

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/24

- 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 19,044m² (including the “Comprehensive Development Area (1)” (“CDA(1)”) site of 17,767m²⁽¹⁾ and underground space mainly under the adjoining “Open Space” (“O”) zone proposed for underground shopping street (USS) of 1,277m²⁽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
(c) the total gross floor area (GFA) for hotel purpose shall not exceed 15,000m²
(d) provision of one public transport interchange on the ground level having a total GFA of not less than 3,800m²
- Plan** : Approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/6
- 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;
(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; and
(f) provision of USS across the site.]

⁽¹⁾ Includes a small area (30m²) 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 (38m²) of underground space falling within ‘Road’ area proposed for underground public walkway (UPW) to connect with the adjoining “OU(Mixed Use)(2)” site.

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

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed comprehensive development for office, hotel, shop and services, eating place and PTT uses at the application site (the Site). The Site falls mainly within an area zoned “CDA(1)” on the approved Kai Tak OZP No. S/K22/6 (**Plans A-1 and A-2**). 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 encroaches on a section of USS at the underground space within the “O” zone. The provision of shop and services and eating place uses within the USS is always permitted under the OZP.
- 1.2 The Site is located at the northern part of Kai Tak Development (KTD) to the immediate north of the proposed major public open space of the Station Square and the Kai Tak Station of Shatin to Central Link (SCL). Kai Tak River abuts its southwest. The proposed development comprises a Main Block with BH of 200mPD/98.3mPD in the eastern part of the Site for retail/office/hotel uses and a 2-storey retail frontage with BH of 15mPD along the south-eastern site boundary, both on top of a 4-storey basement. The retail podium of the Main Block at the western part of the Site has a maximum BH of 40mPD (**Drawing A-1**). The major floor plans and section plans of the MLP are shown in **Drawings A-2 to A-11**, the hotel layout plans are shown in **Drawings A-12 to A-15**, the landscape master plan (LMP) is shown in **Drawing A-16** and the perspective drawings are shown in **Drawing A-17**.
- 1.3 Car parking and loading/unloading (L/UL) spaces are provided on B4/F to B1/F (4 storeys) and a PTT is provided on G/F (**Drawing A-3**). The lower floors (B1/F to 9/F) are used for retail (**Drawings A-2 to A-6**) while the upper floors (8/F to 43/F) are for office (**Drawings A-7 to A-8**). The proposed hotel use is on part of 11/F to 16/F (4 storeys) (**Drawings A-7 and A-12 to A-15**). Starting from 6/F upwards, the Main Block splits into two portions, with the high-rise portion extending up to 43/F (200mPD) and the medium-rise portion to 19/F (98.3mPD). The two portions are connected on 10/F to 18/F (7 storeys) (**Drawing A-10**). A series of flat roofs in form of terraces with BHs ranging from 16.025mPD to 36.4mPD are proposed in the retail podium fronting Kai Tak River (**Drawing A-11**).
- 1.4 The proposed development has adopted various urban design measures to meet the requirements set out in the planning brief (PB). 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, 98.3mPD and 40mPD respectively. Instead of a full cascading design along the whole façade facing Kai Tak River, the applicant had proposed to increase the building setback along the frontage from 5m as required under the OZP and PB to varying setbacks from about 13m to 20m so as to create more public space and enhanced vista along the river. A two-storey retail frontage with a colonnade design is proposed along the south-eastern boundary of

the Site abutting the Station Square. An USS will be provided at B1/F to connect with SCL Kai Tak Station in the southeast and ground level of the open space along Kai Tak River in the southwest.

1.5 The Site is the subject of a previous planning application (No. A/K22/20) for proposed comprehensive development for office, shop and services, eating place and PTT (i.e. without hotel), which was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 15.6.2018. Compared with the previous approved MLP, the current MLP involves the following changes (**Plans A-4 to A-7**):

- (a) increase in building height of the Main Block from 200mPD/80mPD to 200mPD/98.3mPD;
- (b) minor changes in internal layout and built-form, including the terrace design of the retail podium fronting Kai Tak River and minor reduction of the length of the retail frontage along the south-eastern site boundary;
- (c) change in internal road and PTT layouts;
- (d) change in the connection level of the landscaped elevated walkway from 1/F to 2/F;
- (e) inclusion of a hotel with a GFA of 5,500m² and 73 guestrooms on 11/F to 16/F (4 storeys) of the medium-rise portion of the Main Block. The total GFA of the whole development will remain unchanged at 177,670m² (i.e. PR 10 based on the area of the “CDA(1)” zone); and
- (f) minor adjustment to the number of car parking and L/UL spaces.

