

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/20

- Applicant** : Rich Union Development Limited represented by Ove Arup & Partners Hong Kong Limited
- Site** : New Kowloon Inland Lot (NKIL) No. 6556, Muk Yuen Street, Kai Tak, Kowloon
- Site Area** : About 19,044 m² (including the “Comprehensive Development Area (1)” (“CDA(1)”) site of 17,767 m²⁽¹⁾ and underground space mainly under the adjoining “Open Space” (“O”) zone proposed for underground shopping street (USS) of 1,277 m²⁽²⁾)
- Lease** : (a) for a term of 50 years commencing from 28.6.2017
(b) restricted to non-industrial (excluding residential, godown and petrol filling station) purposes
- Plan** : Draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/5 (at the time of submission)
- Approved Kai Tak OZP No. S/K22/6 (currently in force) (The zoning and development restrictions for the site have remained unchanged.)
- Zoning** : “CDA(1)” (93.3%) and “O” (6.7%)
- [“CDA(1)” subject to the following restrictions/requirements:
- (a) maximum plot ratio (PR) of 10;
 - (b) maximum site coverage (SC) of 65% (excluding basement(s));
 - (c) maximum building heights (BHs) of 200mPD for the eastern portion and 40mPD for the western portion;
 - (d) a 5m wide non-building area (NBA) along the south-western boundary; and
 - (e) on land designated ‘Shop and Services’ and ‘Eating Place’ uses only, buildings not exceeding 2 storeys to accommodate ‘Shop and Services’ and ‘Eating Place’ uses shall be provided.

⁽¹⁾ Includes a small area (30 m²) falling within the adjoining “Other Specified Uses” (“OU”) annotated “Mixed Use (2)” (“OU(Mixed Use)(2)”) zone, which can be considered as minor adjustment to the zoning boundary as permitted under covering Notes of the OZP.

⁽²⁾ Includes a small area (38 m²) of underground space falling within ‘Road’ area proposed for underground public walkway (UPW) to connect with the adjoining “OU(Mixed Use)(2)” site.

In area shown as ‘USS’, ‘Shop and Services’, ‘Eating Place’ and ‘Government Use’ are always permitted.]

Application : Proposed Comprehensive Development for Office, Shop and Services, Eating Place and Public Transport Terminus

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed comprehensive development for office, shop and services, eating place and public transport terminus (PTT) at the application site (the Site) which is mainly zoned “CDA(1)” on the approved Kai Tak OZP No. S/K22/6. According to the Notes of the OZP, an applicant seeking permission for development on land designated “CDA” shall prepare a Master Layout Plan (MLP) with the required information and technical assessments for the approval of the Town Planning Board (the Board). The proposed development also comprises section of USS on underground level within the adjoining “O” zone (**Plans A-1 and A-2**). The provision of commercial uses in the USS is always permitted under the OZP.
- 1.2 The Site is located at the northern part of the Kai Tak development (KTD) to the immediate north of the proposed major public open space of Station Square and the Kai Tak station of Shatin to Central Link (SCL), which is scheduled for completion in 2019. The Kai Tak River is located to its southwest. The proposed development comprises a main commercial block with a BH of 200mPD/80mPD in the eastern part of the Site for retail/office use and a 2-storey retail frontage along the south-eastern site boundary, above 4 storeys of basement. The retail podium at the western part of the Site has a maximum BH of 40mPD. The floor plans, section plans and elevation plan of the MLP are shown in **Drawings A-1 to A-20**. The development has car parking and loading/unloading (L/UL) uses on B4/F to B1/F (4 storeys), a PTT on G/F (**Drawing A-4**), retail use on B1/F to 7/F (9 storeys) and office use on 8/F to 43/F (36 storeys). Starting from 6/F upwards, the main block splits into two main structures, with the higher structure extending up to 43/F (200mPD) and the lower structure to 14/F (80mPD). The two structures are connected on 10/F to 12/F (**Drawings A-11 and A-16**). A series of flats roofs with BHs ranging from 17mPD to 37mPD are created in the retail portion in the western part of the Site (**Drawings A-1 and A-6 to A-9**).
- 1.3 The major development parameters of the proposed development are summarised as follows:

Site Area	19,044 m ²
- “CDA”	- 17,767 m ²
- mainly “O”	- 1,277 m ² (only underground level)
PR	10 (based on area of “CDA” zone)
Total GFA	177,670 m ²
- Retail	- 65,032 m ² (36.6%)
- Office	- 108,838 m ² (61.3%)
- PTT	- 3,800 m ² (2.1%)
SC	not exceeding 65% (excluding basements)

BH (main roof)	
- Main Block	44 storeys (above 4 storeys of basement)
- western part	- not exceeding 40mPD
- eastern part	- not exceeding 200mPD
- Retail Frontage	2 storeys and 15mPD
Car Parking and L/UL Facilities	
- Private Car Parking Spaces	896 (on B3/F and B4/F)
- Motorcycle Parking Spaces	90 (on B3/F and B4/F)
- L/UL Bays	137 (on B2/F)
- Lay-bys for Private Car/Taxi	6 (on B1/F)

- 1.4 The proposed development covers a total site area of about 19,044 m², including the “CDA(1)” site of 17,767 m² and underground level of area mainly zoned “O” of 1,277 m² for development of the USS. The total GFA is 177,670 m², which is equivalent to a PR of 10 based on the “CDA(1)” area of 17,767 m², comprising a GFA of about 65,032 m² (or 36.6%) for retail use (i.e. ‘Shop and Services’ and ‘Eating Place’) including a GFA of 1,777 m² for the 2-storey retail frontage along the south-eastern site boundary that abuts the Station Square.
- 1.5 The ingress/egress point of the Site is located at Concorde Road and an emergency access point is proposed at Muk Yuen Street (**Drawing A-4**). A PTT of 3,800 m², which will provide 2 double-width bus lanes and 1 double-width green minibus lane (**Drawing A-24**), is proposed on G/F. The PTT will be passed to the Government for management and maintenance upon completion by the developer. The part of the driveway within the Site between the ingress/egress point and the entrance to the PTT would be share-used by the PTT and the internal vehicular traffic of the development, and the applicant will be responsible for the management and maintenance of this part of common driveway.

