

TOWN PLANNING BOARD

TPB Paper No. 10796

**For Consideration by
the Town Planning Board on 7.1.2022**

**DRAFT HUNG HOM OUTLINE ZONING PLAN NO. S/K9/27
CONSIDERATION OF REPRESENTATION NO. TPB/R/S/K9/27-1 TO 2
AND COMMENT NO. TPB/R/S/K9/27-C1**

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CONSIDERATION OF REPRESENTATION NO. TPB/R/S/K9/27-1 TO 2
AND COMMENT NO. TPB/R/S/K9/27-C1**

Subject of Representations/ Representation Sites	Representers	Commenters
<p>Draft Hung Hom Outline Zoning Plan (OZP) No. S/K9/27</p> <p>Item A1 – Rezoning of a site south of Hung Luen Road from “Comprehensive Development Area (1)” (“CDA(1)”) to “Other Specified Uses” annotated “Hotel (1)” (“OU(Hotel)1”) with stipulation of building height (BH) restrictions and designation of a strip of land along southern boundary as non-building area (NBA) to reflect a completed hotel development</p> <p>Item A-2 – Rezoning of a site at the junction of Hung Luen Road and Kin Wan Street from “CDA(2)” to “Commercial (7)” (“C(7)”) with stipulation of BH restrictions and designation of two strips of land along eastern and southern boundaries as NBAs to reflect a completed commercial development</p>	<p>Total: 2</p> <p><u>Oppose (2)</u> R1 and R2: Individuals</p>	<p>Total: 1</p> <p><u>Oppose (1)</u> C1: Individual (<i>Also R2</i>)</p>

Notes: The names of all representers and commenters are attached at **Annex III**. The representations and comments are available for public inspection at the Town Planning Board’s (the Board) website at https://www.info.gov.hk/tpb/en/plan_making/S_K9_27.html and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin.

1. INTRODUCTION

- 1.1 On 9.7.2021, the draft Hung Hom Outline Zoning Plan (OZP) No. S/K9/27 at **Annex I** was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**.

- 1.2 During the two-month statutory exhibition period, a total of two representations were received on the OZP. On 8.10.2021, the representations were published for public comments. Upon expiry of the three-week publication period, one comment was received.
- 1.3 On 17.12.2021, the Board agreed to consider all representations and comment received on the OZP collectively in one group.
- 1.4 This paper is to provide the Board with information for consideration of representations and comments. The list of representers and commenter is at **Annex III**. The representers and commenter have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **BACKGROUND**

- 2.1 The amendments to the Hung Hom OZP mainly involves the rezoning of two “CDA” sites at Hung Luen Road to “OU(Hotel)1” and “C(7)” zones to reflect the completed hotel and commercial developments (namely The Kerry Hotel Hong Kong and One HarbourGate respectively) at the two sites. The Schedule of Amendments setting out the amendments is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**. Details of the proposed amendments to the OZP are as follows:
 - (a) Item A1 is to reflect the completed hotel development¹ south of Hung Luen Road, which is zoned “OU(Hotel)1” subject to a maximum GFA of 62,492m² of which not less than 5,708m² shall be provided for eating place and shop and services uses; maximum BHs of 75mPD, 40mPD and 15mPD as demarcated on the OZP with a “stepped height” building profile descending towards the waterfront in the southeast and the open space in the east which is reserved for urban park; a maximum site coverage (SC) of 80% (excluding basement(s)); and, a 10m-wide NBA along southern boundary. A public transport interchange should be provided as required by the Government and ancillary carparking should be provided in the basement.
 - (b) Item A2 is to reflect the completed commercial development² at the junction of Hung Luen Road and Kin Wan Street, which is zoned “C(7)” subject to a maximum GFA of 54,812m² of which not less than 6,200m² shall be provided for eating place and shop and services uses; maximum BHs of 75mPD and 40mPD as demarcated on the OZP with a “stepped height” building profile descending towards the waterfront in the southeast; a maximum SC of 60% (excluding basement(s)); and, a 30m-wide and a 10m-wide NBAs along the eastern and southern boundaries respectively. Ancillary carparking should be provided in the basement.

¹ The Kerry Hotel Hong Kong is a hotel development with retail and public transport interchange uses at the junction of Wa Shun Street and Hung Luen Road. Occupation Permit (OP) was issued on 23.11.2016. All approval conditions have been complied with.

² One HarbourGate is a retail and office development at the junction of Hung Luen Road and Kin Wan Street. OP was issued on 15.1.2016. All approval conditions have been complied with.