1.6 Regarding the above changes (a) to (d), the applicant has already incorporated them into the revised MLP for compliance with the submission part of approval condition (a) of Application No. A/K22/20⁽³⁾, which was approved by the D of Plan on 15.2.2019 in consultation with the relevant government departments.

1.7 A comparison of the major development parameters between the previous approved scheme and the current scheme is as follows:

Development Parameters	Approved Scheme (No. A/K22/20) (a)	Current Scheme (A/K22/24) (b)	Difference (b)-(a) (change %)
Site Area - “CDA” - mainly “O”	19,044 m ² - 17,767 m ² - 1,277 m ² (only underground level)	19,044 m ² - 17,767 m ² - 1,277 m ² (only underground level)	-

⁽³⁾ Approval condition (a) of Application No. A/K22/20 requires the submission and implementation of a revised MLP, taking into account approval conditions (b) to (h), to the satisfaction of the Director of Planning (D of Plan) or of the Board.

Development Parameters	Approved Scheme (No. A/K22/20) (a)	Current Scheme (A/K22/24) (b)	Difference (b)-(a) (change %)
Applied Use	proposed comprehensive development for office, shop and services, eating place and PTT	proposed comprehensive development for office, hotel, shop and services, eating place and PTT	inclusion of hotel use
PR	10 (based on area of "CDA" zone)	10 (based on area of "CDA" zone)	-
Total GFA	177,670 m ²	177,670 m ²	-
- Retail	- 65,032 m ² (36.6%)	- 65,032 m ² (36.6%)	-
- Hotel	-	- 5,500 m ² (3.1%)	+5,500 m ² (+100%)
- Office	- 108,838 m ² (61.3%)	- 103,338 m ² (58.2%)	-5,500 m ² (-5.1%)
- PTT	- 3,800 m ² (2.1%)	- 3,800 m ² (2.1%)	-
SC	not exceeding 65% (excluding basements)	not exceeding 65% (excluding basements)	-
BH (main roof)			
- Main Block	44 storeys (above 4 storeys of basement)	43 storeys (above 4 storeys of basement)	-1 storey (-2.3%)
- western part	- not exceeding 40mPD	- not exceeding 40mPD	-
- eastern part	- not exceeding 200mPD	- not exceeding 200mPD	-
- Retail Frontage	2 storeys and 15mPD	2 storeys and 15mPD	-
Car Parking and L/UL Facilities			
- Private Car Parking Space	896 (on B3/F and B4/F)	859 (on B3/F and B4/F)	-37 spaces (-4.1%)
- Motorcycle Parking Spaces	90 (on B3/F and B4/F)	86 (on B3/F and B4/F)	-4 spaces (-4.4%)
- L/UL Spaces	137 (on B2/F)	130 (on B2/F)	-7 spaces (-5.1%)
- Lay-bys for Private Car/Taxi	6 (on B1/F)	8 (on B1/F)	+2 spaces (+33.3%)
- Lay-by for Single-Deck Tour Bus/Coach	-	1 (on B1/F)	+1 space (+100%)

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

- (a) Application Form with supplementary information received **Appendix I** on 8.4.2019
- (b) Supplementary Planning Statement attached to the **Appendix Ia** Application Form including MLP and urban design

proposal, LMP and tree preservation proposal, TIA, environmental assessment (EA), drainage impact assessment (DIA), SIA, visual impact assessment (VIA) and air ventilation assessment (AVA)

- (c) Letter dated 17.5.2019 providing a revised EA, a revised MLP, an overlay plan showing the Drainage Reserve (DR) Area and the building configuration of the proposed development and clarification on the design and operation of the proposed hotel on 11/F to 16/F [FI(1)]
[FI not exempted from publication requirement] **Appendix Ib**
- (d) Letter dated 20.5.2019 providing responses to departmental comments, a revised TIA and a revised SIA [FI(2)]
[FI not exempted from publication requirement] **Appendix Ic**
- (e) Letter dated 19.6.2019 providing responses to departmental comments, a revised SIA and a revised DIA [FI(3)] **Appendix Id**

