

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/27

- Applicant** : Kerry D.G. Warehouse (Kowloon Bay) Limited represented by
Kenneth To & Associates Limited
- Site** : 7 Kai Hing Road, Kowloon Bay, Kowloon
- Site Area** : About 4,293m²
- Lease** : New Kowloon Inland Lot (NKIL) No. 5813
(a) restricted for the purpose of a godown for storage of dangerous
goods
(b) maximum height of 20.5mPD
- Plan** : Approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/6
- Zoning** : “Commercial (2)” (“C(2)”)
(a) maximum plot ratio (PR) of 9.5 for a non-domestic building, or
the PR of the existing building, whichever is the greater; or
maximum PR of 5.0 for a domestic building or a building that is
partly domestic and partly non-domestic
(b) maximum site coverage (SC) (excluding basement(s)) of 65%, or
the SC of the existing building, whichever is the greater
(c) maximum building height (BH) of 100mPD, or the height of the
existing building, whichever is the greater
(d) on land designated ‘Waterfront Promenade’, a 20m-wide
promenade abutting the waterfront shall be provided for public
enjoyment purpose
(e) based on the individual merits of a development or
redevelopment proposal, minor relaxation of the PR, SC and BH
restrictions may be considered by the Town Planning Board (the
Board) on application
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Office,
Shop and Services and Eating Place Uses

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +1.9 or +20%) at the application site (the Site), which is zoned “C(2)” on the approved Kai Tak OZP No. S/K22/6 (**Plan A-1**). The proposed minor relaxation of PR restriction is to facilitate the redevelopment of the existing 6-storey godown building constructed before 1987^[1] into a proposed 26-storey (including 5 levels of basement) commercial development comprising ‘Office’, ‘Shop and Services’ and ‘Eating Place’ uses (the Proposed Scheme) which are always permitted in the “C(2)” zone.
- 1.2 According to the applicant, the proposed minor relaxation of PR restriction by 20% is in-line with the Chief Executive’s 2018 Policy Address (PA 2018) to incentivise redevelopment of pre-1987 industrial buildings (IBs) by allowing the relaxation of the maximum permissible non-domestic PR by up to 20% for sites located outside “Residential” (“R”) zones (see paragraph 3.1 below for details). The proposed SC of not more than 65% and BH of not more than 100mPD do not exceed the relevant development restrictions for the “C(2)” zone under the OZP.
- 1.3 The applicant proposes to provide a 20m-wide waterfront promenade with an area of about 1,050m² within the Site as per the OZP requirement for public enjoyment, and will take up the management and maintenance responsibility of the promenade. A passage to the waterfront promenade is proposed through the entrance lobby on G/F of the proposed development (which will be opened to the public during the opening hours of the building). The applicant further proposes a 3m-wide full height setback above ground along the south-western boundary of the Site to provide an alternative access from Kai Hing Road to the waterfront promenade, which will be opened for public use on a 24-hour basis prior to completion of the planned open space adjoining the Site (**Drawings A-4 and A-12**). The applicant also proposes various landscaping elements and green building design measures at the proposed development, including a 0.8m-wide building setback from Kai Hing Road at G/F and 1/F (up to about 10m) for provision of planter areas (**Drawings A-4 and A-7**), the provision of a landscaped flat roof on 3/F for use by occupants of the building and the provision of other landscape areas on G/F, 3/F and the main roof, with overall greenery provision of not less than 30% of the site area and greening at pedestrian/primary zone^[2] of not less than 20% of the site area (**Drawings A-5, A-8 to A-14**).
- 1.4 Floor plans, sections and landscape plans submitted by the applicant are at **Drawings A-1 to A-14**. The major development parameters of the Proposed Scheme are as follows:

Major Development Parameters	Proposed Scheme
Site Area	about 4,293m ²
Proposed Uses	office, shop and services, eating place, a 20m-wide waterfront promenade
Non-domestic PR	not more than 11.4

^[1] The Occupation Permit (OP) for the subject DG godown building was issued in 1983.