- 2.2 On 18.6.2021, the Board considered the proposed amendments to the approved Hung Hom OZP No. S/K9/26 and agreed that the proposed amendments were suitable for exhibition under section 5 of the Ordinance for public inspection. The relevant meeting minutes is at **Annex IV**. Accordingly, the draft OZP was gazetted on 9.7.2021.

3. PUBLIC CONSULTATION

Upon gazettal of the draft Hung Hom OZP No. S/K9/27, an information paper was circulated to members of Kowloon City District Council (KCDC) on 23.7.2021. KCDC members were invited to submit their comments on the amendments in writing to the Secretary of the Board during the statutory exhibition period of the draft OZP. No representation or comment from KCDC members was received during that period.

4. THE REPRESENTATION SITES AND THEIR SURROUNDING AREAS

Representation Sites under Items A1 and A2 (Plans H-1 to H-4)

- 4.1 Items A1 and A2 sites are located south of Hung Luen Road along the Hung Hom Promenade. The sites are occupied by the Kerry Hotel Hong Kong and One HarbourGate respectively. To the immediate northeast is the planned urban park and to the southwest across Kin Wan Street is a planned open space at the Hung Hom waterfront. To the north across Hung Luen Road is the Ma Tau Chung Government Primary School (Hung Hom Bay) and a residential development (namely Stars by the Harbour). Along the southern boundaries of the two sites is the Hung Hom Promenade.

- 4.2 Planning Intentions of the two zones are as follows:

- (a) the “OU(Hotel)1” zone is intended primarily for hotel development; and
- (b) the “C(7)” zone is intended primarily for commercial development, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centres and regional and district commercial/shopping centres. The “C” zone areas are usually major employment nodes.

5. THE REPRESENTATIONS AND COMMENTS

5.1 Subject of Representations

- 5.1.1 There are a total of two representations and both of them opposed Items A1 and A2. Both **R1** and **R2** are submitted by individuals. The representations are at **Annex Va**.

5.1.2 The major grounds of representations, and PlanD's responses, in consultation with relevant Government bureaux/Departments (B/Ds), are summarized in paragraph 5.2 below.

5.2 Major Grounds of Representations and Responses

Both **R1** and **R2** oppose Items A1 and A2.

<i>Major Views</i>	<i>Representations</i>
(1) No briefing/consultation was conducted with the Harbourfront Commission (HC) or district council.	R1, R2
(2) Boundaries of the amendment items and background information of the existing developments at the sites were not provided.	R1, R2
(3) Both sites fail to engage and enliven the waterfront with publicly accessible alfresco dining and sitting-out areas at ground level. The alfresco dining has not been materialized.	R1
(4) Object to allow alfresco dining within the NBA of the "C(7)" zone as this encourages gentrification and exclusion of grassroots to use the NBA.	R2
(5) Breakdown of the GFA between eating place and shops and services should be provided for the amendment items.	R2
(6) Object to the revision of the Explanatory Statement (ES) of the OZP regarding the amendment items by deleting the intention to disallow residential development at the amendment sites.	R2
<i>Responses</i>	
In response to (1) above:	
(a) The amendments are to reflect the as-built conditions of the existing developments (i.e. the hotel and commercial developments) at the two "CDA" sites. The "C(7)" and "OU(Hotel)1" zones and their development restrictions have taken into account the specific circumstances pertaining to each development (i.e. planning intention, maximum PR/GFA and BH, and other requirements under the approved OZP, Planning Briefs (PBs) endorsed by the Metro Planning Committee (the Committee) of the Board on 19.6.2009. The former Harbour-front Enhancement Committee ³ (HEC) and KCDC were consulted on the draft PBs before the Committee's endorsement. The	

³ The Harbour-front Enhancement Committee was established on 1.5.2004 and its term expired on 28.2.2010. Its functions was assumed by the Harbourfront Commission, which was established in July 2020 2010.

approved Master Layout Plans (MLPs) approved by the Committee with conditions under planning applications for the “CDA(1)” site (Nos. A/K9/256 and A/K9/260 approved on 19.7.2013 and 13.12.2013 respectively) and for the “CDA(2)” site (No. A/K9/247 approved on 20.4.2012). The HC was consulted on 22.1.2013 (No. A/K9/256) on “CDA(1)” site and 19.10.2011 (No. A/K9/247) on “CDA(2)” site respectively, and was invited to submit comments to the Board during the statutory public inspection period of planning application No. A/K9/260 on “CDA(1)” site.