2. Justifications from the Applicant

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

- (a) The proposed development is largely based on the previously approved scheme (Application No. A/K22/20) with slight amendments to the building designs and dispositions, along with an inclusion of hotel development with GFA of 5,500m². The total GFA of the proposed development will remain unchanged at 117,670m², thus there will be no significant changes to the approved application.
- (b) The proposed hotel is intended to be a luxury hotel. On 11/F to 15/F, around 70% of the guest rooms are typical rooms, with 30% being special suites. The provision of such a percentage of special suites is common in luxury hotel developments. 16/F is a special executive floor that will consist of larger suites. As shown in the schematic hotel layout plans (**Drawings A-12 to A-15**), the proposed hotel also includes areas for 'Multi-Purpose Room' and 'Hotel Facilities', such as hotel concierge and check-in counter on the 11/F, guest lounge, function rooms, meeting rooms, gymnasium, spa, etc. Guests will enter the development at G/F and take lift to arrive at the check-in area at 11/F. Lay-by, L/UL space and car parking space are available for hotel use on B1/F, B2/F and B4/F respectively.
- (c) 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 Kai Tak River. It has also fully complied with the key development parameters and requirements as set out in the PB.
- (d) 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.

- (e) The proposed development could enhance landscape and visual amenity in the area and the visual resources at street level. 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.
- (f) Technical assessments, including EA, DIA, SIA and AVA, have been conducted and the results indicated that the proposed development would not incur significant adverse environmental, drainage, sewerage and air ventilation impacts on the surrounding areas.

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

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

4. Previous Application

The Site is the subject of a previous planning application (No. A/K22/20) for proposed comprehensive development for office, shop and services, eating place and PTT, which was approved with conditions by the Committee on 15.6.2018 on the consideration that the proposed comprehensive development was generally in line with the planning intention for commercial use; it had adopted various urban design measures meeting the requirements set out in PB and ensuring design integration and connectivity with the surrounding areas; instead of a full cascading design along the whole façade facing Kai Tak River, the applicant had proposed to increase the building setback along the frontage from 5m as required under the OZP and PB to a varying setbacks up to 20m so as to create more public space and enhanced vista along the river; and there would be no insurmountable impact on air ventilation, traffic, environmental, sewerage and other technical aspects.

5. Similar Application

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

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

6.1 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.

6.2 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 public open space circumscribing 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 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 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.

7. **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 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.

8. Planning Brief

8.1 A PB 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 major requirements under the endorsed PB are summarised as follows:

- (a) to create a focal point via a distinctive design of a landmark tower;
- (b) to adopt a cascading BH profile with descending BH towards the Kai Tak River/curvilinear walkway;
- (c) to adopt podium-free design as advocated in Kai Tak area;
- (d) to provide a 5m wide NBA along the Kai Tak River to create a wide vista along the River;
- (e) to construct, manage and maintain the USS section falling within the Site together with the section connecting with the Kai Tak Station falling within the “O” zone, and an UPW with a width of not less than 6m underneath the southern tip of Road L11 (i.e. Muk Yuen Street) for connecting with the adjoining “OU(Mixed Use)(2)” site;
- (f) to provide a PTT at the ground level with a GFA not less than 3,800m² which is accountable for GFA calculation;
- (g) to construct, manage and maintain a landscaped elevated walkway across Concorde Road; and
- (h) to connect the Site with its surrounding developments via the landscaped elevated walkway, the USS/UPW and at-grade pedestrian crossing/connections as appropriate, and such pedestrian facilities shall be opened to the public on a 24-hour basis with barrier-free access.

8.2 A comparison of major planning and development requirements in the endorsed PB and the current scheme is set out in **Appendix II**.

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) He has no objection to the application.

- (b) 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.
- (c) The detailed development design in the form of building plans submission, the landscape plan submission, and the tree preservation and removal proposal would be processed separately by LandsD in accordance with the lease conditions in the capacity of a landlord.
- (d) His detailed comments on vehicular access point, USS, drainage reserve area and height of roof top structures are at **Appendix III**.