^[2] The pedestrian zone/primary zone refers to the 15m vertical zone along the abutting street/ground level.

Major Development Parameters	Proposed Scheme
Gross Floor Area (GFA)	not more than 48,940.2m ²
BH (at main roof level)	not more than 100mPD
Site Coverage (SC)	not more than 65%
No. of Storeys	26 (incl. 5 levels of basement)
Overall Greenery Provision	about 1,292m ² (i.e. about 30% of site area including area of waterfront promenade)
Waterfront Promenade	about 1,050m ² and 20m-wide
Parking Spaces	299
• Private Car (PC)	271 ^(#)
• Motorcycle (MC)	28
Loading/Unloading (L/UL) Bays	29
• Heavy Goods Vehicle (HGV)	10
• Light Goods Vehicle (LGV)	19
Anticipated Completion	2026

^(#) Including 4 disabled parking spaces

1.5 The main uses by floor of the proposed building and the floor-to-floor height under the Proposed Scheme (**Drawings A-1 to A-7**) are summarized as follows:

Floor	Main Uses	Floor Height (m)
B3/F - B5/F	Carpark	3.50
B2/F	Carpark and L/UL areas	4.50
B1/F	L/UL areas	6.15
G/F	Shop and Services, Eating Place, Entrance Lobby	6.65
1/F	E&M	3.50
2/F - 3/F	Shop and Services, Eating Place, Landscaped Flat Roof (on 3/F)	4.50
4/F - 20/F	Office	4.50

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

- (a) Application form received on 3.12.2019. **(Appendix I)**
- (b) Supporting planning statement received on 3.12.2019 enclosing architectural drawings, Landscape Master Plans (LMP), Traffic Impact Assessment (TIA) and Sewerage Impact Assessment (SIA) }
- (c) 1st further information (FI) vide letter received on 17.3.2020 providing responses to departmental comments (R-to-C), landscape plans and perspectives, revised architectural drawings, revised floor plans and a revised SIA^(*) **(Appendix Ia^{[3])})**
- (d) 2nd FI vide letter received on 19.3.2020 providing R-to-C }

^[3] A consolidated report containing the finalized technical assessments and R-to-C tables (**Appendix Ia**) was submitted by the applicant on 28.8.2020 which has consolidated all the previous submissions; thus the relevant FIs are not attached in this Paper.

- (e) 3rd FI vide letter received on 27.4.2020 providing R-to-C and revised SIA and TIA
- (f) 4th FI vide letter received on 15.7.2020 providing revised TIA, revised landscape proposal and new photomontages^(*)
- (g) 5th FI vide letter received on 13.8.2020 providing R-to-C and revised TIA
- (h) 6th FI vide letter received on 18.8.2020 providing additional justifications for the application
- (i) 7th FI vide letter received on 27.8.2020 providing R-to-C, revised TIA and a 1/F plan.

(Appendix Ia^[31])

[^(*) FI accepted but not exempted from publication and recounting requirements]

1.7 On 17.1.2020 and 15.5.2020, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months respectively as requested by the applicant in order to allow time for preparation of FIs to respond to departmental comments. With the FI received on 15.7.2020 (**Appendix Ia**), 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 as detailed in the planning statement and the FIs at **Appendix Ia** are summarized as follows:

In Line with Government Policy Objectives to Revitalise IBs

- 2.1 The proposed minor relaxation of PR restriction of the Site by 20% is fully in-line with the PA 2018 to reactivate the revitalisation of existing pre-1987 IBs. It also expedites the transformation of Kowloon Bay Business Area (KBBA) and Kwun Tong Business Area (KTBA).
- 2.2 The existing pre-1987 IB occupying the Site (i.e. Kerry D.G. Warehouse (Kowloon Bay)) is an IB which is equipped and permitted to store dangerous goods (DG), among other 170 IBs in Hong Kong with valid licence for Dangerous Goods Store.
- 2.3 Under the OZP, industrial use is not allowed upon redevelopment of the Site. Considering the planning intention of “C(2)” zone and the location of the Site being right next to the planned district landmark in the South Apron Corner of Kai Tak Development (KTD), it should no longer give any support to continuous DG storage on the Site. Therefore, phasing out of the existing IB is completely in line with the revitalization policy of PA 2018.

