

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K22/29**

- Applicant** : Hong Kong Housing Society (HKHS) represented by Kenneth To & Associates Limited
- Site** : Kai Tak Area 1E Site 1, Kai Tak Development, Kowloon  
(to be known as New Kowloon Inland Lot (NKIL) No. 6610)
- Floor Area** : about 5,148m<sup>2</sup>
- Land Status** : Government Land
- Plan** : Approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/6
- Zoning** : “Other Specified Uses” annotated “Mixed Use(3)” (“OU(MU)(3)”) (a) maximum domestic plot ratio (PR) of 4.75;  
(b) maximum non-domestic PR of 2.25;  
(c) maximum site coverage (SC) of 65% (excluding basement(s)); and  
(d) maximum building heights (BHs) of 100mPD.
- Application** : Proposed Social Welfare Facility (Residential Care Home for the Elderly (RCHE) cum Day Care Unit (DCU)) in Non-residential Portion of a Mixed Use Development

**1. The Proposal**

- 1.1 The applicant, Hong Kong Housing Society (HKHS), seeks planning permission for a proposed RCHE cum DCU in the non-residential portion of a mixed use development at the application site (the Site) (**Plan A-1**). The Site falls within an area zoned “OU(MU)(3)” on the approved Kai Tak OZP No. S/K22/6. According to Schedule I of the Notes of the OZP for the “OU(MU)(3)” zone, ‘Social Welfare Facility (excluding those involving residential care)’ is a Column 1 use while ‘Social Welfare Facility (not elsewhere specified)’ is a Column 2 use for non-residential building or non-residential portion of a building upon development. Whilst the proposed DCU does not involve residential care, the proposed RCHE (which is a social welfare facility involving residential care) in the non-residential portion of the proposed mixed use development requires planning permission from the Town Planning Board (the Board).
- 1.2 On 17.4.2015, planning permission under Application No. A/K22/16 was granted by the Metro Planning Committee (the Committee) for proposed minor

relaxation of PR/BH restrictions of the application site (amongst 20 other sites) in Kai Tak Development (KTD)) to a domestic PR of 6.0 and a non-domestic PR of 2.2, and BH of 120mPD. The Site will be granted to HKHS by Private Treaty Grant (PTG) for mixed use development <sup>[1]</sup>. In view of the growing demand of elderly services at neighbourhood level in KTD, as requested by SWD, the HKHS will design and construct a proposed 250-place RCHE cum 30-place DCU together with other social welfare facilities within the Government Accommodation (GA) portion of the mixed use development.

- 1.3 According to the applicant, the mixed use development at the southern portion will consist of three public rental housing (PRH) towers to be built over a shopping arcade which will be under the management and maintenance of the applicant; whereas the northern portion will consist of two subsidized sale flats (SSF) towers to be built over the GA portion that will be handed back to the Government upon completion for operation, management and maintenance (**Drawing A-1**).
- 1.4 The proposed RCHE cum DCU, with a total gross floor area (GFA) of about 5,148m<sup>2</sup> and a required net operational floor area (NOFA) of not less than 3,122m<sup>2</sup>, will provide 250 bed spaces and 30 day care service places for the elderly at the 2/F and 3/F of the 4-storey GA (excluding one basement carpark). Supporting facilities including dining/ multi-purpose room, toilet/bathroom/shower, isolation/quiet room, kitchen, laundry etc. will also be provided. Two private light bus parking spaces and one loading/unloading (L/UL) for the RCHE will be provided in B1/F (**Drawing A-4**) <sup>[2]</sup> and a drop-off area on G/F (**Drawing A-5**). The applicant proposes that GFA of the proposed RCHE cum DCU to be provided in the non-domestic portion will be counted towards the non-domestic PR of the Site in order not to affect the maximum domestic GFA that has been reserved for public housing development.
- 1.5 The applicant also proposes separate lift lobbies and entrances for the residential towers and the GA portion to provide physical segregation to mitigate any interface issues between future users of the GA portion and residents. A number of social welfare facilities/government uses involving child care, elderly care and education/training purposes <sup>[3]</sup> will be provided in the G/F and 1/F of the GA portion.
- 1.6 As an environmental mitigation measure, a minimum of 10m setback from Concorde Road and 5m setback from Muk Chun Street is proposed (**Drawing A-6**). Habitable rooms of the proposed RCHE cum DCU will be positioned facing towards the internal landscaped courtyard and Kai Tak Avenue Park in the southwestern side of the GA portion as far as possible (**Drawing A-6**). The proposed RCHE cum DCU will also be equipped with

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<sup>1</sup> The residential portion will provide a total of 2,158 residential units (1,458 public rental housing (PRH) units and about 700 units for subsidized sale flats (SSF)).