USS, UPW and Connectivity

- 1.6 A 20m-wide USS will be provided at B1/F to connect with SCL station in the south-east and ground level of the open space along Kai Tak River in the southwest (**Drawing A-3**). It will form part of the USS network linking up the Kai Tak City Centre with the two SCL stations (Kai Tak and Sung Wong Toi) and the adjoining Ma Tau Kok, Kowloon City and San Po Kong areas. Retail floorspace will be provided at B1/F along the two sides of the USS, making the total retail GFA at that level be not less than 4,000 m². The retail area of B1/F is also connected with the underground level of the adjoining development site (i.e. NKIL 6568) zoned “OU(Mixed Use)(2)” to the northeast (**Plan A-2**) by a 6m-wide UPW. The retail area on 1/F (**Drawing A-5**) is connected with the landscaped podium deck of the Trade and Industry Tower cum Kai Tak Community Hall in the north and the planned curvilinear elevated landscaped walkway (curvilinear walkway) running from San Po Kong area to across Kai Tak River.
- 1.7 Through various horizontal and vertical linkages provided within the proposed development including the USS, UPW and landscaped walkways mentioned above (**Drawings A-25 to A-28**), the major facilities/activity nodes of the area, including the subject commercial development, PTT, SCL Kai Tak Station, the Kai Tak

River promenade and the hinterland areas will be connected together. A public passageway with 8m clear width will be provided in the USS and opened for public use on a 24-hour basis. Vertical transport facilities, including escalators, lifts and/or staircases, will be provided for 24-hour public access between the USS and G/F level (**Drawing A-26**).

Urban Design and Landscape

- 1.8 A stepped BH profile descending towards Kai Tak River and the curvilinear walkway is adopted for the overall design of the development, with the high, medium and low portions of the development at BHs of 200mPD, 80mPD and 40mPD respectively (**Drawings A-1 and A-6 to A-15**). A series of landscaped decks and stepping down terraces from 37mPD to 17mPD are provided at the north-western corner of the low-rise portion of the development, forming a descending BH to 17mPD (**Drawings A-31 and A-32**). At the south-western corner of the medium-rise portion, a similar design with landscaped decks and terraces proposed at 63.08mPD to 47mPD levels stepping down towards Kai Tak River and Station Square is adopted (**Drawing A-32**). The landscaped areas at the terraced gardens and roof will be accessible to the public during the operation of the proposed commercial development.
- 1.9 The proposed development will provide a maximum of 20m building setback from the south-western site boundary (including the 5m wide NBA as stipulated on the OZP) to create a wide public space adjacent to the planned Kai Tak River promenade (**Drawings A-4, A-31 and A-32**), allowing a wider vista along Kai Tak River. No fence or barrier would be erected between this public space and the Kai Tak River promenade. At the eastern corner of the Site near the cul-de-sac of Muk Yuen Street, a 20m wide NBA (opened to the public on a 24-hour basis) will be provided for public circulation and allowing emergency and maintenance access to the Station Square (**Drawing A-4**).
- 1.10 For the two-storey retail frontage along the south-eastern boundary of the Site abutting the Station Square, a colonnade design with shopfront setback of 3.6m from the site boundary and clear headroom of 4.2m on G/F would be adopted. The colonnade will be a covered, unobstructed space at the ground level with support for building or structures at equal spacing along its full length of about 108m (**Drawing A-20**). The retail frontage will be connected with the main block by covered pedestrian link.
- 1.11 According to the LMP (**Drawings A-21 to A-23**), timber decks, furniture, benches, planting areas are proposed to be provided on the main roof of low-rise portion of the development and the stepping down terraces. Planting area and lawn would also be provided on the top roof of the low-rise portion and main roof of the retail frontage respectively. On the ground floor, landscaping such as tree planting and vertical greening would be provided at various spots of the development, including the building setback at western boundary, along the driveway at the northern portion of the development, western and southern building façades and the plaza liked space at southeast area of the development. Totally a greenery area of 5,970.45 m² (i.e. about 33.6% of the net development site area) is proposed, with 3,625.78 m² at primary zone (15m vertical zone from street level) (i.e. about 20.4%

of the net development site area) and 2,344.67 m² at roof (i.e. about 21.7% of the total roof area). There is only one tree on the Site near Concorde Road and is proposed to be felled. A total of 52 trees would be planted within the Site, including 39 trees on ground level and 13 trees on roof levels of the retail podium. Landscape Master Plan (LMP), layout plan of the PTT, pedestrian circulation diagrams, perspective drawings and photomontages of the proposed development submitted by the applicant are shown in **Drawings A-21 to A-38**.

- 1.12 The proposed development is tentatively scheduled for completion in 2023.
- 1.13 The application was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 12.1.2018. At the request of the applicant, the Committee decided on 12.1.2018 and 6.4.2018 respectively to defer a decision on the application and allow a total of two months and two weeks respectively for preparation of further information (FI) by the applicant. Upon receipt of the FI from the applicant on 16.4.2018, the application was re-scheduled for consideration of the Committee at this meeting.
- 1.14 In support of the application, the applicant has submitted the following documents:
- (a) Letter with Application Form received on 21.11.2017 **Appendix I**
 - (b) Supplementary Planning Statement attached to the Application Form including MLP and urban design proposal, LMP and tree preservation proposal, traffic impact assessment (TIA), environmental assessment (EA), drainage impact assessment (DIA), sewerage impact assessment (SIA) and visual impact assessment (VIA) **Appendix Ia**
 - (c) Air ventilation assessment (AVA) of the Supplementary Planning Statement **Appendix Ib**
 - (d) Letter dated 27.11.2017 providing a replacement section plan for the MLP **Appendix Ic**
 - (e) Letter dated 4.12.2017 providing additional floor plans and a section plan for the MLP **Appendix Id**
[(b) to (e)] incorporated in the application published for public comment on 5.12.2017]
 - (f) Letter dated 5.2.2018 providing responses to departmental comments, replacement pages for the Supplementary Planning Statement, revised MLP, revised LMP and tree preservation proposal, design drawings of PTT, and revised TIA, EA, SIA, VIA and AVA [FI(1)] **Appendix Ie**
[FI not exempted from publication requirement]
 - (g) Letter dated 15.2.2018 (received on 14.2.2018) providing responses to departmental comments, replacement pages for the Supplementary Planning Statement, revised MLP, revised LMP and tree preservation proposal, revised design drawings of PTT, and revised EA and AVA [FI(2)] **Appendix If**

[FI not exempted from publication requirement]

- (h) Letter dated 15.2.2018 providing replacement pages for responses to departmental comments, supplementary information to MLP and VIA [FI(3)] **Appendix Ig**

[FI not exempted from publication requirement]

- (i) Letter dated 29.3.2018 (received on 6.4.2018) providing responses to departmental comments, and replacement pages for MLP, LMP and tree preservation proposal, TIA, EA, SIA and VIA [FI(4)] **Appendix Ih**
- (j) Letter dated 16.4.2018 providing responses to departmental comments and replacement pages for TIA, EA and SIA [FI(5)] **Appendix Ii**
- (k) Letter dated 20.4.2018 providing responses to departmental comments and replacement pages for MLP, LMP and tree preservation proposal [FI(6)] **Appendix Ij**
- (l) Letter dated 23.4.2018 providing a design statement, additional perspective drawings and replacement pages for MLP [FI(7)] **Appendix Ik**
- (m) Letter dated 4.5.2018 (received on 7.5.2018) providing responses to departmental comments [FI(8)] **Appendix Il**
- (n) Letter dated 15.5.2018 providing responses to departmental comments [FI(9)] **Appendix Im**
- (o) Letter dated 17.5.2018 providing replacement pages for MLP [FI(10)] **Appendix In**
- (p) Letter dated 29.5.2018 providing responses to departmental comments [FI(11)] **Appendix Io**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed at **Appendices Ia, Ic, Id, Ie, If, Ih, Ij and Ik** and summarised as follows:

