

MPC Paper No. A/K4/69B
For Consideration by
the Metro Planning Committee
on 7.12.2018

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K4/69

- Applicant** : City University of Hong Kong (CityU) represented by Vision Planning Consultants Limited
- Site** : 83 Tat Chee Avenue, Kowloon Tong, Kowloon
- Site Area** : About 5,130 m²
- Land Status** : New Kowloon Inland Lot (NKIL) No. 5953 R.P. (Part)
[restricted for the purposes of City Polytechnic, or such other purposes ancillary to the purpose of or necessarily associated with the City Polytechnic]
- Plan** : Approved Shek Kip Mei Outline Zoning Plan (OZP) No. S/K4/29
- Zoning** : “Government, Institution or Community (4)” (“G/IC(4)”)
[subject to a maximum building height (BH) of 70 and 119.5 metres above Principal Datum (mPD) in Sub-Area (A) and Sub-Area (B) respectively, with a minor relaxation clause]
- Application** : Proposed Minor Relaxation of BH Restriction (from 70mPD to 90.8mPD) for Permitted Education Institution (University Indoor Sports Centre, Auditorium and Laboratory Building Complex)

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of BH restriction from 70mPD to 90.8mPD for a permitted educational institution development (University indoor sports centre, auditorium and laboratory facilities) at the application site (the Site). The Site falls within an area zoned “G/IC(4)” on the approved Shek Kip Mei OZP No. S/K4/29 (the OZP) (**Plan A-1a**). According to the Notes of the OZP for the “G/IC(4)” zone, ‘Educational Institution’ is always permitted and developments within Sub-Area (A) where the Site is located are restricted to a maximum BH of 70mPD. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the BH restriction

may be considered by the Town Planning Board (the Board) upon application under s.16 of the Town Planning Ordinance.

- 1.2 The Site occupies the former Hu Fa Kuang Sports Centre (HFKSP) (site area of about 3,880m²) and part of the Bank of China (Hong Kong) Complex (BOC Complex) (site area of about 1,250m²) within the campus of CityU. Following the collapse of the roof structure of HFKSP in 2016, CityU decided to demolish and redevelop the sports centre and take the opportunity to optimize the use of the Site to accommodate an auditorium and laboratory facilities as well. The proposed sports centre, auditorium and laboratories as ancillary facilities to CityU (which is an Education Institution) are always permitted within the “G/IC(4)” zone. However, as the proposed BH of 90.8mPD in the redevelopment proposal exceeds the BH restriction of 70mPD (i.e. +20.8m or +29.7%), planning permission from the Board for minor relaxation of BH restriction is required.
- 1.3 The proposed development is a 13-storey building complex to accommodate an indoor sports centre and an auditorium on the lower levels (B/F to 4/F) and laboratory facilities on the upper levels (5/F to 11/F) (Proposed Scheme) (**Drawings A-1 to A-15**). The total gross floor area (GFA) is about 41,200m². The major development parameters are as follows:

Development Parameters	Proposed Development
Site area	About 5,130m ²
Total gross floor area (GFA)	About 41,200m ²
- <i>Sports Centre</i>	11,800m ²
- <i>Auditorium</i>	7,900m ² (1650 seats)
- <i>Laboratory Facilities</i>	21,500m ²
Plot ratio (PR)	8.03
Site coverage (SC)	96%
No. of blocks	1
No. of Storeys	13 storeys (including B1/F and B1/MF collectively considered as one storey)
Building Heights	78.4 / 86.8 / 90.8mPD (main roof)
Major Uses By Floor	
B1/F to G/F	Sports Centre
1/F	Sports Facilities, Backstage (Auditorium), Plantrooms
2/F to 4/F	Auditorium , Sports Facilities
5/F to 9/F	Laboratory
10/F to 11/F	Laboratory / Office

Remarks:

- Calculations of the PR and SC are based on the site area delineated for the planning application and has excluded the existing GFA of the portion of BOC Complex within the Site. With the proposed development, the overall PR and SC would be 2.6 and 46.68% respectively for the whole site of CityU.