Traffic

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

- (a) He has no objection to the application.
- (b) The proposed parking provisions are generally acceptable.

Fire Safety

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

- (a) He has no in-principle objection to the application for the proposed hotel use at 11/F to 16/F (4 floors) of the southern portion of the Main Block.
- (b) Fire services requirements regarding hotel premises would be imposed upon receipt of formal application via Licensing Authority.
- (c) 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 on Building 2011 which is administered by the Buildings Department.

Building Matters

9.1.4 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.
- (c) Application for hotel concessions under Building (Planning) Regulation 23A will be considered upon formal submission of building plans subject to compliance with criteria under PNAP APP-40.

- (d) The proposed site coverage of 65% would exceed the 60% limit under the Building (Planning) Regulation and the applicant's attention should be drawn to this issue.
- (e) His comments on the building proposal of the proposed development will be formulated in the building plans submission stage.

Urban Design, Landscape and Air Ventilation

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

Urban Design and Air Ventilation

- (a) The current scheme has generally followed the approved MLP, except for the change of some internal floor spaces to hotel use. The total GFA also remains unchanged. In view of the above, significant adverse visual and air ventilation impacts are not anticipated.

Landscape

- (b) He has no objection to the application from landscape planning point of view.
- (c) Having reviewed Appendix B "Landscape Master Plan and Tree Preservation Proposal" of the Supplementary Planning Statement (**Appendix Ia**), it is noted that the LMP under the current scheme generally follows the approved LMP.
- (d) Should the application be approved, approval condition on submission and implementation of LMP to the satisfaction of the D of Plan or of the Board should be included.

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

Based on the information provided, it is noted that the application involves no changes of massing and BH compared to the previous approved MLP. In this regard, he has no comment on the application from architectural and visual impact point of view.

Project Interface with Station Square

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

- (a) Glare impact from façade, lighting and signage, etc. of the proposed development to users at the Station Square should be assessed.

- (b) Should the application be approved, approval condition requiring submission of a Glare Impact Assessment (GIA) to the satisfaction of the Director of Architectural Services or of the Board should be included.

Harbourfront Planning

9.1.8 Comments of the Secretary for Development (SDEV):

- (a) The Site falls within the harbourfront area under the purview of Harbourfront Commission's (HC) Task Force on Kai Tak Harbourfront Development (KTTF). The project should be considered having regard to the Harbour Planning Principles and Guidelines (HPP&G).
- (b) The gist and relevant information of the subject application have been circulated to Members of KTTF on 18.4.2019. Members are invited to offer comments, if any, to the Board direct.
- (c) On the understanding that there are no major changes to the development parameters as compared to the previously approved planning application No. A/K22/20, he has no comment on the current application. Nevertheless, should there be any major changes of the proposed development, consultation with the KTTF afresh would be required.

Energising Kowloon East

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

- (a) He has no objection to the application.
- (b) The proposed development would generally comply with the minimum overall greenery ratio of 30% in KTD which has been imposed as a lease requirement.
- (c) The proposed pedestrian facilities integrating with the neighbouring districts including the proposed USS linking San Po Kong could help promote pedestrian connectivity in the wider district.
- (d) Noting that an open plaza is proposed at the frontage facing Kai Tak River accessible from the ground level and the retail frontage facing the 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.
- (e) The urban design proposal emphasized the pedestrian connections/permeability to the open space along Kai Tak River. Although there shall not be boundary fence along that open space, the strip of the Site between Kai Tak River and the retail block is currently proposed to be used as EVA. The applicant is encouraged

to consider appropriate design and/or restrictions to the EVA to promote pedestrian permeability and better integrate the landscape area to the southwest of the development and the future open space along Kai Tak River.

- (f) 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.
- (g) As the proposed development seeks to create an iconic landmark for the Kai Tak area, green building initiatives should be included where appropriate.

Tourism Aspect

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

- (a) Hong Kong registered 65.15 million visitor arrivals in 2018. Amongst them, 45% (29.3 million) were overnight visitors. Hotel occupancy rate in the past five years in general stood at a high level of close to 90%. To enhance the appeal of Hong Kong as an international convention, exhibition and tourism capital, it is necessary to ensure the provision of adequate hotel facilities.
- (b) The proposed hotel use will help increase the provision of hotel facilities and broaden the range of accommodations for visitors. In this regard, he supports the proposed hotel use provided that it is agreeable to all relevant departments and that the applicant is able to meet all requirements laid down by relevant government departments.

