage. 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 BD.

Tourism Aspect

8.1.6 Comments of the Commissioner for Tourism (C for Tourism):

- (a) He supports the application provided that it is agreeable to all relevant Government departments, and that the applicant is able to meet all requirements laid down by the relevant departments.
- (b) The proposed guesthouse development in Kwun Tong will help increase the provision of hotel/guesthouse and broaden the range of accommodations for visitors which would enhance the appeal of Hong Kong as an international convention, exhibition and tourism capital.

Licensing Aspect

8.1.7 Comments of the Chief Officer (Licensing Authority), Home Affairs Department (CO(LA), HAD):

- (a) No objection to the application under the HAGAO, Cap. 349.
- (b) The applicant should submit a copy of the OP or acknowledgement letter for completion of A&A works for the proposed guesthouse when making an application under the HAGAO.
- (c) The licensing requirements will be formulated after inspections by his Building Safety Unit and Fire Safety Team upon receipt of application under the HAGAO.

EKE Initiative

8.1.8 The Head of EKE Office (H of EKEO), Development Bureau has no objection to the application on the consideration that the proposed development is broadly in line with the EKE initiative.

8.2 The following Government bureau/departments have no objection to or no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Chief Highway Engineer/Kowloon, Highways Department;
- (d) Commissioner of Police (C of P);
- (e) Director of Food and Environmental Hygiene; and
- (f) District Officer (Kwun Tong), Home Affairs Department.

9. Public Comments Received During Statutory Publication Period

The application and the first FI (**Appendix Ic**) were published for public inspection on 17.8.2018 and 5.10.2018. During the statutory public inspection periods, three public comments were received. An owner of Laguna City (**Appendix IVa**) supports the application on the ground that the proposed guesthouse would neither result in adverse

traffic impact to the surrounding areas nor generate nuisance to residents of Laguna City, and upon conversion, the Premises would provide safe and quality accommodations for guests and the staff concerned. Another two individuals (**Appendix IVb** and **IVc**) raise objection on the grounds that the proposed guesthouse would worsen the traffic congestion problem along Hung To Road and bring about people that may affect public order respectively.

10. Planning Considerations and Assessments

10.1 The application is for partial conversion (2/F to 5/F) of an existing commercial building for the proposed ‘Hotel (Guesthouse)’ use with 49 guestrooms and ancillary facilities. Major portion of the Site (about 84.5%) falls within the “C(1)” zone with planning intention for commercial developments, which may include shop and service, place of entertainment and eating place, serving the needs of local workers; while the remaining portion (about 15.5%) falls within the “OU(B)” zone which is intended for general business uses.

Planning Intention

10.2 Regarding the need to provide commercial uses within the “C(1)” zone to serve the locality, having undergone transformation in the past few years, shops and services, places of entertainment and eating places are widely provided within KTBA. It is by and large attributable to the Government’s policy to revitalise industrial buildings in Hong Kong introduced since April 2010. Indeed, as discussed in paragraph 6.3(b) above, a number of wholesale conversion or redevelopment of industrial buildings into office, commercial and hotel development have been taking place in the vicinity of the Site (**Plan A-2**). With the policy to reactivate the revitalisation scheme for industrial buildings as announced in the Chief Executive’s 2018 Policy Address, it is expected that more floor space would be provided for commercial uses in the KTBA.

10.3 In reviewing the previous application for guesthouse use on 4/F and 5/F of the building (No. A/K14/593), the Board considered that the planning intention of the “C(1)” zone would not be jeopardized with the proposed guesthouse use. Despite two more floors are proposed to be converted for guesthouse use under this application, the above considerations should still be valid. In view of the above, the proposed ‘Hotel (Guesthouse)’ use is considered not in conflict with the planning intention of the “C(1)” zone and compatible with the changing land use character of KTBA. As advised by H of EKEO, the proposed development is broadly in line with the EKE Initiative.

Land Use Compatibility

10.4 The Site is located within an area predominantly occupied by industrial, I-O and commercial developments with commercial uses on the ground floor. As discussed in paragraph 5.3 above, 33 planning applications (with four approvals on three sites within the same street block as the Site) for wholesale conversion or redevelopment of industrial/I-O buildings on the “OU(B)” zone in KTBA into hotel/office-cum-hotel use (six of which were completed with one hotel (i.e. Dorsett Kwun Tong, HK) within the same street block as the Site) were approved by the Committee/the Board (**Plan A-1**). Upon conversion, the proposed

guesthouse use on 2/F to 5/F is considered not incompatible with the uses of the remaining floors of the Site (i.e. eating places on G/F to 1/F, and staff quarters on 6/F to 7/F for the employees of the applicant on the Site).