Provision of Office Space to Support Transformation of Kowloon East as Central Business District (CBD) 2

- 2.4 There are estimated shortfalls of Grade A office space in CBD (including Kowloon East) in the medium (by 2033) and long (by 2041) terms as identified in

the Review of Land Requirement for Grade A Offices, Business and Industrial Uses under the Hong Kong 2030+ Study. The proposed minor relaxation of PR would increase commercial/office GFA to boost the medium term supply and contribute to the transformation of Kowloon East into CBD2.

In Line with Planning Intention

- 2.5 The proposed 'Office', 'Shop and Services' and 'Eating Place' uses are in line with the planning intention of the "C" zone, which is intended primarily for commercial developments and functioning as territorial business/financial centre and regional or district commercial/shopping centre.
- 2.6 The proposed minor relaxation of PR restriction for the subject commercial building could facilitate the provision of additional commercial floor space while continuing to meet the planning intention. The provision of new retail/dining facilities along the waterfront promenade would help energise the promenade.
- 2.7 The proposed minor relaxation of PR restriction by 20% from a maximum non-domestic PR of 9.5 to 11.4 could optimise the utilisation of precious land resource and is considered minor in nature and deemed acceptable. The Proposed Scheme with a BH of not more than 100mPD adheres to the BH restriction of the OZP.

Planning and Design Merits of the Proposed Scheme

- 2.8 The proposed SC of not more than 65% shall deliver a much slender building as compared to the existing IB. Car parking and L/UL spaces will be provided at the 5 basement levels to minimise the building bulk and free up ground floor space.
- 2.9 Redevelopment of the grossly dilapidated IB at the Site could improve the urban environment and in line with the new image at the prominent waterfront location in general. Multi-level greenery will be provided at G/F, 3/F and R/F to enhance visual quality, soften the continuous urban fabric and improve street amenity. The proposed development and the primary zone and overall greenery coverage will meet the requirements as per the Sustainable Building Design Guidelines (SBDG). There is also a 0.8m setback from Kai Hing Road (up to about 10m), which is designed with planters at G/F.
- 2.10 As required in the Notes of the OZP, the Proposed Scheme will provide a 20m-wide waterfront promenade for public enjoyment daily on a 24 hour basis. The waterfront promenade will be landscaped with green paving and permeable shrub plantings to create welcoming and integrated design, and supported by retail/food and beverage as well as shaded seating areas, which shall be complementary to the planned open space at the South Apron Corner. The applicant will take up the management and maintenance responsibilities of the waterfront promenade.
- 2.11 A 3m full-height above ground setback along the south-western site boundary is proposed as public passageway, which will allow uninterrupted access to the waterfront promenade from Kai Hing Road and will also serve as a landscaped

transition between the Proposed Scheme and the planned open space. The 3m-wide public access will be opened for public enjoyment 24 hours daily prior to completion of the adjoining open space. The G/F office lobby will also be opened during the opening hours of the office building as a public access between the waterfront promenade and Kai Hing Road.

- 2.12 The Proposed Scheme will be benchmarked against the Building Environmental Assessment Method Plus (BEAM Plus) certification and adopt green building design, including automatic control and smart system, high energy-efficient system, energy saving building envelop, renewable energy, etc.

Technical Aspects

- 2.13 The proposed development would not incur adverse traffic and sewerage impacts on its surrounding areas as demonstrated by the submitted TIA and SIA.