- (a) The proposed development is in line with the planning intention of the “CDA(1)” zone to provide a landmark commercial development with a lower structure at the Site cascading down to the open spaces along the Kai Tak River and complies with the requirements set out in the Planning Brief (PB).
- (b) The proposed development can enhance the pedestrian connectivity around the Site through providing pedestrian linages to the surrounding developments. The proposed development will provide grade-separated pedestrian links including landscaped elevated walkway linking with Trade and Industrial Tower, and USS connecting SCL Kai Tak Station as well as Kowloon City and San Po Kong. The connectivity to surrounding areas will be enhanced and the demand for road-based traffic can be reduced, which will be beneficial to the local road network.

- (c) The proposed development can enhance landscape and visual amenity in the area. It will adopt a design that can create an active and vibrant pedestrian environment and contribute to establishing a strong sense of place with additional passive seating areas, planting and spaces for pedestrian circulation and activity. Landscaped spaces will be designed at the human scale for activities and will be integrated with the surrounding public areas seamlessly. While the design of the proposed development is to create an iconic architectural feature in the area that would become a strong focal and reference point of the KTD, it is expected that the impact on the overall visual composition of Kai Tak City Centre will be negligible. It is expected that the proposed development will also enhance the visual resources at street level.
- (d) After deducting the areas dedicated for building footprint, emergency vehicular access (EVA) and driveway, the Site only has an uncovered area of approximately 3,320 m² (18.5% of the site area) available for at-grade greenery. However, apart from at-grade greenery, the landscape design should also account for adequate provision of circulation and gathering spaces to cater for the anticipated heavy pedestrian flow within the development. While only 1,393.18 m² or about 7.9% of the site area is provided with at-grade greenery, the horizontal and vertical greening at primary zone together provides 3,625.78 m² of green area (about 20.4% of the site area), which complies with the 20% greening requirement of the lease. At the roof levels, a total greenery area of 2,344.67 m² (about 21.7% of the total roof area of 10,813 m²) is provided, which complies with the 20% greening requirement of both the PB and the lease. The total greenery area of 5,970.45 m² (about 33.6% of the site area) also complies with the 30% greening requirement under the PB and the lease.
- (e) TIA, EA, DIA, SIA and AVA have been conducted and the results indicated that the proposed development would not incur significant adverse traffic, environmental, drainage, sewerage and air ventilation impacts on the surrounding areas. In response to the public concerns on glare impact, glass with external reflectance of not exceeding 20% would be used in the proposed development to avoid glare.
- (f) The proposed development will be an iconic landmark for KTD and form a gateway for the overall Kai Tak area. As a landmark, the development will be able to attract visitors to the Kai Tak area and East Kowloon. Apart from being an iconic landmark, the development can enhance pedestrian connectivity and landscape and visual amenity, which is in line with the planning intention and complies with the requirements set out in the PB. The development will not cause significant adverse impacts. It will become a desirable precedent for the implementation of the remaining “CDA” developments in KTD.
- (g) The proposed development adopts a design consisting of a group of interconnected “towers” with height ranging from 200mPD to 32mPD gradually cascading down from the north towards the low blocks on the south and then Station Square, helping to reinforce its position as the central focal point of KTD. A stepped design towards Kai Tak River will be in the form of a series of green landscape decks. The articulation of BH and the building form can also further break down the scale of the building and reinforce the iconic status of the proposed development. The terraces at the north-western corner of the building from

40mPD to 17mPD would address the two most important town planning features in KTD, i.e. the Kai Tak River and the curvilinear walkway. However, further stepping on the west without compromising the allowable GFA is not possible under current OZP and lease requirements. If the reduced GFA is to be compensated, further increase in BH would be required, which would potentially induce larger wind shadow and adverse ventilation impact.

- (h) Instead of a 5m NBA, the proposed development has been setback from the western boundary by a maximum of 20m to create a wide public space adjacent to the Kai Tak River. Compared with the cascading terrace design as suggested in the PB, the design of the proposed development has focused on provision of setback on the ground floor along Kai Tak River, which will be enjoyed by the public (**Drawings A-34 and A-35**).
- (i) Although a maximum GFA of 15,000 m² for hotel is stipulated in the PB, there is no provision of hotel under the proposed scheme as it is considered that ample hotel facilities would be provided at the former runway and Kai Tak Sports Park to serve the needs of the tourists. It is also considered that the planning intention of the Site is not for a sole hotel development but to allow flexibility in the development mix in response to the market and fitting with the business case. The provision of office space under current proposed scheme can increase the Grade A office supply and create synergy with other parts of KTD and the Core Business District 2 (CBD2) in Kowloon East. The addition of retail space will also be beneficial to the current and future residents of KTD and surrounding districts.

3. **PB**

- 3.1 The Site is located in the central part of the Kai Tak City Centre, and is intended to be developed into an iconic development of KTD. A PB (**Appendix II**) setting out the planning objectives, development parameters, planning requirements and design guidelines for the “CDA(1)” zone was endorsed by the Committee on 26.8.2016 to guide the development of the site and to facilitate the preparation of MLP by the developer. The Site was sold through public tender in June 2017.
- 3.2 The proposed development under application generally complies with the planning and development requirements set out in the PB including compliance with the major development parameters; provision of USS, UPW and landscaped elevated walkway for connectivity; provision of NBAs; and major urban design and landscaped requirements including colonnade. A comparison of the major planning and development parameters in the endorsed PB and the application is set out in **Appendix IIa**.

4. **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.

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Application

There is no similar application for comprehensive development within the “CDA” zones of the OZP.

7. The Site and Its Surrounding Areas (Plans A-1 and A-2, and site photos on Plan A-3)

7.1 The Site is:

- (a) located in the North Apron area of KTD. It falls within the central part of Kai Tak City Centre and commands a convenient location with SCL Kai Tak Station to its southeast;
- (b) bounded by Concorde Road to its northwest, Muk Yuen Street to its northeast, Station Square to its southeast and the Kai Tak River promenade to its southwest; and
- (c) currently with some foundation works being carried out.