- 1.4 A stepped-height profile is proposed for the building massing, with the tallest portion of 90.8mPD in the northeast, descending to 86.8mPD in the middle and further down to 78.4mPD in the southwest (**Drawings A-14 and A-15**). The proposed building adjoins the existing Lau Ming Wai Academic Building (the LAU Building) with a BH of 119.5mPD to its northeast. A building separation of 10m is provided between the proposed development and the LAU Building from 5/F upwards (**Drawing A-14**). Part of G/F of the adjoining BOC Complex in the southwest will serve as the entrance to the sports centre (**Drawing A-14**), while 4/F to 8/F of the southwest terrace of the development will extend above the BOC Complex (**Drawings A-16 to A-18**).
- 1.5 According to the submission, the provision of the existing 411 parking spaces within the campus is sufficient to meet the proposed increase in student and staff populations. Moreover, all loading/unloading (L/UL) activities can be carried out at the common L/UL area around the U-Circle (**Plan A-2**). An outdoor platform on 2/F of the proposed development will be connected to the LAU Building (**Drawings A-6 and A-17**). Two footbridges on 5/F connecting to the LAU Building and Li Dak Sum Yip Yio Chin Academic Building (the LI Building) (**Drawings A-14 and 15**) are planned. Landscape planters at different levels and vertical greening are proposed (**Drawings A-1 and A-16**). The completion of the redevelopment proposal is anticipated by end of 2022.
- 1.6 Extracts of the section plans, perspective images, floor plans, concept diagrams, landscape plan and photomontages in the Visual Impact Assessment (VIA) for the proposed scheme are shown in **Drawings A-1 to A-31**. For assessment purpose, the applicant has also prepared a Compliance Scheme (with a BH complying with the BH restriction of 70mPD and reduced GFA for the laboratories) as indicated in **Drawings A-32 and A-33**.
- 1.7 The applicant conducted technical assessments regarding the traffic, environmental and visual impacts of the proposed development. The assessment results indicated that the proposed development would not result in adverse impacts.
- 1.8 In support of the application, the applicant has submitted the following documents:
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|-----|---|----------------------|
| (a) | Application form received on 28.5.2018 | (Appendix I) |
| (b) | Supplementary Planning Statement (SPS) | (Appendix Ia) |
| (c) | Letter dated 31.8.2018 with responses to comments, supplementary information and replacement pages of technical assessments | (Appendix Ib) |
| (d) | Letter dated 4.10.2018 with responses to comments and revised technical assessments (accepted and not exempted from publication and recounting requirement) | (Appendix Ic) |
| (e) | Letter dated 13.11.2018 with responses to comments | (Appendix Id) |
| (f) | Letter dated 29.11.2018 with responses to comments | (Appendix Ie) |

- 1.9 The subject application was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 20.7.2018. Upon requests of the applicant, the Committee agreed on 20.7.2018 and 16.11.2018 to defer a decision on the application for two months and one month respectively to allow sufficient time to address departmental comments. With the Further Information (FI) received on 13.11.2018, the application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are provided in the SPS and FI at **Appendices Ia to Ie**. They are summarized as follows:

Urgent Need to Provide Very Necessary Facilities

- (a) The three proposed facilities in the development are urgent, essential and very necessary to the development of CityU. With the roof collapsed in 2016, the indoor sports centre at the Site is required to be re-provided urgently. The auditorium aims for conducting international conferences associated with the laboratory facilities and cultural performances, as well as serving as a permanent venue for conducting annual graduation ceremony. Its provision within the Site which is at the middle of the campus is essential. The provision of laboratories with a GFA of 21,500m² at the Site will help to achieve the prime university mission to build a top-notch facility for the ‘One Health’ concept in Hong Kong, given the proposed facilities can hardly be implemented in other ways in the campus under present situation of extremely limited land resources.