3. Background

Policy Initiatives of Revitalisation of IBs

- 3.1 As set out in PA 2018, to provide more floor area to meeting Hong Kong's changing social and economic needs, and make better use of the valuable land resources, a new scheme to incentivise redevelopment of IBs is announced. To encourage owners to redevelop IBs constructed before 1987^[4], there is a policy direction to allow relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs located outside "R" zones in Main Urban Areas and New Towns into industrial/commercial uses (the Policy). The relaxation of PR is subject to approval by the Board on a case-by-case basis and the maximum non-domestic PR permissible under the Building (Planning) Regulation (B(P)R)^[5]. The Board may approve such application subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations.
- 3.2 The time limit for owners to submit applications is three years, with effect from 10.10.2018. Should the application be approved, the modified lease should be executed (with full land premium charged) within three years after the planning permission is granted.

^[4] Pre-1987 IBs refer to those eligible IBs which were wholly or partly constructed on or before 1.3.1987, or those constructed with their building plans first submitted to the BA for approval on or before the same date.

^[5] Under the Policy, any bonus floor area claimed under B(P)R 22(1) or (2) is not to be counted towards the proposed relaxation of PR restriction by 20% for redevelopment projects. The bonus PR permitted under B(P)R 22(2) is permitted as of right under the Notes of the "C" zone, but can only be considered by the Building Authority upon formal submission of building plans.

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

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

5. Previous Applications

5.1 The Site is the subject of two previous applications (i.e. No. A/K22/2 and 13) (**Plan A-1**). The first application (No. A/K22/2) for proposed pier (landing steps) involving only a small waterfront portion of the Site was approved with conditions by the Committee on 7.3.2008. The approved use was not pursued and the planning permission lapsed on 7.3.2012.

5.2 The second application (No. A/K22/13) for proposed residential development and minor relaxation of PR restriction from 5 to 5.12 (i.e. +0.12 or +2.4%) to include ancillary residents’ club house was approved with conditions by the Committee on 30.3.2012, and an extension of commencement of the planning permission for four years until 30.3.2020 was subsequently approved. The approved use was not pursued and the planning permission lapsed on 30.3.2020.

6. Similar Applications

6.1 Since March 2019, the Committee has considered a total of 13 minor relaxation applications in the Kwun Tong and Kowloon Bay relating to the Policy (see **Appendix II** for details). Out of the 13 similar applications, 11 applications were approved with conditions and two (No. A/K14/764 and A/K13/313) were rejected.

6.2 In consideration of these applications, the Committee generally indicated support for the Policy to relax the PR up to 20% as it provided incentives to encourage redevelopment of pre-1987 IBs and that relevant technical assessments were submitted to support the technical feasibility of the proposals and there was no adverse comment from relevant government departments. The two rejected applications were rejected on the consideration that the proposed relaxation of BH restrictions were without strong justifications or sufficient planning and design merits. They are not relevant to the subject case which only proposes minor relaxation of PR.

7. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photos on Plans A-3 to A-5)

7.1 The Site is:

- (a) currently occupied by a 6-storey godown building, namely Kerry D.G. Warehouse (Kowloon Bay), with BH of about 20.4mPD built in 1983;
- (b) bounded by Kai Hing Road to its northwest, an open storage yard to its

northeast, Kwun Tong Typhoon Shelter to its southeast and a works area for Trunk Road T2 to its southwest; and

- (c) at about 650m southwest of the MTR Ngau Tau Kok Station (**Plan A-1**).

7.2 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):

- (a) the neighbouring buildings along Kai Hing Road are mixed with office (i.e. Harbourside HQ), godown (i.e. Kowloon Godown) and IB (i.e. Pacific Trade Centre). They are zoned “C(2)” which is planned as an extension of KBBA to create a more coherent cluster of commercial developments in the area;
- (b) to the further northeast across Hoi Bun Road and Kwun Tong Bypass are KBBA and KTBA, with some new commercial/office developments, including The Quayside and One Bay East, along Hoi Bun Road;
- (c) to the northwest across Kai Hing Road is an area zoned “Residential (Group B)2” (“R(B)2”) which is intended for medium-density residential development. The area is partly occupied by the Public Works Central Laboratory Building (which is to be relocated) and partly occupied by the works area of Trunk Road T2 at the moment;
- (d) to the immediate southwest is an area zoned “Open Space” (“O”) which is intended to be developed into a district open space at the South Apron Corner. This planned public open space will connect with the planned waterfront promenades along Kai Tak Approach Channel to its northwest and along Kwun Tong Typhoon Shelter (to be provided within the “C(2)” sites) to its northeast; and
- (e) the “Government, Institution or Community” (“G/IC”) zones to the further northwest are mainly occupied by the Hong Kong Children’s Hospital and the Kai Tak Fire Station (which are in operation) and the planned Kai Tak New Acute Hospital (which is under construction).