7.2 The surrounding areas have the following characteristics:

- (a) mixed with residential, commercial, government, institution or community (GIC) and open space uses;
- (b) to the north and north-east of the Site is a belt of “Government, Institution or Community” (“G/IC”) sites, including Kai Tak Community Hall, Trade and Industry Tower, and the planned Inland Revenue Tower and police station;
- (c) a site (NKIL 6568) zoned “OU(Mixed Use)(2)” for mixed residential and commercial development with provision of elderly care facilities is situated to the northeast of the Site across Muk Yuen Street;
- (d) to the immediate south and southeast of the Site is the planned Station Square, which is a large-scale public open space circumscribing the SCL Kai Tak Station;
- (e) the main residential cluster of Kai Tak City Centre, including the public housing estates (Kai Ching Estate, Tak Long Estate and Kai Long Court) and the private housing developments in the Grid Neighbourhood, are located to the further east and southeast across the Station Square;
- (f) to the southwest of the Site across the Kai Tak River is a site zoned “CDA(2)” proposed for commercial development. Complementary to the

Site, the “CDA(2)” site is also intended for commercial use with a lower structure cascading down to the open spaces along the Kai Tak River to engender a sense of symmetry along the river vista; and

- (g) the curvilinear walkway, which is planned for linking San Po Kong with Kai Tak City Centre across Prince Edward Road East and Kai Tak River, is situated to the northwest of the Site.

8. Planning Intention

The “CDA” zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. The “CDA(1)” zone is located on the eastern side of Kai Tak River and intended for commercial use with a lower structure cascading down to the open spaces along the Kai Tak River. The zone is for a comprehensive office/hotel/retail development with low-rise structures in the west and high-rise landmark commercial tower in the east. The landmark tower in the zone will complement the curvilinear walkway and the landscaped Kai Tak River to signify a prominent image in the locality.

9. Comments from Relevant Government Bureau/Departments

- 9.1 The following government bureaux and 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/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) NKIL 6556 (the Lot) is held under Conditions of Sale No. 20306 (the Conditions) for a term of 50 years from 28 June 2017. The Lot is restricted for use as non-industrial (excluding residential, godown and petrol filling station) purposes.
- (b) Under Special Condition (S.C.) (47) of the Conditions, the right of vehicular ingress and egress to and from the Lot is on Concorde Road as per locations shown at Appendix A of **Appendix Ia** or at such other points as may be approved by LandsD. The applicant has submitted an application for approval under lease of an additional vehicular access point at Muk Yuen Street as shown in the current application. Should the planning application be approved by the Board, the said application under lease would be processed in accordance with the lease provision. However, there is no guarantee that the application would be approved. If the application is eventually approved, it will be subject to such terms and conditions, including payment of premium (if any) and administration fee, as considered appropriate by LandsD.

- (c) The proposed additional access at Muk Yuen Street, if solely used for emergency vehicles, will not be regarded as additional vehicular access. Should this proposed EVA arrangement be approved by the Board, details of the proposal would be considered in accordance with the lease provision at the building plan submission stage. However, there is no guarantee that the EVA proposal would be approved. If the proposal is approved, it might be subject to such terms and conditions as considered appropriate.
- (d) Part of the proposed development encroaches upon the Drainage Reserve Area of the Lot. Under S.C. (61) of the Conditions, no building, structure, etc. shall be erected or constructed within the Drainage Reserve Area of the Lot except with the prior written consent of LandsD. It is also noted that roof top structures exceed the height limit of 200mPD and 40mPD respectively under S.C. (18)(a)(v) of the Conditions. LandsD would consider such proposals further under the building plan stage. However, there is no guarantee that the proposals would be approved. If the proposals are approved, it might be subject to such terms and conditions as considered appropriate.
- (e) The detailed development design in the form of building plan submission, landscape plan submission, tree preservation and removal proposal would be processed separately by LandsD in accordance with the lease conditions in the capacity of a landlord.
- (f) For the PTT provision and the maintenance and management arrangement for the common areas of the development, the applicant is required to observe the respective requirements as set out under the lease conditions. Detailed checking of the PTT design will be considered during the building plan stage. Details of maintenance and management arrangement will be considered during the Deed of Mutual Covenants (DMC) and the Management Agreement submission stage.
- (g) He has no comment in respect of the right-of-way for the PTT as the lease has clear provision to govern the right of the Financial Secretary Incorporated to whom the PTT will be assigned.

Traffic and PTT

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

- (a) He has no objection to the application.
- (b) He is concerned about the right-of-way of the public transport interchange (PTI) (or called 'PTT') as vehicular PTI-traffic shall accord top priority on access road(s) within the development for PTI-vehicular ingress/egress traffic to/from Concorde Road. However, S.C. (41)(a)(iv), S.C. (41)(a)(iv)(III), S.C. (41)(a)(iv)(III)(D) and S.C. (41)(a)(iv)(III)(F) of the lease in

relation to the PTI are not explicit about the PTI right-of-way issue. He has no strong view on the imposition of approval condition requiring the design and provision of the PTI to his satisfaction for addressing the right-of-way and design issues of the PTI.

- (c) The consensus of the potential management and maintenance agents, including but not limited to the Government Property Agency (GPA), the Architectural Services Department (ArchSD), the Highways Department (HyD) and the Food and Environmental Hygiene Department (FEHD), on the proposed access road(s) leading to the PTI within the development would be essential to the applicant's proposed "Common Parts" approach as shown on Figure R02R of **Appendix II**. He recommends that the respective parties should be consulted and consent with the proposed management and maintenance arrangement while the arrangement can be further dealt with in the DMC stage as appropriate.
- (d) The TIA is not comprehensive in that it has not demonstrated that the development would be sustainable in traffic terms without the proposed Environmentally Friendly Linkage System (EFLS) of which the provision at or near the time of population intake is remote.
- (e) His detailed comments are at **Appendix III**.

9.1.3 Comments of the Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD):

- (a) On the understand that the requirement of at least two opposite sides of the PTT being fully opened to outdoors cannot be fulfilled due to site constraints (e.g. shops location as requested in PB, orientation of buildings, the requirement of smoke extraction louvre for fire safety), he has no comment on the application from the highways maintenance point of view. The applicant should be reminded to provide proper ventilation system to avoid adverse air quality.
- (b) He reserves his comments on the detailed design of the PTT.

9.1.4 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

Noting the applicant has stated that an efficient internal traffic layout is allowed for the PTT, he has no comment on the design of the PTT at this stage. He understands that the drawings shown in the applicant's submission are indicative only and the proposed Government Accommodation (i.e. the PTT) and facilities included in the development to be completed and handed over to the user departments will be subject to the applicant's detailed planning and design in accordance with the requirement from the relevant government departments, and/or in accordance with the Technical Schedule included in the land lease, and in compliance with all statutory requirements. The applicant should liaise

with the relevant departments for the design requirements of the PTT at an early stage.

Environment

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

- (a) He has no comment on the revised EA from the environmental perspective and considers that there is no insurmountable sewerage impact arising from the proposed development with the implementation of suitable mitigation measures.
- (b) He has no adverse comment on the application subject to the submission of a revised SIA to address his outstanding comments on the SIA at **Appendix III**.