<sup>2</sup> Private light bus parking space with dimension of 3.0m (W) x 8.0m (L).

<sup>3</sup> These include Neighbourhood Elderly Centre; Child Care Centre; Centre for Outreaching Team for Ethnic Minorities; Centre for Integrated Home Care Services Team; Day Care Centre for the Elderly; Special Child Care Centre and Elderly Education and Training Centre. These uses being 'Social Welfare Facility (excluding those involving residential care)' and 'Government Use' are always permitted in a non-residential building or non-residential portion of a building within the "OU(MU)(3)" zone.

acoustic windows and fixed glazing at minor portions of the façade to mitigate traffic noise impact.

- 1.7 As only bare shell premises is to be handed back to the government, the submitted scheme under application only shows the indicative location and layout to demonstrate that the proposed RCHE cum DCU with required floor area are achievable. Detailed design would be controlled through relevant ordinances and regulations including the statutory requirements governing the licensing of RCHE, the building plan submission, Special Conditions and Technical Schedule to be included in the lease conditions under the PTG.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 16.9.2020 (Appendix I)
  - (b) Supplementary Planning Statement with Environmental Assessment (EA) and Traffic Forecast received on 16.9.2020 (Appendix Ia)
  - (c) Supplementary Information received on 24.9.2020 providing background information of the application (Appendix Ib)
  - (d) Further Information (FI) received on 30.10.2020 enclosing responses to departmental comments/public comment, replacement pages to Supplementary Planning Statement and EA (Appendix Ic)
- [accepted and exempted from publication and recounting requirement]*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in Section 4 of the Supplementary Planning Statement at **Appendix Ia** and FI at **Appendix Ic**. They are summarized as follows:

- (a) There has been a persistent demand for RCHEs in view of the ageing population. The proposed RCHE cum DCU is a proactive response to SWD as part of the measures to enhance the provision and planning of elderly facilities to meet the needs of the ageing population.
- (b) The proposed RCHE cum DCU is compatible with the mixed use development at the Site and the surrounding area. In fact, RCHE is always permitted in residential buildings or residential portion of a building in the subject “OU(MU)3” zone. The current application, is about placing the RCHE in the non-residential portion of the mixed use development, rather than in the residential portion that could be maximized for housing supply. The application is technical in nature. It allows for residential care need of the ageing population without compromising the flat production capacity of the Site.

- (c) Taking into account proximity to the clusters of high-density of residential development in the vicinity, the provision of the proposed RCHE cum DCU in the GA portion is considered appropriate in terms of its location.
- (d) The Site enjoys good accessibility as being well served by various public transport modes.
- (e) Placing the proposed RCHE cum DCU in the GA portion is an optimal solution to increase agglomeration effects and provide convenience for and benefit the diverse range of services users. Integrated design follows the planning intention of “OU(MU)(3)” zone and relevant design requirements for composite development under TPB PG-No. 42.
- (f) Comments and advice from SWD have been sought during the formulation of the design and layout of the proposed RCHE cum DCU. No adverse comment on both the location and layout of the proposed development was received.
- (g) In the past years, the Board has approved comprehensive development projects with RCHEs locating in the non-domestic podium portions of developments.
- (h) EA (Appendix 2 of **Appendix Ia** and Annex B of **Appendix Ic**) has been conducted to assess the environmental air quality and noise impacts associated with the proposed RCHE cum DCU. Habitable areas in the proposed RCHE cum DCU will rely on openable window for ventilation. With the adoption of noise mitigation measures including setback from adjoining roads and provision of acoustic windows at strategic locations, all habitable rooms will comply with road traffic noise standard stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG).