8. Planning Intention

- 8.1 The planning intention of the “C” zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre.
- 8.2 The subject “C(2)” zone located in the South Apron Corner near the Kowloon Bay waterfront is planned as an extension of KBBA. This land use zone is drawn up taking into account the environmental concerns in the area, including the air and noise impacts from Kwun Tong Bypass. It is intended to create a more coherent cluster of commercial developments in the area. A 20m-wide promenade along the waterfront shall be provided for public enjoyment purpose.

9. Comments from Relevant Government Bureau/Departments

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

Policy Perspective

9.1.1 Comments of the Secretary for Development (SDEV):

It is Government's policy to encourage private owners to redevelop old godown premises to optimise utilisation of valuable land resources, while addressing more effectively the issues of fire safety and non-compatible uses. He notes that the proposed commercial development is in line with the planning intention of the "C" zone on the OZP and will increase commercial GFA to address long term shortfall of office floor space in the territory and is conducive to the CBD2 policy objective; a waterfront promenade is provided which would help to revitalize the waterfront; phasing out the DG godown would be conducive to compatibility with the neighbouring Hong Kong Children's Hospital and the Fire Services Department (FSD) has no objection to the proposed phasing out of the DG godown on the Site. In light of the above, the proposal is generally in line with the objectives of the Policy and he gives policy support to the current application in-principle subject to departmental assessment on technical feasibility and planning considerations.

Land Administration

9.1.2 Comments of the District Lands Officer/Kowloon East (DLO/KE) and the Chief Estate Surveyor/Development Control (CES/DC), Lands Department (LandsD):

- (a) The Site falls within NKIL 5813 (the Lot) which is held under Conditions of Sale No. 11464 dated 18.12.1980 (the Conditions). The Conditions contain, inter alia, the following salient restrictions:
- (i) the Lot is restricted for the purpose of a godown for the storage of DG;
 - (ii) non-building area within the Pink Hatched Black Area of the Lot which shall be used as an emergency access lane;
 - (iii) maximum height of any structure on the Lot shall not exceed 20.5mPD; and
 - (iv) specific parking, L/UL, vehicular access and sea access requirements.
- (b) The proposed development does not comply with the existing

lease conditions. If the Board approves the application, the owner of the Lot is required to apply a lease modification/land exchange from LandsD to implement the proposal. When processing the lease modification application, LandsD will impose such appropriate terms and conditions including user restriction, the 5-year time limit for completion of the development, payment of full premium and administrative fee, etc. There is no guarantee that the application will be approved by LandsD. Under the Policy, the lease modification letter/conditions of land exchange shall be executed within 3 years from the date of the Board's approval letter.

9.1.3 Comments of the Chief Estate Surveyor/Land Supply (CES/LS), LandsD:

Subject to the comments from DLO/KE and CES/DC of LandsD from their respective purviews and perspectives, he has no particular comment on the application concerning relaxation of PR restriction which is not related to the lease modification application for commercial development (at OZP compliant PR) being processed by his office.

Traffic Aspect

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

The submitted TIA (**Appendix Ia**) included assessments of junction capacity and queue length at selected major junctions, and proposals for vehicular access, car parking and L/UL provision. Taking into consideration the planned junction improvement works in the vicinity, the TIA has demonstrated that the proposed development would not cause adverse traffic impact on the adjacent road network. He has no adverse comment on the application and the TIA from traffic engineering viewpoint, subject to approval condition on the design and provision of vehicular access, vehicle parking, L/UL facilities and maneuvering spaces for the proposed development.