Fire Safety

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

- (a) He has no objection in principle to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction.
- (b) Detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (c) He has no specific comment on the proposed EVA arrangement provided that that it complies with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department (BD).

Building Matters

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

- (a) He has no objection to the application.
- (b) All building works are subject to compliance with the Buildings Ordinance (BO). Detailed comments under BO can only be provided at the building plan submission stage.
- (c) The applicant should be advised to engage an Authorized Person to submit building plans for the Building Authority's approval.
- (d) The proposed SC of 65% would exceed the 60% limit under the Building (Planning) Regulations and the applicant's attention should be drawn to this issue.
- (e) In accordance with the Government's committed policy to

implement building design to foster a quality and sustainable built environment, the sustainable building design requirements on building separation, building set back and SC of greenery should be included, where possible, in the conditions in the planning approval.

- (f) Unless otherwise specified in the relevant town plan or planning approval for the Site, the PTT should be accountable for GFA.
- (g) The USS is accountable for GFA.
- (h) The covered pedestrian link and area below are GFA accountable unless exempted under the BO.
- (i) Regarding the landscaped elevated walkway projecting over street, exemption under BO to permit projection over street can only be considered at the building plan submission stage, subject to compliance with requirements as set out in PNAP APP-38 on 'Bridges over Streets and Lanes'.
- (j) The EVA should be designed in accordance with Section 6 of Part D of the Code of Practice for Fire Safety in Buildings 2011.
- (k) For the light reflection issue of curtain wall, BD has updated relevant practice note in March 2015 which specifies that the external reflectance of the glass used in the curtain wall should not exceed 20% as one of the pre-requisites for granting the GFA exemption for curtain wall. The effect of light reflection could be reduced.

Urban Design, Landscape and Air Ventilation

9.1.8 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

Urban Design

- (a) The applicant has modified the proposed scheme to incorporate a cascading design feature at the north-western corner/façade of the low-rise block. Apart from echoing elements of the stepped rooftops of the low-rise block, this cascading design form, which is also repeated at the south-western corner facade of the medium-rise block, creates a visual accent and help to establish a sense of design unity between the low-rise block and the tower blocks as seen at **Drawings A-31 and A-32**.
- (b) According to the applicant's design statement (**Appendix Ik**) and supportive comparison illustrations (**Drawings A-31 and A-35**), the proposed scheme would enable a more spacious ground level open landscaped area of a maximum of 20m wide between the low-rise block and the Kai Tai River for public enjoyment, which otherwise may not be possible if the cascading form is to be

extended all the way to include the whole western façade.

- (c) According to the PB, the subject “CDA(1)” zone (western portion) is for a cascading low-rise structure with a height descending from 40mPD to 15mPD either southwest towards the Kai Tak River or northwest towards the future curvilinear walkway. It is also intended that the low-rise cascading developments at the subject “CDA(1)” site and the “CDA(2)” site on the opposite side of the Kai Tak River would engender a sense of symmetry along the Kai Tai River vista that frames a principal point of access to KTD. While he does not have any grave concern on the proposed design of the low-rise block at the Site, it is noted that the lowest flat roof of the cascading structure is at 17mPD, but not 15mPD. Moreover, the development does not exactly present a symmetrical built edge in relation to the indicative cascading building on the other side of Kai Tak River, i.e. at the “CDA(2) site, as shown at **Drawing A-29**. Nevertheless, the two developments appear to display a balance in visual weight while each having its own defining characteristics.
- (d) Based on the indicative architectural drawings (**Drawings A-31 and A-32**), it appears that the green wall treatment along the southern façade (part) and the western façade of the lower block will help soften the edge of the building at the ground plane. Furthermore, together with the associated shelter along the building edge and the approximately 20m wide landscaped area fronting the low-rise block, they help to create a pleasing pedestrian environment. The applicant should consider providing public art and/or bespoke features (such as benches) to enhance the outdoor space as well as to add legibility to the public realm at the detailed design stage.
- (e) With the updated building design and landscape proposals, the applicant should ensure that relevant supporting technical assessments are still valid or have been updated accordingly.

Landscape

- (f) He has no in-principle objection to the application from the landscape planning point of view.
- (g) It is still not explicitly indicated in the revised LMP and tree preservation proposal that the provision of local open space could meet the requirements under Chapter 4 of HKPSG.
- (h) There is no information to illustrate/explain a relatively large structure, which is planned/proposed to be at the key location directly facing the future pedestrian connection across Kai Tak River. Improvement to disposition/layout/circulation is expected at the submission stage in case the Board approves this application.

- (i) It is noted that information and illustration on justification for being unable to fully comply with the PB requirement was presented in **Appendix Ij**. According to Table 5.2 in **Appendix Ij**, only 7.9% of site area is proposed with at-grade greening in the current scheme, which is still far below the PB's requirement (a minimum of 20%). On the other hand, it is noted that the applicant had attempted to achieve a total greenery area in about 20% of the Site, at the primary zone as per the Sustainable Building Design Guidelines (PNAP APP-152). The applicant shall be encouraged to adopt further refinement to the general layout as well as other creative greening/landscaping measures to further maximize the greening effect to be visualized by pedestrians at grade level.
- (j) Should the application be approved, an approval condition requiring the submission and implementation of a revised LMP is suggested to be included.
- (k) His other detailed comments on the landscape aspect are at **Appendix III**.

Air Ventilation

- (l) An AVA – Initial Study using computational fluid dynamics has been conducted to support the current application. Two scenarios, i.e. the Baseline Scheme (the latest plan from the Review Study of KTD) and Proposed Scheme, have been assessed in the study. The Proposed Scheme has incorporated various mitigation measures including BH reduction in one tower, various building setbacks along the site boundary, chamfer corner design and ventilation bay (**Appendix If**). According to the simulation results, the Proposed Scheme achieves a slightly better overall ventilation performance in general and along the site boundary than the Baseline Scheme in annual condition. Better ventilation performance is found along the site boundary in summer condition when compared the Proposed Scheme with the Baseline Scheme. Same overall ventilation performance is achieved for both schemes in summer condition.

9.1.9 Comments of the CA/CMD2, ArchSD:

- (a) As his comment regarding the cascading low-rise structures in the 40mPD sub-zone should descend from 40mPD to 15mPD towards Kai Tak River has been addressed by the applicant, he has no further comment on this aspect at this stage.
- (b) No adverse comments on the design of the colonnade in the retail frontage from the aesthetics and urban planning point of view subject to the provision of:
 - (i) minimum 108m long retail frontage facing the Station Square as indicated in the G/F layout plan submitted by the applicant; and

- (ii) a 24-hour free public access at the covered pedestrian link to connect the two retail colonnades from both sides.