- (b) As mentioned in paragraph 3 above, upon gazettal of the draft Hung Hom OZP, an information paper was circulated to members of KCDC on 23.7.2021 to invite members to submit their comments on the amendments in writing to the Secretary of the Board during the statutory exhibition period of the draft OZP. No representation or comment from KCDC members was received during that period.

In response to (2) above:

- (c) Information regarding the boundaries of the amendment items and the existing developments of the two sites was indicated/provided in the TPB Paper No. 10743 on the proposed amendments to the approved Hung Hom OZP No. S/K9/26 considered by the Board on 18.6.2021. The TPB Paper No. 10743 is available for public view on the Board’s website and at the Planning Enquiry Counters in North Point and Sha Tin.

In response to (3) to (5) above:

- (d) As stated in the ES of the OZP, the NBAs may be used for alfresco dining and outdoor activities without building structure to enhance the vibrancy of the waterfront promenade which is opened to the public for enjoyment. To provide flexibility on the development mix, it is considered not appropriate or necessary to specify the GFA for shop and services and for eating place.

In response to (6) above:

- (e) According to the prevailing Master Schedule of Notes to Statutory Plans as adopted by the Board, ‘Flat’ use is a Column 2 use under the “C” zone. To allow flexibility for changing of use in future redevelopment, planning application for residential development at the two sites is allowed and the Board will scrutinize the proposed scheme taking account of the applicant’s submission, departmental comments, HC and public comments, etc.

5.3 Major Grounds of Comments and Responses

There is one comment submitted by an individual (**Annex Vb**). **C1** was submitted by **R2** to express views on the Hung Hom Promenade which is not related to the amendment items.

6 DEPARTMENTAL CONSULTATION

6.1 The following Government B/Ds have been consulted and their comments have been incorporated in the above paragraphs, where appropriate.

- (a) Principle Assistant Secretary (Harbour), Development Bureau; and
- (b) Chief Town Planner/Town Planning Board, PlanD

6.2 The following Government B/Ds have no comment on the representations and comments:

- (a) District Land Officer/Kowloon, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Building Surveyor/Kowloon, Buildings Department;
- (d) Chief Highway Engineer/Kowloon, Highways Department;
- (e) Director of Environmental Protection;
- (f) Chief Engineer/Mainland South, Drainage Services Department;
- (g) Chief Engineer/Construction, Water Supplies Department;
- (h) Director of Leisure and Cultural Services;
- (i) Project Manager (East), Civil Engineering and Development Department (CEDD);
- (j) Director of Fire Services;
- (k) Commissioner of Police;
- (l) District Officer (Kowloon City), Home Affairs Department;
- (m) Head of Geotechnical Engineering Office, CEDD;
- (n) Director of Electrical and Mechanical Services; and
- (o) Chief Town Planner/Urban Design and Landscape, PlanD

7 PLANNING DEPARTMENT'S VIEWS

7.1 Based on the assessments in paragraph 5 above, PlanD does not support **R1** and **R2** and considers that the OZP should not be amended to meet the representations for the following reason:

The rezoning of the sites from “CDA” zones to “OU(Hotel)” and “C(7)” zones with appropriate development restrictions is to reflect the completed hotel and commercial developments at the sites which were developed in accordance with the endorsed PBs and approved MLPs. The rezoning is considered appropriate.

8 DECISION SOUGHT

8.1 The Board is invited to give consideration to the representations and comments taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendment to the draft OZP to meet/partially meet the representations.

8.2 Should the Board decide that no amendment should be made to the draft OZP to meet the representations, Members are also invited to agree that the draft OZP, together

with their respective Notes and updated ES, are suitable for submission under section 8 of the Ordinance to the Chief Executive in Council for approval.

9. ATTACHMENTS

Annex I	Draft Hung Hom Outline Zoning Plan No. S/K9/27 (reduced size)
Annex II	Schedule of Amendments to the Approved Hung Hom OZP No. S/K9/26
Annex III	Lists of Representers and Commenters in respect of the Draft Hung Hom OZP No. S/K9/27
Annex IV	Extract of Minutes of TPB Meeting held on 18.6.2021
Annexes Va and Vb	Submissions of representations and comment
Plan H-1	Location Plan of the Representation Sites
Plan H-2	Site Plan of the Representation Sites
Plan H-3	Aerial Photo of Items A1 and A2
Plan H-4	Site Photos of Items A1 and A2

**PLANNING DEPARTMENT
JANURARY 2022**