Environmental Aspect

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

- (a) His previous comments on air quality, noise and sewerage aspects have been addressed by the applicant in the FIs (**Appendix Ia**). He has no further comment on the revised SIA as submitted. Sewerage works shall be implemented to the satisfaction of the Drainage Services Department (DSD).
- (b) On noise and air quality, the applicant has confirmed that the proposed development would be equipped with central air-conditioning system and would not rely on opened windows for ventilation. The fresh air intake of the air conditioning system would also be located to meet the buffer distance requirements for

traffic and chimney emissions as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG).

- (c) Taking into account the above considerations, he has no objection to the application from environmental planning perspective.

Sewerage and Drainage Aspects

9.1.6 Comments of the Chief Engineer/Mainland South (CE/MS), DSD:

- (a) He noted from the submitted SIA that the applicant has proposed to upgrade sewer size as mitigation measure. The applicant should take into account and bear the associated land, cost and programme implications of the proposed mitigation works.
- (b) Based on the submitted FIs (**Appendix Ia**), he has no further comment from sewerage viewpoint on the SIA, which should be subject to the views and agreement of the Environment Protection Department (EPD).

Urban Design, Visual and Landscape Aspects

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

Urban Design and Visual Aspects

- (a) The Site of about 4,293m² is currently occupied by a 6-storey industrial development. It is located within an elongated “C(2)” zone with an intended BH of 100mPD along the waterfront at the South Apron Corner of KTD. The Site abuts Kwun Tong Typhoon Shelter to its southeast, and the planned Kowloon Bay Square open space to its southwest. To its further northwest across Cheung Yip Street is the planned Kai Tak hospital hub with an intended BH profile ranging from 60mPD to 100mPD, and to its further north across Kwun Tong Bypass is the Kowloon Bay Action Area. The proposed minor relaxation of PR does not involve additional BH nor SC beyond what are permitted in the OZP. It is unlikely that the proposed development will induce significant adverse effects on the visual character of the surrounding townscape.
- (b) The proposed development has incorporated a 20m-wide waterfront promenade as per the OZP requirement. The promenade will feature landscape treatments and street furniture. In addition, a 3m-wide aboveground full-height setback is incorporated along the south-western site boundary providing transitional space between the proposed building and the adjacent planned public open space, and pedestrian connection from Kai Hing Road to the waterfront promenade. The proposed

development has also incorporated landscape treatments at G/F, 3/F and R/F. While the above design measures may improve the pedestrian environment and promote visual interest, technically speaking, incorporation of these measures do not necessarily require the relaxation of PR sought.

Landscape Aspect

- (c) The Site is situated in an area of urban landscape character dominated by IBs/warehouses and commercial developments with planned “O” and “R(B)” zone located adjacent to the Site. No existing tree is observed within the application boundary. Adverse landscape impact caused by the proposed minor relaxation of PR restriction is not anticipated. He has no in-principle objection to the application from landscape planning point of view.
- (d) Should the application be approved by the Board, approval condition on the submission and implementation of a landscape proposal is recommended.
- (e) His other detailed comments are at **Appendix III**.

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

The proposed development consists of one tower block with a height of 100mPD which complies with the BH restriction of the OZP and may not be incompatible with adjacent developments with BH restriction of 100mPD. In this regard, he has no comment on the application from architectural and visual impact point of view.

Harbourfront Planning

9.1.9 Comments of Harbour Office, Development Bureau (DEVB):

- (a) The application falls within the purview of Harbourfront Commission’s (HC) Task Force on Kai Tak Harbourfront Development (KTTF) and should be considered having regard to the Harbour Planning Principles and Guidelines.
- (b) The applicant has submitted a paper to consult KTTF in July 2020 by way of circulation. The Works Branch of DEVB and the Civil Engineering and Development Department (CEDD) provided comments with respect to the design of the waterfront promenade and no adverse comments on the application were received. An approval condition could be imposed to allow the Government to further review the design of the waterfront promenade during the stage of lease modification. He has no adverse comment on the application.