Harbourfront Planning

9.1.10 Comments of the Secretary for Development (SDEV):

The Site falls within the harbourfront area under the purview of Harbourfront Commission's Task Force on Kai Tak Harbourfront Development (KTTF). The applicant has consulted KTTF on their development scheme under the subject planning application by way of paper circulation and no comment has been raised by KTTF members.

Energising Kowloon East

9.1.11 Comments of the Head of Energising Kowloon East Office (EKEO):

- (a) As noted from the applicant's submission, the proposed development will generally comply with the minimum overall greenery ratio of 30% as advocated by EKEO and imposed as a lease requirement.
- (b) The proposed pedestrian facilities integrating with the neighbouring districts including the proposed USS linking San Po Kong can help promote pedestrian connectivity in the wider district.
- (c) Noting that an open plaza is proposed at the frontage facing Kai Tak River accessible from the ground level and the retail frontage facing Station Square on the ground level, the applicant is encouraged to liaise with ArchSD to ensure better design coordination with that of Kai Tak River and the Station Square.
- (d) As promulgated in the Policy Address, Kowloon East is identified as a smart city pilot area. The applicant is encouraged to consult EKEO in exploring the possibility of implementing smart initiatives in the proposed development where appropriate.
- (e) As the proposed development seeks to create an iconic landmark for the Kai Tak area, green building initiatives should be included where appropriate.

Open Space Integration

9.1.12 Comments of the Director of Leisure and Cultural Services (DLCS):

The business operation of commercial/retail use in the Site, including the retail frontage, shall not affect the operation of the Station Square. All business activities shall be operated within the boundary of the Site.

9.1.13 Comments of the Chief Project Manager 303 (CPM303), ArchSD:

- (a) The interfacing of the proposed development on the Site with the Station Square project, glare impact from façade, lighting and signage of the development should be assessed.
- (b) Based on the revised AVA, the extent of stagnant air zone at the Station Square in front of the Site is still much larger under the Proposed Scheme as compared with the Baseline Scheme. The applicant should explore alternative design measures to reduce the stagnant air zone at the Station Square.
- (c) His other detailed comments are at **Appendix III**.

Tourism Aspect

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

Noting that both the endorsed PB and the Conditions of Sale have not mandated the provision of a minimum GFA or number of guestrooms for hotel use, he has no particular comment on the applicant's response on the rationale for the non-provision of hotel GFA.

Electricity Supply

9.1.15 Comments of the Director of Electrical and Mechanical Services (DEMS):

He has no comment on the application from the electricity supply safety aspect. However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

District Officer's Comments

9.1.16 Comments of the District Officer (Kowloon City) (DO(KC)), Home Affairs Department (HAD):

He has no comment on the application and notes that PlanD has consulted relevant Kowloon City District Council members and the To Kwa Wan

Area Committee direct regarding the subject application. He hopes the Board could take into account any comments gathered in this consultation exercise in the decision-making process. Should the application be approved, the applicant should take appropriate measures to address the concerns of relevant stakeholders.

9.2 The following government bureaux/departments have no comment on the application:

- (a) Secretary for Home Affairs;
- (b) Antiquities and Monuments Office, Leisure and Cultural Services Department;
- (c) Commissioner of Inland Revenue;
- (d) Chief Engineer/Mainland South, Drainage Services Department;
- (e) Chief Engineer 2/Major Works, Major Works Project Management Office, HyD;
- (f) Chief Engineer/Special Duties, Railway Development Office, HyD;
- (g) Commissioner of Police;
- (h) Chief Engineer/Construction, Water Supplies Department;
- (i) Head of Geotechnical Engineering Office, CEDD;
- (j) Project Manager/East, CEDD; and
- (k) District Officer (Wong Tai Sin), HAD.

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

10.1 The application and the subsequent FIs were published on 5.12.2017, 13.2.2018 and 27.2.2018 for public inspection. During the relevant statutory periods for submission of comments, a total of 32 public comments submitted by the Owners' Committee of The Latitude, concern groups and individuals were received.

10.2 The main points of the public comments are summarised below:

Supportive Comments [Appendices IV (11) to (16), (18) to (23) and (25) to (30)]

10.3 **18** comments from individuals support the application mainly for the reasons that:

- (a) the building is well designed with proper percentage of greenery, which would allow the proposed development to be a landmark in Kai Tak;
- (b) the proposed development would provide lots of job opportunities. It would also provide substantial supply of quality Grade A office facilities and create synergy to energising Kowloon East initiative, facilitating a diverse economy;
- (c) the area is in lack of places for shopping, catering and entertainment. The proposed development would serve the needs of community for these facilities, and improve the living quality;

- (d) the residents living in and the visitors travelling to the surrounding area, such as The Latitude and Mikiki would benefit from the proposed development by its connection to Kai Tak Station. The proposed development could also help link up the old and new districts;
- (e) the proposed development would enhance the accessibility and attractiveness of KTD and promote street vibrancy through quality landscaping and open space;
- (f) the 5m NBA at the south-western portion of the Site would provide a wider vista of Kai Tak River promenade, bringing visual interest to pedestrians and users; and
- (g) if there is sufficient traffic facilities, including car parking spaces, separate ingress and egress of PTT and development traffic, the proposed development could attract considerable number of visitors from the Cruise Terminal, bringing positive impact on Kai Tak tourism development.

10.4 Whilst supporting the application, some commenters consider that it would be better to separate the traffic for PTT and private vehicles in the development to avoid possible conflicts and congestion. An individual also suggests that the bus and minibus routes serving the PTT should reach the whole territory to bring convenience to the residents.

Adverse Comments [Appendices IV (1), (2), (4) to (10) and (31)]

10.5 **10** public comments received from the Owners' Committee of The Latitude, the Central & Western Concern Group, Alliance for a Beautiful Hong Kong and individuals object to the application. Their grounds can be summarised as follows:

Owners' Committee of The Latitude

- (a) it is expected that the proposed development will adopt glass as external wall materials, which will cause nuisance with sun glare reflection to The Latitude. It is recommended to tilt the orientation of the building and adopt vertical greening to alleviate the glare effect;

Alliance for a Beautiful Hong Kong and individuals

- (b) there is reduction in open space in the application. The proposed use of the Site is not in line with the result of the three-stage public consultation for KTD which proposed a recreational zone with abundant open space;

The Central & Western Concern Group

- (c) there is a lack of open space with green areas. The intensity of the proposed development and the traffic arrangements are not acceptable. The developer should revise the scheme;

Individuals

- (d) the proposed development would cause wall effect and adverse traffic, visual and air ventilation impacts;
- (e) the landscaping proposal is inadequate to meet the PB in that no sufficient effort has been made to retain the trees on the Site;
- (f) the proposed development is not in line with the result of original consultation, which designated the Site for residential/mixed use development; and
- (g) there is already sufficient provision of shopping malls, such as Mikiki in The Latitude, and office and services sites, but insufficient open space. There is an increasing need for open space with the increase in population in Kai Tak. However, the proposed PTT should be reserved to improve the connection to Kwun Tong and the districts in New Territories.