Minor Relaxation of BH Restriction Needed

- (b) With an increase in absolute BH of 20.8m, the proposed relaxation from 70mPD to 90.8mPD is still minor in nature. As detailed in Appendix V of the SPS (**Appendix Ia**), the previous sports centre and the BOC Complex share the same raft footing sitting on different types of materials. Removal of part of the raft footing under the sports centre would affect the superstructure of the BOC Complex. Moreover, part of the Site falls within the boundary of Mass Transit Railway Corporation (MTRC) Railway Protection Area. It is technically not feasible to excavate deeper in the Site due to these site constraints.
- (c) The amount of floor spaces is required for the long-term development of the campus facilities. The headrooms of the proposed indoor sports centre (10.7m) and auditorium (17m), as well as the floor heights in the upper zone for the laboratories (4m-4.4m) are at the minimum. Without the relaxation of BH, the top-notch facility can hardly be realised due to limited land resources within the campus. With innovative design, the proposed building will blend in well with the adjoining iconic landmark building (i.e. the LAU Building). The adoption of a descending BH profile from the northeast to southwest generally maintains the BH pattern of the campus. No consequential significant adverse visual impact is anticipated.

- (d) A Compliance Scheme (complying with the BH restriction of 70mPD under the OZP) (**Drawings A-32 and A-33**) has been prepared for assessment, with the same provision of the indoor sports centre and the auditorium and the minimum headroom requirements. For the Compliance Scheme, only not more than 38% of the required floor space for the laboratories (i.e. GFA of about 8,100m²) can be provided.

Complying with Relevant Criteria for Minor Relaxation of BH Restriction

- (e) The provision of a 10m wide gap from 5/F upward between the proposed building and the LAU Building will improve the local air ventilation and visual permeability. With the proposed innovative building design adopting a stepped BH profile, the VIA has demonstrated that the development will not cause any significant adverse visual impact in either the local or district context.

Tallying with Government Policy Objective of ‘Single Site, Multiple Use’

- (f) Three essential and very necessary uses, instead of only the re-provision of an indoor sports centre, are proposed. The development tallies with the Government’s Policy Objective of ‘Single Site, Multiple Use’ highlighted in the Chief Executive in Policy Agenda 2017 with a view to optimizing the use of limited land resources.

Not Setting Undesirable Precedent Case

- (g) Approval of this application will not set an undesirable precedent case for other similar applications in the same OZP. The stringent site constraints, the results of CityU’s previous study on space requirement, the limited land resources within CityU’s campus, the incident of the collapse of rooftop structure of the previous indoor sports centre, the need to demolish the previous sports centre and to build a new indoor sports centre, the mission of CityU’s strategic plan and the committed donation from the Hong Kong Jockey Club Charities Trust to CityU to support the proposed building make the present application unique.

No Impacts from Various Technical Aspects

- (h) The results of relevant technical assessments with respect to traffic, air quality, drainage and visual aspects have indicated that the proposed development will not result in any significant adverse impacts on the local area. Based on the utilization surveys of the existing car parking spaces and L/UL facilities and the estimated car parking and L/UL demand associated with the proposed development, the existing provisions are sufficient to cater for the demand generated from the proposed development including the demand arising from special events.
- (i) For sewerage, a detailed sewerage impact assessment will be conducted at detailed building plan stage to work out the required upgrading works, if any, in the local area. For the portion of the Site lying within the MTRC Railway Protection Area,

the applicant will consult the MTRC at the detailed building design stage upon approval of the planning application.

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

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

4. **Background**

In 2001, a review on the BH covering the eastern part of the Shek Kip Mei area¹ including the CityU campus was conducted in view of the relocation of the airport to Chek Lap Kok. After review, a maximum BH restriction of 70mPD was incorporated for the main campus of CityU (making reference to the maximum BH restriction of 70mPD imposed on Festival Walk which is located to the northwest of the CityU) and a maximum BH restriction of 119.5mPD was incorporated for the proposed Landmark Building at the main entrance of the CityU (i.e. the LAU Building), which was in line with the master layout plan approved under lease. The BH restrictions were incorporated in the draft Shek Kip Mei OZP No. S/K4/13 exhibited on 5.10.2001.

5. **Previous Application**

There is no previous application covering the Site.

6. **Similar Applications**

6.1 There is no similar planning application for minor relaxation of BH restriction within the “G/IC(4)” zone on the Shek Kip Mei OZP. Nevertheless, there are three planning applications (No. A/K4/41, A/K4/49 and A/K4/68) involving proposed relaxation of BH restrictions within the “G/IC(2)”, “G/IC(5)” and “G/IC” zones respectively considered by the Committee (**Plan A-1**). Applications No. A/K4/41 and A/K4/49 were approved while Application No. A/K4/68 was rejected.