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

As the Site involves government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 12A and 16 of the Town Planning Ordinance (TPG PG-No. 31A) is not applicable to the application.

### **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines on Designation of “OU(MU)” Zone and Application For Development Within “OU(MU)” Zone under Section 16 of The Town Planning Ordinance (TPB PG-No. 42) promulgated in November 2011 is relevant in the following aspects:

- (a) an application for development within “OU(MU)” zone should demonstrate that the proposed development is in line with the planning intention of the zone. The applicant should demonstrate that the proposed development is not incompatible with the surrounding land uses/other uses within the same building, would not adversely affect the character and environment of the

neighbourhood, and would not overstrain the capacity of existing and planned infrastructure in the area including transport, drainage, sewerage and water supply. The applicant should also demonstrate through proper assessment that no environmental pollution or nuisance would be created by the proposed mixed-use development;

- (b) notwithstanding (a) above, any proposed development that will bring variety of uses and enhance the character, vitality and vibrancy to the area will be given favourable consideration;
- (c) for any application involving a new development, the applicant should demonstrate that physical segregation has been provided to separate residential uses from non-residential uses within the same building to ensure that the proposed use in either the residential portion or non-residential portion of the building would not create interface problems with uses within the other portion of the building. The building designs for physical segregation include the provision of separate access/entrance/lift lobbies/staircases and any other appropriate means;
- (d) adequate parking and loading/unloading spaces should be provided in accordance with the relevant standards in the Hong Kong Planning Standards and Guidelines (HKPSG) for the various uses proposed within the development; and
- (e) all other statutory and non-statutory requirements of relevant government departments including fire safety and building safety requirements must also be met.

## **5. Previous Application**

The Site, among 20 other sites, was involved in a previous Planning Application No. A/K22/16 submitted by CEDD for proposed minor relaxation of PR/BH restrictions, which was approved with conditions by the Committee on 17.4.2015. With the planning permission granted by the Committee, the maximum PR and BH of the Site are relaxed from 7.0 (comprising a domestic PR of 4.75 and a non-domestic PR of 2.25) to 8.2 (comprising a domestic PR of 6.0 and a non-domestic PR of 2.2) and from 100mPD to 120mPD.

## **6. Similar Application**

There is one similar application (No. A/K22/23) for proposed 'Social Welfare Facility (RCHE)' in non-residential portion of a mixed use development at a sale site in Kai Tak Area 1F Site 1 (NKIL No. 6568), which is located to the southwest of the Site and is zoned "OU(MU)(2)" on the Kai Tak OZP (**PlanA-1**). The application was approved by the Committee on 4.1.2019 mainly for the reasons that the proposed RCHEs are considered not incompatible with the surrounding land uses and within the mixed use development at the Site, the applicant has proposed appropriate noise mitigation measures, the proposed placing of the RCHE in the non-residential portion of the mixed use development will allow the maximum permissible domestic PR of

the site for housing development; and relevant departments had no objection to the application.

**7. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3 and site photos on Plans A-4 and 5)**

7.1 The Site is:

- (a) located in the North Apron area of Kai Tak Development. It falls within the central part of Kai Tak City Centre;
- (b) bounded by Concorde Road to its west and north, Muk Chun Street to its northeast and the Kai Tak Avenue Park (under construction) to its southeast and south; and
- (c) currently vacant.

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 its north across the Prince Edward Road East is the residential development Rhythm Garden, which will be linked up with the Site by an existing elevated walkway;
- (c) to its immediate southeast and south is the Kai Tak Avenue Park (under construction), which is a major public open space that links towards the Station Square (under construction) circumscribing the Kai Tak Station, and a commercial development at two linked sites (NKIL 6557) zoned “Commercial (6)” which will be developed into twin towers to serve as iconic gateway of Kai Tak City Centre;
- (d) to its further southeast across the Kai Tak Avenue Park (under construction) is an existing public housing estate (Kai Ching Estate) and a belt of “G/IC” sites including the Eastern Road Substation, two primary schools and one secondary school; and
- (e) to its west is a landscaped elevated walkway (under construction) which will cross over Prince Edward Road East and connect to the Sze Mei Street District Open Space Phase 1 (under construction) in San Po Kong.