9.1.10 Comments of the Head of EKEO, DEVB:

- (a) It is noted that the applicant would provide a 20m-wide waterfront promenade for public enjoyment. However, the proposed waterfront promenade is divided into two zones by raised planters and such arrangement may restrict the flexibility in the use of the promenade. The applicant should review the design to encourage a more vibrant promenade to promote synergy with the proposed redevelopment and other developments in the neighbourhood. The applicant should also consider planting wind and salt-tolerant trees along the promenade to provide continuous shades.
- (b) Provided that the design and provision of the proposed waterfront promenade would be controlled by an approval condition, he would not have adverse comment on the application at this stage.

9.1.11 Comments of the Project Manager (East) (PM(E)), CEDD:

- (a) It is noted that a 20m-wide waterfront promenade, which should include a shared-use pavement for pedestrians and cyclists, forming part of a continuous waterfront promenade from KTD to Kwun Tong will be provided by the applicant.
- (b) It is also noted that a 3m-wide passageway will be provided along the common boundary at the southwest. The applicant is suggested to enhance the design of this passageway and the building facade fronting the future Kowloon Bay Square to create synergy.
- (c) He has no adverse comment on the application and his other comments will be provided upon submission of landscape master plan and other design details.
- (d) His other detailed comments on the general design requirements of the waterfront promenade are at **Appendix III**.

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

He notes that the waterfront promenade will be managed and maintained by the applicant and he has no comment on the application.

Building Matters

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

- (a) He has no objection in-principle to the application. The proposed development should in all aspects comply with the Buildings Ordinance (BO).

- (b) According to Regulation 20 and the First Schedule of B(P)R, the SC of the building for non-domestic use with height exceeding 61m above ground level should not be larger than 60% for Class A site.
- (c) Detailed comments under the BO will be given at the building plan submission stage.
- (d) His other detailed comments are at **Appendix III**.

Fire Safety

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

He has no specific comment on the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to the satisfaction of his Department. There is no objection to proposed phasing out of the DG godown at the Site.

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

- (a) Chief Highway Engineer/Kowloon, Highways Department;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Director of Food and Environmental Hygiene;
- (d) Director of Electrical and Mechanical Services;
- (e) Commissioner of Police; and
- (f) District Officer (Kwun Tong), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

The application and the 1st and 4th FIs were published for public inspection. During the statutory public inspection periods, a total of five objecting comments and one supporting comment submitted by three individuals (**Appendices IVa to IVf**) were received. The comments object to the application mainly on the grounds that the Proposed Scheme has not provided additional public benefits beyond the OZP requirements, the relaxation should be minor in nature, the Proposed Scheme would lead to wall effect at the waterfront and induce additional traffic impact, and the provision of trees or shading is insufficient.

11. Planning Considerations and Assessments

11.1 The application is for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for a proposed a 26-storey (including 5 basement levels) commercial/office development comprising permitted 'Office', 'Shop and Services' and 'Eating Place' use at the Site, which falls within an area zoned "C(2)" on the OZP. The proposed development is generally in line with the planning intention of the subject "C(2)" zone for creating a more coherent cluster of commercial

developments in the area and providing a 20m-wide promenade along the waterfront for public enjoyment. The application does not involve relaxation of the SC and BH restrictions.

Policy Aspect

- 11.2 The existing 6-storey building at the Site was built pre-1987 for godown purpose. It is Government's policy to encourage private owners to redevelop old godown premises to optimise utilisation of valuable land resources, while addressing more effectively the issues of fire safety and non-compatible uses. In light of the considerations highlighted in paragraph 9.1.1 above, the proposal is generally in line with the objectives of the Policy and SDEV gives policy support to the current application in-principle subject to departmental assessment on technical feasibility and planning considerations.