Providing Views [Appendices IV (3), (17), (24) and (32)]

10.6 4 comments from individuals raise the following points:

- (a) the applicant should provide detailed layout of the PTT for public inspection and comments;
- (b) it is recommended to separate the traffic PTT and private vehicles at the ingress/egress to avoid possible conflicts and congestion; and
- (c) the walking paths between the PTT and the Station Square should be clearly showed.

11. Planning Considerations and Assessments

Planning Intention and OZP Restrictions

11.1 The applicant seeks planning permission for MLP for a comprehensive development for office, shop and service, eating place and PTT at the “CDA(1)” zone. As stipulated in the Notes and ES of the OZP, the “CDA(1)” zone is intended for a comprehensive office/hotel/retail development with low-rise structures in the west cascading down to the open spaces along the Kai Tak River and high-rise landmark commercial tower in the east. The landmark tower will complement with the curvilinear walkway and Kai Tak River to signify a prominent image in the locality.

11.2 The proposed comprehensive development under application comprises a main commercial block with a high-rise portion of 200mPD and a medium-rise portion of 80mPD in the eastern part at a total PR of 10 and a SC of 65%. It is generally in line with the planning intention of the “CDA” zone, and complies with the PR, SC, BH and NBA restrictions of the OZP. As explained in the following paragraphs, the proposed development has adopted various urban design measures meeting the

requirements set out in PB and ensuring design integration and connectivity with the surrounding areas.

PB Requirements

- 11.3 The proposed development generally complies with the planning and development requirements set out in the endorsed PB including compliance with the major development parameters; provision of USS, UPW and landscaped elevated walkway for connectivity; provision of NBAs; and major urban design and landscaping requirements. In particular, a wider building setback of a maximum 20m in width, as compared with 5m NBA stipulated in OZP/PB, has been proposed along the south-western boundary fronting the Kai Tak River promenade. There are some variations in the PB requirements including the cascading building design and greening requirements, which are considered acceptable based on the assessments below (paragraphs 11.7 and 11.10).
- 11.4 According to the PB, the Site is mainly for commercial uses which may include office, retail and hotel uses. The PB as well as the lease for the Site does not mandate the provision of specific minimum GFA for office, retail and hotel uses except for the retail frontage to allow flexibility on the mix of commercial uses. In the current scheme, the applicant intends to develop the Site into a commercial office hub with a critical mass to create synergy with other parts of KTD and CBD2 as well as a prominent retail node, and does not propose hotel use in the Site. Both C for Tourism and DLO/KE of LandsD have no comment in this regard. From the land use perspective, the proposed comprehensive development for office, shop and services, eating place and PTT is considered generally in line with the planning intention for commercial use.

Urban Design and BH

- 11.5 The proposed development comprises a main commercial block with varying BHs at its different portions, including a high-rise portion of up to 44 storeys and 200mPD, a medium-rise portion of 15 storeys and 80mPD, a low-rise portion of 7 storeys and 40mPD with a series of interconnected flat roofs or terraces at various levels ranging from 17mPD to 37mPD, together with a 2-storey retail frontage with BH of 15mPD. The proposed BH profile complies with the BH restrictions of the OZP (**Plan A-4**).
- 11.6 As required under the PB, the proposed development should create a focal point via a distinctive design of a landmark tower. In the application, a 200mPD landmark tower is proposed at the northern corner of the Site with the adoption of iconic design. According to the applicant, the current design imitates two mirrored tapered prism that connects the ground to the sky (**Drawings A-29 and A-30**). By adopting varying BHs and volumes for different portions of the building block and a stepped terrace concept, the landmark tower stands out among others. Noting the various design measures adopted by the applicant, CTP/UD&L of PlanD has no adverse comment on the design of the proposed landmark tower.
- 11.7 According to the applicant, cascading terraces are provided at the north-western corner of the low-rise retail block in response to the curvilinear walkway. The cascading terraces in the form of a series of steps descending from 40mPD to

17mPD (instead of 15mPD as suggested under the PB) towards the Kai Tak River and the curvilinear walkway (**Drawings A-31 and A-32**) are to a certain extent in line with the cascading requirement as stipulated in the PB. Instead of a full cascading design along the whole façade facing Kai Tak River, the applicant has proposed to increase the building setback along the frontage from 5m as required under the OZP/PB to a maximum of 20m so as to create more public space and enhanced vista along the river. As advised by CTP/UD&L of PlanD, apart from echoing elements of the stepped rooftops of the low-rise block, such a cascading design form, which is also repeated at the south-western corner facade of the medium-rise block of 80mPD, creates a visual accent and helps to establish a sense of design unity between the low-rise block and the tower blocks. The proposed scheme will enable a more spacious ground level open landscaped area fronting Kai Tai River for public enjoyment, which otherwise may not be possible if the cascading form is to be extended all the way to include the whole western façade. Although the proposed development may not exactly present a symmetrical built edge in relation to the indicative cascading building on the other side of Kai Tak River at the “CDA(2) site, the two developments appear to display a balance in visual weight while each having its own defining characteristics as shown in the illustrations provided by the applicant.

- 11.8 The proposed 2-storey retail block with colonnade design facing the Station Square (**Drawings A-20 and A-33**) has met the requirements set out in the PB including its dimension as well as total length. CA/2 of ArchSD has no adverse comment on the proposed design of the colonnade from the aesthetics and urban planning point of view.

NBA and setback

- 11.9 The PB requires a 5m wide NBA and a 20m wide NBA to be provided along Kai Tak River and at eastern part of the Site respectively (**Drawing A-4**). As mentioned above, a maximum of 20m setback at the south-western boundary will be provided to create a wider public space adjacent to the Kai Tak River promenade. No fence or barrier would be proposed between the wider public space and the Kai Tak River promenade. Besides, the 20m wide NBA at the eastern corner of the Site would facilitate public circulation and emergency and maintenance access to the Station Square. Both the 5m wide NBA along Kai Tak River and the 20m wide NBA at the eastern corner will be opened to the public on a 24-hour basis as proposed by the applicant.

Landscape

- 11.10 As required under the PB, a greening ratio of 30% of the total site area, including a minimum of 20% at-grade greening of the total site area and 20% roof level greening of the total roof area, should be adopted. In the current submission, the proposed greening ratios are 33.6% overall, 20.4% at the primary zone and 21.7% of the total roof area. In this regard, CTP/UD&L of PlanD notes that the applicant has attempted to achieve a total greenery area of about 20% of the Site at the primary zone as per the SBD Guideline (PNAP APP-152) despite the fact that only 7.9% of the Site is proposed with at-grade greening due to various design constraint (e.g. the need to use the open areas of the Site for EVA/driveway and provision of adequate circulation and gathering spaces to cater for the heavy

pedestrian flow) (**Drawing A-22**). CTP/UD&L of PlanD has no in-principle objection to the application from the landscape planning point of view, and encourages the applicant to further maximise the greening effect to be visualized by pedestrians at grade level. To address the concern on landscape aspects, an approval condition requiring the submission and implementation of a revised LMP is suggested.