**8. Planning Intention**

The planning intention of the “OU(MU)(3)” zone is primarily for mixed non-industrial land uses. Flexibility for the development of residential or other uses, or a combination of various types of compatible uses including commercial, residential, educational, cultural, recreational and entertainment uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs.

Physical segregation has to be provided between the non-residential and residential portions within a new building to prevent non-residential uses from causing nuisance to the residents.

## **9. Comments from Relevant Government Departments**

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

### **Land Administration**

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

- (a) The Site (to be known as NKIL 6610) is proposed to be granted to the applicant by PTG (the “proposed PTG”) for mixed use development. The Site will be restricted to non-industrial (excluding godown, hotel, petrol filling station and residential other than public rental housing estate and subsidized sale flat) purposes.
- (b) His other detailed comments are at **Appendix II**.

### **Social Welfare Perspective**

9.1.2 Comments of Director of Social Welfare (DSW):

- (a) He has no objection to the application.
- (b) He notes that his detailed comments at **Appendix II** regarding drop-off area/ L/UL area and the lift arrangement of the proposed development would be addressed in the detailed design stage.
- (c) Under the established funding arrangement, the construction cost of the proposed RCHE cum DCU will be met by the Lotteries Fund (LF). Upon satisfactory completion of the works, the developer will be reimbursed the construction cost and the purpose-built facilities will be handed over to the Government as GA.
- (d) His other detailed comments on licensing requirements of RCHE are at **Appendix II**.
- (e) Should the application be approved, the following approval condition should be imposed:

“the design and construction of the proposed Residential Care Homes for the Elderly cum Day Care Unit to the satisfaction

of the Director of Social Welfare or of the Town Planning Board.”

### **Environment**

- 9.1.3 Comments of the Director of Environmental Protection (DEP):
- (a) He considers that the environmental impacts arising from the proposed development would unlikely be insurmountable. In this regard, he has no in-principle objection to the application.
  - (b) As regards the submitted EA, the applicant confirmed that there will be no emission source introduced by the proposed development. Also, adequate buffer distances are proposed, i.e. for vehicular emissions – 5m from Muk Chun Street, a Local Distributor; 10m from Concorde Road, a District Distributor; and 42m from Prince Edward Road East, a Urban Trunk Road; and for chimney emissions – no active chimney identified within 200m from the site based on site survey carried out by the environmental consultant (Table 3.1, Chapter 9 of the HKPSG refers). Transport Department has no objection to the classification of Muk Chun Street and Concorde Road as Local Distributor and District Distributor respectively (**Appendix Ic**). Considering the above, adverse air quality impact arising from the proposed development is not anticipated.
  - (c) The applicant should demonstrate that the noise standards (Table 4.1, Chapter 9 of the HKPSG refers) (see DEP’s detailed comments on noise impact at **Appendix II**) will be complied with for the proposed development.
  - (d) He considers that insurmountable sewerage impacts are not anticipated for the proposed development. Notwithstanding this, residential care home may generate significant amount of sewage to the nearby sewerage system. A Sewerage Impact Assessment (SIA) should be carried out to assess the potential sewerage impact and to demonstrate the effectiveness of the mitigation measures.
  - (e) Should the application be approved, the following approval conditions should be imposed to assess the potential noise and sewerage impacts and identify mitigation measures (if any):
    - (i) “the submission of a revised Noise Impact Assessment (NIA) and implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board”;



- (ii) “the submission of a SIA for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board”; and
- (iii) “the implementation of the local sewerage upgrading/sewerage connection works as identified in the SIA for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board”.

### **Fire Safety**

#### 9.1.4 Comments of the Director of Fire Services:

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

### **Architectural and Visual**

#### 9.1.5 Comments of the Chief Architect/CMD2, Architectural Services Department (ArchSD):

For rooms for habitation, offices and toilets of the proposed RCHE cum DCU, openable windows for natural lighting and ventilation shall comply with Building (Planning) Regulation Section 30, 31 and 36 shall be provided.