Minor Relaxation of PR

- 11.3 To sustain Hong Kong's economic growth, the EKEO is taking forward the Government's initiative to transform Kowloon East (including Kai Tak, KBBA and KTBA) into Hong Kong's CBD2. As revealed in the Review of Land Requirement for Grade A Offices, Business and Industrial Uses (2017) under the Hong Kong 2030+ Study, Grade A office floor space in CBD area, including the Kowloon East CBD2, will experience an overall deficit in the medium (by 2033) and long (by 2041) terms. The proposed minor relaxation of the PR restriction for the Site could help address the long-run shortfall of office floor space and is conducive to the policy direction of developing Kowloon East into CBD2.
- 11.4 The stipulated maximum PR for non-domestic development in the subject "C(2)" zone is 9.5, which is the highest PR adopted for "C" zones in the KTD but is less than the maximum PR of 12.0 stipulated for the "OU(B)" zones in the adjacent KBBA and KTBA. The proposed relaxation of the PR restriction for 20% from 9.5 to 11.4 for the Site, if approved by the Board, is still below the stipulated maximum PR of 12.0 of the adjacent "OU(B)" zones, including those along Hoi Bun Road in the vicinity. Noting that the relaxed PR can be accommodated within the BH restriction of 100mPD and SC restriction of 65% under the OZP, the development intensity of the Proposed Scheme is considered not incompatible in terms of building bulk in the locality. Both CTP/UD&L of PlanD and CA/CMD2 of ArchSD have no adverse comment from visual impact perspectives. Harbour Office of DEVB advises that KTTF members have not raised adverse comment on the application from harbourfront planning perspective.

Technical Aspects

- 11.5 The applicant has submitted technical assessments to confirm the feasibility of the proposed development. The TIA submitted has demonstrated that the proposed development would not cause adverse traffic impact on the adjacent road network. C for T has no adverse comment on the application subject to imposition of the approval condition set out in paragraph 12.2(a) below. DEP has no objection to the application from environmental perspective and no adverse comment on the SIA. Other relevant government departments consulted,

including FSD and DSD, also have no objection to or no adverse comment on the application in general. Approval conditions relating to the submission and implementation of landscape proposal, implementation of sewerage upgrading works and provision of FSIs are recommended in paragraphs 12.2(b), (d) and (e) below.

Planning and Design Merits

- 11.6 To support the application, the applicant has proposed various landscaping and design elements, including the provision of a 20m-wide waterfront promenade that will be opened 24 hours daily for public enjoyment which complies with the OZP requirements. In addition, the applicant proposes (i) to allow public access through the G/F entrance lobby to the waterfront promenade during opening hours of the building; (ii) a 3m-wide open-air public passage along the south-western site boundary as an alternative access from Kai Hing Road to the waterfront promenade which will be opened 24-hour daily prior to completion of the adjoining public open space; (iii) provision of a landscaped flat roof on 3/F and landscape areas on G/F, 3/F and the roof; and (iv) compliance with the higher greenery provision requirements of KTD (**Drawings A-8 to A-14**). While CTP/UD&L of PlanD, EKEO and CEDD have some comments on the detailed design of the proposed waterfront promenade, their design concerns could be addressed through the recommended approval condition in paragraph 12.2(c) below.
- 11.7 On the sustainability building design aspect, the applicant would provide greenery that is above the requirement under SBDG.

Public Comments

- 11.8 Regarding the concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 above are relevant.

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, 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 4.9.2024, 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 suggested for Members' reference:

Approval Conditions

- (a) the design and provision of vehicular access, vehicle parking, loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the

Town Planning Board;

- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the design and provision of the proposed waterfront promenade within the application site for public enjoyment to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading works identified in the submitted sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (e) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

12.3 There is no strong 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 to 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 3.12.2019
Appendix Ia	Consolidated Report dated 28.8.2020
Appendix II	Similar Applications
Appendix III	Detailed Comments of Government Departments
Appendices IVa to IVf	Public Comments received during the Statutory Publication Periods
Appendix V	Recommended Advisory Clauses
Drawings A-1 to A-6	Floor Plans
Drawings A-7	Section
Drawings A-8 to A-10	Landscape Plans
Drawings A-11 to A-14	Landscape Sections and Perspectives

Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 and A-5	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**