Hotel Licensing Aspect

9.1.11 Comments from the Chief Officer (Licensing Authority)/Home Affairs Department (CO(LA), HAD):

- (a) He has no objection to the proposed hotel use.
- (b) The applicant should submit a copy of the occupation permit for the proposed hotel when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO), Cap. 349.
- (c) The licensing requirements will be formulated after inspections by our Building Safety Unit and Fire Safety Team upon receipt of application under HAGAO.

Electricity Supply

9.1.12 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, organising and supervising any activity near the underground cable under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable 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

9.1.13 Comments of the District Officer (Kowloon City) (DO(KC), HAD):

He has no comment on the application and notes that PlanD has notified the interested Kowloon City District Council members, the To Kwa Wan Area Committee as well as the Owners’ Committees/Mutual Aid Committees/Management Committees of building near the Site about the planning application and that the notified parties have been invited to contact PlanD about any enquires or comments. He hopes the Board could take into account all the comments gathered in the consultation exercise in the decision-making process. Should the application be eventually approved, the applicant should take appropriate measures to address the concerns of relevant stakeholders.

9.2 The following government departments have no objection to or no adverse comment on the application:

- (a) Director of Environmental Protection (DEP);
- (b) Project Manager/East, Civil Engineering and Development Department (CEDD);
- (c) Chief Highway Engineer/Kowloon, Highways Department (HyD);
- (d) Chief Engineer/Mainland South, Drainage Services Department (DSD)
- (e) Chief Engineer/Construction, Water Supplies Department (WSD);
- (f) Commissioner of Police;
- (g) Director of Food and Environmental Hygiene (DFEH);
- (h) Director of Leisure and Cultural Services (DLCS); and
- (i) District Officer (Wong Tai Sin), HAD.

10. Public Comments Received During Statutory Publication Period

10.1 The application and the subsequent FIs were published on 16.4.2019 and 31.5.2019 respectively for public inspection. During the statutory inspection periods, a total of 11 public comments submitted by individuals were received (**Appendices IV-1 to IV-11**). The main points of the public comments are summarised below.

Supportive Comments [Appendices IV-1 to IV-8]

- 10.2 Eight comments from individuals support the application mainly for the reasons that:
- (a) the proposed development as a landmark building is beneficial in energising KTD, stimulating the local economy and facilitating a diverse economy. It could also meet the needs of residents in the district and tourists through alleviating the problems of insufficient retails and dining facilities in the area;
 - (b) approval of the proposed development would provide another attractive venue for visitor's and public's enjoyment and create synergy to energising Kowloon East Initiative.;
 - (c) the proposed development would enhance the accessibility and pedestrian connectivity of Kai Tak to its surrounding districts. The residents living in the Latitude and the Mikiki shoppers could get to Kai Tak Station and the PTT through the proposed development easily; and
 - (d) the proposed landscape features would improve the air quality in the district and it would be beneficial in creating an environmental-friendly Hong Kong.

Adverse Comments [Appendices IV-9 and IV-10]

- 10.3 One commenter raises concerns on the over-supply of car parking spaces within the proposed development considering that the Site is in close proximity to the Kai Tak Station. The podium is considered too bulky and the viability of developing a retail mall at the Site is questionable. There is also inadequate open space proposed for public recreation.
- 10.4 Another commenter raises concern on the external lighting and cellular site installation of the proposed development which would create light pollution and health problem to the nearby residents.

Providing Views [Appendix IV-11]