### **Building Matters**

#### 9.1.6 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) He has no objection to the application.
- (b) All building works are subject to compliance with the Buildings Ordinance (BO).
- (c) The maximum SC for non-domestic buildings is 60% and for domestic buildings is 33.33% in Class A site (for height of building over 61m) under the BO.
- (d) A RCHE is a domestic use and shall be accountable for domestic SC/GFA under the BO unless modification is granted.

- (e) His comments on the building proposal of the development would be subject to submission of more detailed plans or application for approval under the BO.

### **Harbourfront Planning**

#### 9.1.7 Comments of the Harbour Office, Development Bureau (DEVB):

- (a) The site falls within the harbourfront area under the purview of Harbourfront Commission (HC)'s Task Force on Kai Tak Harbourfront Development (KTTF). The application should be considered having regard to the Harbour Planning Principles and Guidelines.
- (b) The gist and relevant information of the subject application have been circulation to Members of KTTF on 29.9.2020. Members have been invited to offer comments, if any, to the Board direct <sup>[4]</sup>.

### **District Officer's Comments**

#### 9.1.8 Comments of the District Officer (Kowloon City), Home Affairs Department (HAD):

He has no comment on the application and notes that the Planning Department (PlanD) has notified the interested Kowloon City District Council (DC) members, the Kai Tak Area Committee as well as the Owners' Committees/ Mutual Aid Committees/ Management Committees of buildings near the Site about the planning application and that notified parties have been invited to contact PlanD about any enquiries or comments. The Board should 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 bureau/departments have no objection to or no adverse comment on the application:

- (a) Secretary for Development;
- (b) Head of Energizing Kowloon East Office, DEVB;
- (c) Commissioner for Transport;
- (d) Director of Electrical and Mechanical Services
- (e) Chief Highway Engineer/Kowloon, Highways Department;
- (f) Commissioner of Police;
- (g) Chief Engineer/Construction, Water Supplies Department;
- (h) Chief Engineer/Mainland South, Drainage Services Department;
- (i) Project Manager (East), CEDD;
- (j) Chief Town Planner/Urban Design and Landscape, Planning Department;

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<sup>4</sup> During the first three weeks of the statutory public inspection period, no comment was received from members of KTTF.

- (k) Director of Leisure and Cultural Services; and
- (l) District Officer (Wong Tai Sin), HAD.

## **10. Public Comments Received During Statutory Publication Period**

- 10.1 On 25.9.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 16.10.2020, one public comment from an individual was received (**Appendix III**).
- 10.2 The comment raised concerns on the location of the RCHE cum DCU which would be subject to negative air pollution and traffic noise impact. There was no cross ventilation to allow fresh air through the facilities and may encourage spreading of virus. Placing the proposed RCHE cum DCU at the non-domestic portion of the development was just a means to maximize saleable GFA. There was also no open space provided for the enjoyment of the elderly.

## **11. Planning Consideration and Assessments**

- 11.1 The application is for a proposed RCHE cum DCU in the non-domestic portion (i.e. the GA portion) of a mixed use development to be developed by HKHS. As the proposed use is a social welfare use with residential care, it requires planning permission when proposed within non-domestic portion of the development.
- 11.2 The Site is zoned “OU(MU)(3)” on the OZP which is primarily intended for mixed non-industrial land uses. Flexibility for the development of residential or other uses, or a combination of various types of compatible uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs. Physical segregation has to be provided between the non-residential and residential portions within a new building to prevent non-residential uses from causing nuisance to the residents.
- 11.3 The initiative of augmenting the provision of welfare facilities in different types of developments was first stated in the 2017 Policy Agenda. In addition to the need for implementation of new measures to enhance the provision and planning of elderly services as recommended in the Elderly Services Programme Plan, it was set out in the 2017, 2018 Policy Agendas and again in 2019 Policy Initiatives that the Government would continue to explore various measures that would encourage private developers to provide various welfare facilities, including, inter alia, Day Care Centres for the elderly and RCHEs in their development projects. The application is in line with the Government’s overall policy of increasing the provision of welfare facilities, which is in the public interest.
- 11.4 The GA portion is built underneath two residential towers. Separate lift lobbies and entrances are proposed for the residential towers and GA portion to provide physical segregation to mitigate any interface issues between future users of

the GA portion and residents in the mixed development. Such arrangement is generally in line with the planning intention of the “OU(MU)(3)” zone and complies with the TPB-PG No. 42 as regards land use compatibility and prevention of interface issues. DSW has no adverse comment on such arrangement.