USS, UPW and Elevated Walkway

11.11 In accordance with the PB, a USS (20m width) that connects with the station entrance of SCL Kai Tak Station at the basement level will be provided on B1/F of the development, and 8m wide passageway in the middle of the USS will be opened to the public on a 24-hour basis. Pedestrian access from the USS to G/F level will be provided (**Drawings A-26 and A-27**). The applicant commits to construct, manage and maintain the USS section falling within the Site and the adjacent "O" zone. A UPW underneath the southern tip of Muk Yuen Street will be provided to connect with the adjoining "OU(Mixed Use)(2)" site (**Drawing A-26**) and a landscaped elevated walkway will be provided on 1/F to connect with the developments in the north (**Drawing A-28**). Approval condition on the provision of the relevant public passageways is proposed to be stipulated to ensure their implementation.

Air Ventilation

11.12 According to the AVA conducted by the applicant, the Proposed Scheme has incorporated various mitigation measures including BH reduction in lower towers, various building setbacks, chamfer corner design and ventilation bay. The simulation results demonstrate that the ventilation performances of the Proposed Scheme are generally acceptable.

Traffic

11.13 The submitted TIA concludes that the traffic associated with the proposed development would not have adverse traffic impact on the local road network. As per C for T's suggestion, an approval condition is recommended to be imposed to require the submission of a revised TIA.

11.14 Based on the submission, a PTT with a GFA of 3,800 m² will be provided to comply with the requirement under the PB. While CHE/K of HyD and CA/CMD2 of ArchSD have no adverse comment on the design of the PTT, C for T raises concern on the share use of ingress/egress and right-of-way by the vehicular traffic of the PTT and the proposed commercial development. As the management and maintenance issue for the right-of-way could be dealt with in the DMC stage, an approval condition requiring the design and provision of the PTT is suggested to be imposed to address the concern. C of T has no objection to this.

Environmental, Sewerage and other Technical Aspects

11.15 Regarding the environmental aspect, DEP has no comment on the revised EA from the environmental perspective. While he considers that there is no insurmountable sewerage impact arising from the proposed development with the implementation

of suitable mitigation measures, submission of a revised SIA from the applicant is required. Approval conditions are proposed to be imposed in this regard. On other technical aspect, no adverse comments are received from the concerned departments including DSD, WSD and CEDD.

Public Comments

11.16 Among the 32 public comments received, 18 support, 10 oppose and 4 provide views on the application. The supporting views are noted. Regarding the concern on the lack of open space in the area, abundant public open space (over 98 ha) are planned in KTD including the Station Square (12 ha) and the Kai Tak River promenade adjoining the Site. As regards the concern on sharing the ingress/egress of the Site by the traffic of the PTT and the private development, an approval condition is suggested on the design and provision of the PTT to the satisfaction of TD. In respect of glare impact, BD advised that there is practice note guiding the external reflectance of the glass used in the curtain wall and the applicant has proposed to use glass with external reflectance of not exceeding 20% in the development to avoid glare. For concerns on adverse visual, traffic and landscape impacts, the planning assessments comments in paragraph 11 above are relevant.

12. Planning Department's Views

12.1 Based on the assessment made in paragraph 11 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 and the MLP under sections 4A and 16 of the Ordinance, it is suggested that the permission shall be valid until **15.6.2022**, 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 also suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan, taking into account the approval conditions (b) to (h) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission of a revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the design and provision of vehicular access, parking spaces, loading/unloading facilities and the public transport terminus to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (e) the design and provision of 24-hour public passageways in the proposed development to connect with the surrounding developments, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the submission of a revised Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (g) the implementation of sewerage facilities identified in the revised SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (h) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

12.3 The suggested advisory clauses are attached at **Appendix V**.

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

the proposed development does not fully comply with the urban design and greening requirements set out in the endorsed PB. No strong justification has been provided for the deviation from the endorsed PB.

13. Decision Sought

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

13.2 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 date when the validity of the permission should expire.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

14. Attachments

Appendix I	Letter with Application Form received on 21.11.2017 from the applicant
Appendix Ia	Supplementary Planning Statement attached to Application Form
Appendix Ib	Air ventilation assessment of Supplementary Planning Statement
Appendix Ic	Letter dated 27.11.2017 from the applicant

Appendix Id	Letter dated 4.12.2017 from the applicant
Appendix Ie	Letter dated 5.2.2018 from the applicant [FI(1)]
Appendix If	Letter dated 15.2.2018 (and received on 14.2.2018) from the applicant [FI(2)]
Appendix Ig	Letter dated 15.2.2018 from the applicant [FI(3)]
Appendix Ih	Letter dated 29.3.2018 (and received on 6.4.2018) from the applicant [FI(4)]
Appendix Ii	Letter dated 16.4.2018 from the applicant [FI(5)]
Appendix Ij	Letter dated 20.4.2018 from the applicant [FI(6)]
Appendix Ik	Letter dated 23.4.2018 from the applicant [FI(7)]
Appendix Il	Letter dated 4.5.2018 (and received on 7.5.2018) from the applicant [FI(8)]
Appendix Im	Letter dated 15.5.2018 from the applicant [FI(9)]
Appendix In	Letter dated 17.5.2018 from the applicant [FI(10)]
Appendix Io	Letter dated 29.5.2018 from the applicant [FI(11)]
Appendix II	PB for the “CDA(1)” site
Appendix IIa	Comparison of the Major Planning and Development Requirements in the Endorsed PB and the Application
Appendix III	Detailed Comments from Government Departments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan (MLP)
Drawings A-2 to A-15	Floor Plans of MLP
Drawings A-16 to A-19	Section Plans of MLP
Drawing A-20	Elevation Plan of MLP
Drawings A-21 to A-23	Landscape Master Plan (LMP)
Drawing A-24	Layout Plan of Public Transport Terminus (PTT)
Drawings A-25 to A-28	Pedestrian Circulation Diagrams
Drawings A-29 to A-33	Perspective Drawings of the Proposed Development
Drawings A-34 to A-35	Section Plan and Perspective Drawings illustrating the Massing of the Cascading Design of the Notional Scheme
Drawings A-36 to A-38	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Site Photos
Plan A-4	Comparison of the MLP with the Development Restrictions/ Requirements as stipulated on the Plan of the OZP

**PLANNING DEPARTMENT
JUNE 2018**