6.2 Application No. A/K4/41 was for minor relaxation of BH restriction within the “G/IC(2)” zone for extension of school building of Tak Nga Secondary School at 18 Tat Chee Avenue from 46mPD to 58.46mPD (i.e. +12.46m or 27%). It was approved with condition by the Committee on 12.4.2002 mainly on grounds of need to upgrade and provide additional school facilities to meet current standards, lack of spare area, being the most preferred and feasible option, proposed BH not

¹ The western part of the Shek Kip Mei area is mostly public housing development in “Residential (Group A)” zone subject to maximum PR restrictions on the OZP. During planning stage of the public housing, the development parameters including BH would be considered and agreed by concerned departments. Thus these public housing developments were not included in the BH review in 2001.

incompatible with adjacent area and minor nature of relaxation in terms of impacts.

- 6.3 Application No. A/K4/49 was for minor relaxation of BH restriction within the “G/IC(5)” zone for development of the Multi-media Building (MMB) of CityU at junction of Cornwall Street and Tat Hong Avenue from 112mPD to 130mPD (+18m or 17%). It was approved with conditions by the Committee on 13.3.2007 on grounds of compliance with planning intention, having building design with unique built form, and proposed BH not incompatible with the existing built environment.
- 6.4 Application No. A/K4/68 for a proposed redevelopment including school, church and flat with relaxation of BH restriction within the “G/IC” zone at 5, 7 and 11 Tong Yam Street from 8 storeys to 42 storeys (i.e. +34 storeys or 425%) was rejected by the Committee on 15.6.2018 mainly for reasons of relaxation of BH restriction not minor and setting of undesirable precedent amongst others.

7. **The Site and Its Surrounding Areas (Plans A-1a to A-4)**

7.1 The Site is:

- (a) located within the northern portion of the campus of CityU adjacent to the University Circle (U-Circle) (**Plan A-2**);
- (b) vacant with remnants of the former sports centre in the northern portion;
- (c) occupied by part of the six-storey BOC Complex in the southwestern portion;
- (d) occupied by a staircase of the LAU Building and a vehicular ramp leading from the main entrance of CityU to the basement of the BOC Complex in the southeastern portion;
- (e) partially within the MTR Protection Area; and
- (f) accessible via the internal road leading to the U-Circle from Tat Chee Avenue at the main entrance of CityU.

7.2 The surrounding areas have the following characteristics:

- (a) the Site is surrounded by buildings within the campus of CityU, with the LI Building in the northwest, the LAU Building in the northeast, BOC Complex and green slopes in the southwest and south, Cheng Yick-chi Building together with other administrative and ancillary buildings, as well as Yeung Kin Man Academic Building in the southeast. All of these buildings except the LAU Building are subject to a BH restriction of 70mPD and the LAU Building is subject to a BH restriction of 119.5mPD

(Plan A-1b);

- (b) located to the west of the CityU campus is the Shek Kip Mei Park;
- (c) across Cornwall Street to the further north are the student hostels and MMB of CityU at Tat Hong Road (zoned “G/IC(5)” with a BH restriction of 112mPD and zoned “G/IC(6)” with BH restriction of 134.9mPD respectively) and Mount Beacon (zoned “R(C)9” with a BH restriction of 100mPD) **(Plan A-1b)**;
- (d) further to the east beyond Tat Chee Avenue are the CityU’s staff quarters of Tat Chee Yuen (zoned “R(C)3”), the commercial complex of Festival Walk, as well as the MTR Kowloon Tong Station of the Kwun Tong Line and East Rail Line **(Plans A-1a and A-1b)** are located. Both Tat Chee Yuen and Festival Walk are subject to a BH restriction of 70mPD; and
- (e) further to the south beyond Nam Shan Chuen Road and To Yuen Street are the public housing development of Nam Sham Estate (with a BH restriction of 80mPD), and the low to medium-rise residential area of Yau Yat Chuen respectively with a number of GIC buildings and open spaces. In general, developments within the Yau Yat Chuen area are subject to BH restrictions of 10.67m or up to 51mPD.