- 10.5 One commenter suggests providing some commercial amenity facilities at the upper or roof levels of the proposed development for public use. The proposed development should increase gross floor spaces for hotel development and broaden the ranges of accommodation options.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed comprehensive development for office, hotel, shop and services, eating place and PTT uses at the Site which falls mainly within the "CDA(1)" zone. The Site is the subject of a previous application (No. A/K22/20) for proposed comprehensive development for office, shop and service, eating place and PTT, which was approved with conditions by the Committee on 15.6.2018. Upon obtaining approval for the

application, the applicant had submitted a revised MLP for compliance with the submission aspect of approval condition (a). The revised MLP was considered acceptable by relevant departments and was approved on 15.2.2019. The building disposition and broad internal layouts of the current scheme largely follow the approved MLP of Application No. A/K22/20, except that a hotel with a GFA of 5,500m² and 73 guestrooms is proposed at 11/F to 16/F (4 floors) of the medium-rise portion of the Main Block. The major development parameters of the proposed comprehensive development, including the total GFA/PR, SC and BHs, have remained unchanged. From the land use perspective, the proposed development is in line with the planning intention of the subject “CDA(1)” zone which is intended for a comprehensive office/hotel/retail development. As set out in the PB, the GFA for hotel development should be not more than 15,000m². The current proposal complies with such requirement. C for Tourism supports the proposed hotel use in the Site and CO(LA) of HAD has no objection to the application from the hotel licensing perspective.

- 11.2 Same as the previously approved scheme under Application No. A/K22/20, the current scheme 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 (**Appendix II**).
- 11.3 There are some variations to the PB requirements including the cascading building design and greening provision. Cascading terraces are proposed at the north-western corner of the low-rise retail podium in response to the curvilinear walkway. The cascading terraces in the form of a series of steps descending from 40mPD to 16.025mPD (**Drawings A-1 and A-11**) (instead of 15mPD as suggested under the PB) towards Kai Tak River and the curvilinear walkway 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 proposes to increase the building setback along the frontage from 5m as required under the OZP/PB to a varying setback from about 13m to 20m so as to create more public space and enhance vista along the river. Regarding the greenery provision, while only 7.85% of the site area is proposed with at-grade greening which is below the PB’s requirement of minimum 20%, the applicant has attempted to achieve a total greenery area of more than 20% (i.e. 20.46%) of the site area at the primary zone of the Site as per the Sustainable Building Design Guidelines (PNAP APP-152). The greening requirement was deliberated by the Committee when considering the previous application No. A/K22/20, and the Committee noted that the applicant would be required to comply with the 30% greening requirement under the PB.
- 11.4 Relevant departments consulted, including TD, HyD, DEP, CEDD, ArchSD, DSD, FSD and CTP/UD&L of PlanD, have no adverse comment on the application. Significant adverse impacts from the proposed development are not anticipated. The same approval conditions of the previous application No. A/K22/20 requiring the submissions of revised LMP, TIA, SIA and designs of vehicular access, parking and L/UL facilities, PTT, 24-hour public passageways and fire service installations and their implementations/provisions are recommended to be imposed should the application be approved. An approving condition requiring the

submission of a GIA as per ArchSD's request is also recommended.

11.5 Among the 11 public comments received, eight support the application while two raise concerns and one provides views on the application. The departmental comments in paragraph 9 above and planning considerations and assessments as set out in paragraphs 11.1 to 11.4 above are generally relevant. The proposed building bulk is in compliance with development restrictions and requirements under the OZP/PB. Besides, more public space has been proposed along the Kai Tak River promenade through a wider building setback.

12. **PlanD's Views**

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD 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 **19.7.2023**, 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 which generally follow those of the previous approved Application No. A/K22/20 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;
- (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; and
- (i) the submission of a Glare Impact Assessment to the satisfaction of the Director of Architectural Services or of the Town Planning Board.

Advisory Clauses

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

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

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	Application Form with supplementary information received on 8.4.2019
Appendix Ia	Supplementary Planning Statement attached to the Application Form
Appendix Ib	Letter dated 17.5.2019 from the applicant [FI(1)]
Appendix Ic	Letter dated 20.5.2019 from the applicant [FI(2)]
Appendix Id	Letter dated 19.6.2019 from the applicant [FI(3)]
Appendix II	Comparison of the Major Planning and Development Requirements in the Endorsed PB and the Application
Appendix III	Detailed Comments from Government Department
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan (MLP)

Drawings A-2 to A-9	Major Floor Plans
Drawings A-10 to A-11	Major Section Plans
Drawings A-12 to A-15	Hotel Layout Plans
Drawing A-16	Landscape Master Plan
Drawing A-17	Perspective Drawings
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Site Photos
Plan A-4 to A-7	Comparison of MLPs approved under Application No. A/K22/20 and of the Current Application

**PLANNING DEPARTMENT
JULY 2019**