- 11.5 The proposed RCHE cum DCU is considered not incompatible with the surrounding residential, GIC and commercial uses, and the commercial and residential uses to be developed within the mixed use development at the Site. The two types of social welfare facilities for the elderly (i.e. the RCHE and DCU) being placed together with other social welfare facilities/government uses (that are Column 1 uses under the “OU(MU)(3)” zone) to be provided within the GA portion are also not incompatible with each other. Besides, there is a similar application incorporating RCHEs and Day Care Centres for the elderly at the non-domestic portion of a mixed use development at the Kai Tak Area 1F Site 1 (NKIL 6568) zoned “OU(MU)(2)” under planning application No. A/K22/23 which was approved with conditions by the Board on 4.1.2019.
- 11.6 While RCHE is an environmentally sensitive use, the applicant has proposed appropriate noise mitigation measures such that all habitable rooms will comply with the road traffic noise standard stipulated in the HKPSG. Moreover, the majority of the habitable rooms will be facing the internal landscaped courtyard and the Kai Tak Avenue Park which are away from adjoining major roads. A minimum setback of 10m from Concorde Road and 5m from Muk Chun Street is proposed to provide buffer to mitigate air quality impact from vehicular emission. In this regard, DEP has no in-principle objection to the application from environmental perspective as environmental impacts arising from the proposed development would unlikely be insurmountable, and suggested that approval conditions in relation to SIA and revised NIA (paras 12.2(b) to (d) refer) should be imposed.
- 11.7 The proposed placing of the RCHE cum DCU in the non-residential portion, instead of the residential portion, of the mixed use development will allow the maximization of domestic PR of the Site for public housing development and hence maintaining the planned flat production for the Site. In view of the current acute shortage of housing supply in Hong Kong, such an arrangement is supported in-principle. The GFA of the proposed RCHE cum DCU will be counted towards the maximum non-domestic PR and will not increase the overall PR of the mixed use development. Other relevant departments consulted, including DLO/KE of LandsD, CBS/K of BD and C for T also have no objection to/ adverse comment on the application.
- 11.8 One public comment was received during the public inspection period. As regards the concerns raised in the comment on the location and design of the proposed RCHE cum DCU, both DSW and DEP have no adverse comments on the application. Furthermore, the detailed design and layout of the proposed social welfare facilities to be handed back to the Government will be controlled through statutory requirements governing the licensing of RCHE, the building plan submission, Special Conditions and Technical Schedule to be included in the lease conditions. DSW suggested an approval condition in para 12.2(a)

below such that the design and construction of the facilities should be to the satisfaction of DSW to meet their functional and operational needs. As a new development area, Kai Tak is planned with ample public open space and developments in Kai Tak are also subject to higher greening standards, in particular, the Site abuts Kai Tak Avenue Park and Station Square which are easily accessible for users of the RCHE cum DCU.

## 12. Planning Department's Views

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

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 6.11.2024, 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 design and construction of the proposed Residential Care Homes for the Elderly cum Day Care Unit to the satisfaction of the Director of Social Welfare or of the Town Planning Board;
- (b) the submission of a revised Noise Impact Assessment and implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works as identified in the Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

### Advisory Clauses

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

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 condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application Form received on 16.9.2020
<b>Appendix Ia</b>	Supplementary Planning Statement received on 16.9.2020
<b>Appendix Ib</b>	Supplementary Information received on 24.9.2020
<b>Appendix Ic</b>	Further Information received on 30.10.2020
<b>Appendix II</b>	Detailed Comments from Government Departments
<b>Appendix III</b>	Public Comment
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Master Layout Plan
<b>Drawing A-2</b>	Access Road Plan for the Development
<b>Drawing A-3</b>	Indicative Scheme of the Government Accommodation
<b>Drawings A-4 to A-6</b>	Floor Plans of the Government Accommodation
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4 and A-5</b>	Site Photos

**PLANNING DEPARTMENT  
NOVEMBER 2020**