8. Planning Intention

- 8.1 According to the OZP, the planning intention of “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 8.2 A minor relaxation clause in respect of BH restrictions is incorporated into the Notes in order to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation will be considered on its own merits and the relevant criteria for consideration of such relaxation in paragraph 7.9 of the Explanatory Statement (ES) of the OZP are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;

- (d) providing separation between buildings to enhance air ventilation and visual permeability; and
- (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

9. Comments from Relevant Government Bureaux/Departments

9.1 The following Government bureaux/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 West, Lands Department (DLO/KW, LandsD):

- (a) No objection to the application.
- (b) The Site falls within a part of the Remaining Portion of New Kowloon Inland Lot No. 5953 ('NKIL 5953 R.P. '), and a portion of stratum at the level between +10.7mPD and -4.9mPD surrendered to the Government vide Deed of Surrender dated 20.1.1992 and now held under the Remaining Portion of Mass Transit Railway Lot No. 1 ('MTRL 1 R.P. '). Part of the Site falls within the MTR Protection Boundary.
- (c) NKIL 5953 R.P. is held under Conditions of Grant No. 11816 dated 16.5.1985 as varied or modified by the Modification Letters dated 24.3.1987, 19.9.1989, 14.12.1992, 26.9.1995 and 14.8.2003, Deeds of Surrender dated 20.1.1992 and 23.9.1996, Deed of Grant of Easement dated 7.12.2001 and extended by a Particulars and Conditions of Extension of Lease Terms dated 28.5.1997 (collectively "the C/G"). The C/G restricts NKIL 5953 RP for the purposes of City Polytechnic, or such other purposes as, in the absolute discretion of the Director of Lands, may be ancillary to the purpose of or necessarily associated with the City Polytechnic. The C/G requires that the lot shall not be developed or redeveloped except in accordance with the Master Plans approved by the Director of Lands.
- (d) Subject to no objection to the proposed use by Secretary for Education, DLO/KW of LandsD has no comment to the proposed use. If the planning application is approved by the Board, the lot

owner is required to revise the approved Master Plans under lease as appropriate. However, there is no guarantee that such revised Master Plans, if submitted, will be approved. Such submission, if received by LandsD, will be considered by LandsD acting in the capacity of landlord at its sole discretion.

- (e) For part of the Site which may affect MTRL 1 R.P. and the encroachment onto MTR Protection Boundary, comment of the Railways Development Office of Highways Department should be sought. In this regard, the applicant is reminded that no development should fall within the MTRL 1 RP, and no foundation, etc. should fall within the MTR Inner Reserve under lease and agreement of MTRCL should be sought prior to commencement of any works within the MTR Protection Boundary.

Building Matters

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

- (a) No objection to the application.
- (b) Details on A&A works should be further clarified as other associated works may be involved apart from those included in building plans mentioned in item (c) below.
- (c) The A&A plans for the subject redevelopment with BH not more than 70mPD was first approved on 19.7.2018 and its subsequent amendment was also approved on 23.10.2018.
- (d) Detailed comments under the Buildings Ordinance will be given at building plan submission stage.

Education Policy

9.1.3 Comments of the Secretary for Education (SED):

SED supports the planning application for the following reasons:

- (a) The development under the application involves the demolition of the existing HFKSC and to reprovise and enhance the sports facilities by way of redevelopment. Opportunity is also taken to better utilize the Site by including additional academic space in the new building. SED has also given his policy support to the project.

- (b) The justifications for the proposed redevelopment are as follows:
- (i) The collapse of the roof structure in the HFKSC in 2016 has seriously hampered the sports and learning activities of the students. There is a pressing need to reprovision the necessary sports facilities as soon as possible.
 - (ii) Noting that land resources are precious, the proposal will better utilize the Site.
 - (iii) CityU is projected to have an estimated academic space shortfall of some 33,600m² in net operation floor area (NOFA). SED understands that CityU intends to use at least some (if not all) of the additional academic space (some 18,600m² in NOFA) so provided for the University Grants Committee (UGC)-funded activities (e.g. the auditorium). This should help alleviating the outstanding space shortfall of the UGC-funded operation of CityU.