Parking and L/UL Facilities

- 10.5 According to the HKPSG, while the standards on provision of parking spaces (**Appendix II**)^[3] should be followed as far as possible, flexibility may need to be exercised, taking account of the particular factors relevant to individual developments. While no additional parking or L/UL facility will be provided within the building due to site constraints (**Appendices Ic** and **Ie**), the applicant proposes that all the guesthouse-related L/UL activities would be carried out at the existing NBA within the Site abutting the backlane on appointment basis, with a traffic management plan to confine such activities at non-peak hours during weekdays. Site staff will be deployed to assist vehicles to manoeuvre in and out of the L/UL area in order to enhance road safety. The applicant has submitted a TTN (**Appendix Ic**) which revealed that the demand for L/UL is negligible and very limited traffic will be induced. C for T has no adverse comment on the nil provision of parking and L/UL facility within the building and the above traffic measures proposed by the applicant, and has no objection to this application. To ensure smooth operation of the L/UL activities at the existing NBA, C for T advises that an approval condition in paragraph 11.2(a) below to require the provision of the traffic management plan for the L/UL activities and proper implementation of such measures should be imposed if the application is approved.

Others

- 10.6 Relevant Government departments consulted including CE/MS of DSD, CBS/K of BD, D of FS, C of P and CO(LA) of HAD have no objection to or no adverse comment on the application. C for Tourism supports the application if it is agreeable to all relevant Government departments as it will help increase the provision of hotel facilities, and broaden the range of accommodations for visitors.
- 10.7 DEP has no adverse comment on the application but advises that approval conditions in paragraph 11.2(b) and (c) below requiring the submission and implementation of a SIA and the local sewerage upgrading/sewerage connection works identified in the SIA should be imposed if the application is approved.
- 10.8 To address D of FS's concern on fire safety aspect, an approval condition in paragraph 11.2(d) below to require the provision of FSIs and water supplies for firefighting is recommended.
- 10.9 The supportive public comment is noted. In respect of the objection raised by the individuals on possible impacts from traffic and public order aspects, the assessments mentioned in paragraphs 10.5 and 10.6 above are relevant. C for T and C of P have no objection to/no adverse comment on the application.

^[3] For hotels in main urban areas, 1 car parking space and 0.5-1 L/UL bays for goods vehicle per 100 rooms should be provided. In addition, for hotels with up to 299 rooms, 2 lay-bys for taxi and private cars and 1 lay-by for single-deck tour buses are required (**Appendix II**).

11. Planning Department's Views

11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments as mentioned in paragraph 9, the Planning Department has no objection to the application.

11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 16.11.2022, 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 conditions of approval and advisory clauses are suggested for Members' reference:

Approval conditions

- (a) the provision of the traffic management plan and proper implementation of measures as proposed by the applicant to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (d) the provision 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 attached at **Appendix V**.

11.3 There is no strong reason to recommend rejection of the application.

12. Decision Sought

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

12.2 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 the validity of the permission should expire.

12.3 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.

13. Attachments

Appendix I Application form received on 7.8.2018

Appendix Ia Supplementary planning statement received on 7.8.2018

Appendix Ib	Replacement pages/figures to application form and supplementary planning statement vide the applicant's letter received on 9.8.2018
Appendix Ic	First further information vide the applicant's letter received on 24.9.2018 providing responses to departmental comments and a traffic technical note
Appendix Id	Second further information vide the applicant's letter received on 30.10.2018 providing responses to Transport Department's comments
Appendix Ie	Third further information vide the applicant's letter received on 2.11.2018 providing responses to Transport Department's comments
Appendix II	Extract of the parking standards for retail and hotel facilities as stated in the Hong Kong Planning Standards and Guidelines
Appendix III	Previous/similar applications for hotel developments under "C(1)"/"C" zones in the Kwun Tong/Kowloon Bay Business Areas, and under "OU(B)" zone in the Kwun Tong Business Area
Appendices IVa to IVc	Public comments received during the statutory publication periods
Appendix V	Recommended advisory clauses
Drawing A-1	Layout plan of the G/F of the subject building
Drawings A-2 to A-3	Layout plans of individual floors of the application premises
Drawing A-4	Gross floor area calculations of the application site
Plan A-1	Location plan
Plan A-2	Site plan
Plans A-3 to A-8	Site photos