Traffic

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

C for T has no comment from traffic point of view.

9.1.5 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD2-2, RDO, HyD):

- (a) No comment on the planning application from railway development point of view.
- (b) The subject development works fall within the railway protection boundary of the existing Kwun Tong Line, the MTRCL shall therefore be consulted with respect to operation, maintenance and safety of the Kwun Tong Line.

Fire Safety

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

- (a) No objection in-principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS. Detailed fire services requirements will be formulated upon receipt of formal submission of building plans.

- (b) The arrangement of emergency vehicular access (EVA) shall comply with Section 6, Part D of the 'Code of Practice for Fire Safety in Buildings 2011' which is administered by BD.

Environment

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

- (a) No objection on the subject planning application.
- (b) Insurmountable environmental impacts associated with the proposed development are not anticipated.
- (c) With a view to requiring the applicant to properly address the potential sewerage impacts arising from the proposed development, the following approval conditions are suggested to be imposed:
 - (i) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
 - (ii) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (i) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Sewerage and Drainage

9.1.8 Comments of Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) No objection to the application from public drainage and sewerage operation and maintenance point of view.
- (b) Applicant's Sewerage Impact Assessment should be accepted by Environmental Protection Department, the planning authority of sewerage infrastructure.

Urban Design, Air Ventilation and Landscape

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

Urban Design and Visual

- (a) The academic complex within the Site will adopt a descending BH profile from the northeast portion at 90.8mPD to the middle portion at 86.8mPD down to 78.4mPD at the southwest portion, generally maintaining the BH pattern of the CityU development stepping down from the tallest building (i.e. the LAU Building) towards to the southwest. Based on the photomontages submitted, although the descending BH profile between the northeast portion (90.8mPD) and the middle portion (86.8mPD) may not be obvious from the pedestrian level, the design of the new complex with staggered building volumes and multi-level greenery including vertical greening may promote building variety and visual interest. Furthermore, the proposed scheme is not considered incompatible with the surroundings.

Air Ventilation

- (b) With reference to the Air Ventilation Assessment (AVA) Expert Evaluation on Shek Kip Mei Area (2010 AVA), the Site does not fall within any identified air path and there is no particular air ventilation concern related to the site. The Site and the proposal do not fall within the categories of which an AVA is required in accordance with the joint HPLB-ETWB Technical Circular No. 1/06 on AVAs.
- (c) Comparing to the Compliance Scheme, the applicant has increased the building gap above 5/F (about 60mPD) in the proposed scheme between the LAU Building and the proposed complex from 4m to 10m to enhance air ventilation and visual permeability. The proposed building gap is helpful to increase building porosity.

Landscape

- (d) The proposed redevelopment scheme has adopted a stepped-height profile. Green roof on terraces of the stepped-height building profile with some vertical green on the building façade are also proposed. Significant landscape impact arising from the proposed development is not anticipated. Therefore, he has no objection to the application from the landscape planning point of view.

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

No comment from visual impact point of view. It is noted the applicant had adopted a stepped-height profile with the tallest part of 90.8mPD at the northeast building block descending to 86.8mPD at the middle block

and further down to 78.4mPD at the southwest block. The proposed use, development massing and intensity may not be incompatible with the LAU Building with BH of 119.5mPD.

9.2 The following Government departments have no comment on the application:

- (a) Commissioner of Police (C of P);
- (b) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Project Manager/South, Civil Engineering and Development Department (PM/S, CEDD);
- (e) Head of Geotechnical Engineering Office, CEDD (H/GEO, CEDD); and
- (f) District Officer (Sham Shui Po), Home Affairs Department (DO(SSP), HAD)

10. Public Comments Received During Statutory Publication Period

10.1 The application was published for public inspection on 5.6.2018 and 12.10.2018. During the three weeks of the statutory public inspection periods, which ended on 26.6.2018 and 2.11.2018 respectively, 21 public comments were received with 15 supporting and six objecting to (**Appendix II**) the application. Two of the objecting comments are from the same Member of the Sham Shui Po District Council (SSPDC) and the remaining 19 comments are from individual members of the public.

10.2 All of the 15 comments in support of the application are from individuals. The major grounds of the support are summarized as follows:

- (a) There is a need to provide the proposed facilities which are essential to meet CityU's development strategy and provide better education.
- (b) The development of 'One Health' concept is highly beneficial to the well-being of Hong Kong as a whole.
- (c) There are site restrictions. The proposed development would optimize site utilisation in view of limited land resources.
- (d) The development with a stepped BH profile is compatible with the adjoining buildings and surrounding areas.
- (e) There will be insignificant impacts including landscape and visual impacts to the surrounding area.
- (f) There will be no adverse traffic impact to the area.

- 10.3 Notwithstanding the above, one commenter in supporting the application also expressed that safety of the building structure should be of prime importance and the development should be strictly monitored.
- 10.4 Of the six comments objecting to the application, two are from the same SSPDC Member and the others are from individuals. The major grounds of the objection are summarized as follows:
- (a) Compared with application No. A/K4/49 for the MMB of CityU for minor relaxation of BH restriction from 112mPD to 130mPD, the proposed relaxation is not minor.
 - (b) The proposed PR is excessive compared with that of the MMB which is 3.2.
 - (c) With a PR of 8.03 and SC of 96%, the proposed development will create a wall effect and block light and ventilation both for the LI Building and the piazza in front.
 - (d) The proposed relaxation on BH restriction would adversely affect the tranquil environment of the low-rise Yau Yat Chuen area.
 - (e) There have been a lot of construction works for denser and taller developments in CityU affecting the local residents.

11. Planning Considerations and Assessments

- 11.1 The application is for a proposed minor relaxation of BH restriction from 70mPD to 90.8mPD (i.e. +20.8m or 29.7%) to facilitate the redevelopment of the existing HFKSP into a building complex comprising an indoor sports centre, auditorium and laboratories within CityU. The proposed facilities are ancillary facilities to CityU which is an 'Education Institution' and thus always permitted within the "G/IC(4)" zone. However, as the maximum BH of 90.8mPD proposed in the development exceeds the BH restriction of 70mPD, planning permission from the Board for minor relaxation of BH restriction is required.

Planning Intention

- 11.2 The proposed development is in line with the planning intention of the "G/IC" zone which is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. The proposed development comprising the indoor sports centre, auditorium and laboratory facilities for CityU is in line with the planning intention.

Policy Support

- 11.3 SED supports the planning application and has given policy support to the project. SED comments that there is a pressing need to re-provision the necessary sports facilities for sports and learning activities of the students after the collapse of the roof structure in HFKSC in 2016, and that CityU is projected to have an estimated academic space shortfall of some 33,600m² in NOFA. The proposed development is to re-provide an indoor sports centre while incorporating an auditorium and laboratory facilities at the Site. This will improve site utilization and help alleviate the space shortfall by providing additional academic floor spaces to meet the future development of CityU with upgraded facilities, which may be difficult to be provided in other ways given the limited land resources within the campus.

Minor Relaxation of BH Restriction

- 11.4 According to the applicant, the proposed floor space is required for the planned laboratory facilities. The proposed headrooms of the indoor sports centre and auditorium, and the floor heights for the laboratories have been reduced to the minimum. The required floor spaces for the laboratories could not be met within the statutory BH restriction of 70mPD, as demonstrated in the Compliance Scheme (**Drawings A-32 and A-33**). Under the Compliance Scheme, the floors available for the planned laboratory facilities will be reduced from seven storeys under the Proposed Scheme to two storeys, meeting not more than 38% of the GFA of the Proposed Scheme. The applicant also expressed that it is technically not feasible for a deeper excavation at the Site for accommodation of the required floor space as the Site and the BOC Complex share the same raft footing and removal of part of the raft footing under the Site would affect the superstructure of the BOC Complex.
- 11.5 With the adjoining LAU Building having a BH restriction of 119.5mPD located to its northeast, the Proposed Scheme adopts a stepped-height and descending BH profile from the northeast portion at 90.8mPD to the middle portion at 86.8mPD down to 78.4mPD at the southwest portion. The BH of the adjacent LI Building and the BOC Complex, which are located to the northwest and southwest, are 70.5mPD and 57.1mPD respectively. CTP/UD&L of PlanD opines that the proposed development would generally maintain the BH pattern of CityU development stepping down from the tallest building (the LAU Building) towards the southwest (**Drawings A-14 to A-18**). Based on the photomontages submitted by the applicant, although the descending BH profile between the northeast portion (90.8mPD) and the middle portion (86.8mPD) may not be obvious from the pedestrian level, the design of the new complex with staggered building volumes and multi-level greenery including vertical greening may promote building variety and visual interest. The Proposed Scheme is considered not incompatible with the surroundings. CA/CMD2 of ArchSD also considers that the proposed use, development massing and intensity may not be incompatible with the adjacent LAU Building.
- 11.6 The Compliance Scheme (**Drawing A-32**) only provides a building gap of 4m in width with the LAU Building, while the Proposed Scheme can provide a wider

building gap of 10m in width. The building gap helps to increase building porosity as commented by CTP/UD&L of PlanD.

- 11.7 The proposed relaxation of BH restriction from 70mPD to 90.8mPD represents an increase of 20.8m (+29.7%). The proposal is for the educational institution development comprising a university indoor sports centre, auditorium and laboratory facilities and has optimized site utilization for providing facilities for the students and teaching purpose. The proposed BH has adopted a stepped-height and descending BH profile from northeast to southwest and has taken account of the BH of the existing buildings in the surroundings (with BH restrictions ranging from 112mPD and 134.9mPD in the north of Cornwall Street, to 70mPD and 80mPD along Nam Shan Chuen Road in the south (**Plan A-1b**)). With the BH of 90.8mPD for the proposed redevelopment, the general stepped BH profile descending from north to south for the area would be generally maintained. After giving a balanced consideration to site constraints, visual and air ventilation aspects, the proposed minor relaxation of BH restriction from 70mPD to 90.8mPD is considered acceptable from planning perspective.

Complying with Criteria for Minor Relaxation of BH Restriction

- 11.8 The proposed development has provided separation between buildings to enhance air ventilation and visual permeability. According to the applicant, further excavation at the Site is technically not feasible due to site constraints. In this connection, the proposal is considered generally in line with the criteria (d) and (e) for consideration of minor relaxation of BH restriction stipulated in the ES of the OZP (paragraph 8.2 above refers).

Traffic, Environment and Infrastructural Capacity

- 11.9 The proposed minor relaxation in BH restriction would not create adverse traffic, fire safety, environmental and sewerage impacts on the surrounding areas. Concerned departments including C for T, D of FS, DEP and CE/MS of DSD have no adverse comment on the application.

Public Comments

- 11.10 Regarding the views of the public comments received, the planning assessment above and departmental comments in paragraph 9 above are relevant. For the public comments about the PR and SC of the Proposed Scheme, the proposal optimizes site utilization to accommodate various facilities for the students and teaching purposes to meet the further development of CityU and helps address the shortfall of spaces of the university. The submission shows that the proposal would not cause adverse visual and air ventilation impacts. CTP/UD&L of PlanD and CA/CMD2 of ArchSD have no adverse comments on these aspects.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 7.12.2022, 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 approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) 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;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

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

no strong planning and design merits to justify the proposed minor relaxation of building height restriction.

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

Appendix I	Application form received on 28.5.2018
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Letter dated 31.8.2018 with responses to comments, supplementary information, and replacement pages of technical assessments
Appendix Ic	Letter dated 4.10.2018 with responses to comments and revised technical assessments
Appendix Id	Letter dated 13.11.2018 with responses to comments
Appendix Ie	Letter dated 29.11.2018 with responses to comments
Appendix II	Public comments received during the statutory publication periods
Appendix III	Recommended advisory clauses
Drawings A-1 to A-31	Plans and photomontages submitted by the applicant
Drawings A-32 and 33	Comparison of section plans
Plans A-1a to A-2	Location plans and site plan
Plans A-3 and A-4	Site photos

**PLANNING DEPARTMENT
DECEMBER 2018**