

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K1/272

- Applicant** : Far Union Investment Limited
- Site** : 16 Kimberley Road, Tsim Sha Tsui (TST), Kowloon
- Site Area** : About 1,141.12m²
- Lease** : Kowloon Inland Lot (KIL) No. 6022 s.B RP
(a) held under Conditions of Re-grant No. 4371 dated 13.11.1948
(b) expires on 24.6.2039
(c) no restriction on user, gross floor area (GFA), site coverage (SC) or building height (BH)
- Plan** : Approved TST Outline Zoning Plan (OZP) No. S/K1/30
(currently in force)

Draft TST OZP No. S/K1/29
(in force at the time of submission; the zoning and development restrictions remain unchanged)
- Zoning** : “Commercial (6)” (“C(6)”)
- maximum plot ratio (PR) of 12, or the PR of the existing building, whichever is the greater
- maximum BH of 110 metres above Principal Datum (mPD), or the height of the existing building, whichever is the greater
- minimum 1.5m wide non-building area (NBA) from the lot boundary abutting areas shown as ‘Road’
- Application** : Proposed Minor Relaxation of PR and BH Restrictions for Permitted Hotel Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 12 to 15 (i.e. +3 or +25%) and BH restriction from 110mPD to 140mPD (i.e. +30m or +27.3% in terms of mPD) for a permitted hotel development at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, ‘Hotel’ is a Column 1 use within the “C” zone. Based on the individual merits of a development/redevelopment proposal, minor relaxation of PR and BH restrictions

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

- 1.2 The Site is currently vacant and previously occupied by a commercial/residential (C/R) building, known as Champagne Court Block B. The applicant seeks to develop the Site into a 35-storey hotel with 159 guestrooms on the upper floors and ancillary uses (including restaurants, conference rooms and function rooms) on the lower floors (the Proposed Scheme). Sufficient car parking spaces, loading/unloading (L/UL) bays and lay-bys will be provided on the G/F and basement floors per the requirements of the Hong Kong Planning Standards and Guidelines.
- 1.3 The applicant has proposed various design measures in support of the application, including (i) a 1.5m-wide NBA along Kimberley Road per the OZP requirements; (ii) an additional 2.8m-wide voluntary setback with 2.8m-wide canopy along Kimberley Road; and (iii) landscaping in the form of planters/greenery on G/F, 6/F, 8/F, 9/F, 11/F and 16/F and vertical greening on G/F (**Drawings A-3 to A-14**). Should adjacent lots be redeveloped in the future, the applicant also undertakes to remove any obstructions on the applicant's lot to enable the creation of a continuous setback area along this section of Kimberley Road.
- 1.4 The master layout plan, extracted floor plans, sections, artists' impressions and photomontages submitted by the applicant are at **Drawings A-1 to A-17**. The major development parameters, main uses and floor-to-floor-heights (FTFHs) of the Proposed Scheme are summarised as follows:

Site Area (about)	1,141.12m ²
GFA (about) ^(a)	17,116.8m ²
PR ^(a)	15
BH (main roof)	140mPD
SC ^(b)	
• Above 15m	65% to 92%
• Below 15m	not more than 92%
No. of Storeys	35 (incl. two basement floors)
No. of Hotel Guestrooms (about)	159
Total No. of Parking Spaces	33
• Private Car	30
• Motorcycle	3
Total No. of L/UL Bays/Lay-by	5
• Light Bus	1
• Light Goods Vehicle	2
• Taxi/Private Car	2
NBA/Setback from Kimberley Road	Total of 4.3m in width
• NBA per OZP Requirement ^(c)	1.5m in width
• Voluntary Above-ground Setback	2.8m in width

Notes:

- (a) According to the applicant, bonus PR/GFA of about 0.138/157.47m² may be claimed for the OZP-required 1.5m-wide NBA under Building (Planning) Regulations (B(P)R) 22. The eligibility of which will be assessed by the Building Authority (BA) at the building plan submission stage. The applicant has also confirmed that any bonus GFA under B(P)R 22 and any exempted GFA for back-of-house (BOH) and E&M facilities that may be claimed can be accommodated within the building bulk of the Proposed Scheme.

- (b) According to the applicant, the proposed SC complies with Practice Notes for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-132 and will be subject to the BA’s approval at the building plan submission stage.
- (c) The Explanatory Statement (ES) of the OZP stipulates that the NBA requirement is for air penetration, streetscape improvement and pedestrian circulation purposes, and will not apply to underground development. Notwithstanding, there is an inconsistency between **Drawings A-2 and A-12**. Whether the proposed basement floors will extend into the NBA will be subject to detailed design at the building plan submission stage.

Floor	Main Uses	FTFH (m)
B1/F to B2/F	Car Park and L/UL Bays	3.7 – 4.55
G/F	Hotel Lobby, Lay-bys and Car Lift	9.0
1/F to 5/F (4/F omitted)	Restaurants	4.0
6/F to 9/F	Conference Rooms	4.0
11/F to 17/F (13/F to 14/F omitted)	Function Rooms	4.0
10/F, 18/F	Refuge Floor, BOH and E&M Facilities	3.85 – 4.0
19/F to 35/F (24/F and 34/F omitted)	Typical Hotel Guestrooms	3.5
36/F to 37/F	Uppermost Hotel Suites	3.85

Notes:

According to B(P)R 24, all rooms intended for habitation must maintain a minimum clear height of 2.5m. PNAP APP-5 also sets out the criteria for acceptable FTFH to prevent excessive building bulk. In this regard, the BA would normally accept FTFHs for residential flats of up to 3.5m for typical floors and 4m for the topmost floor. According to the applicant, the hotel guestroom/suite floors are in line with PNAP APP-5, while it is claimed that the proposed FTFHs of 9m for G/F entrance lobby and 4m for restaurants, conference rooms and function rooms are commonly acceptable to the BA. Detailed compliance with these requirements will be assessed by the BA at the building plan submission stage.

- 1.5 The applicant has submitted technical assessments, including traffic impact assessment (TIA), visual impact assessment (VIA) and sewerage impact assessment (SIA) to demonstrate the technical feasibility of the Proposed Scheme. In terms of visual impact, the VIA concluded that, with the implementation of the design measures mentioned in paragraph 1.3 above, the proposed development would generally blend-in with the surrounding medium to high-rise developments, with anticipated visual impacts ranging from negligible to slightly adverse. On traffic aspect, pick-up/drop-off activities will be carried out within the Site and a queuing area to basement car park will be provided to minimise kerbside activities on Kimberley Road. Regarding sewerage aspect, as the existing sewers have insufficient capacity, the applicant has pledged to carry out upgrading works and install a new sewer connection before the proposed development is commissioned. The target completion date for the Proposed Scheme is 2029/30 tentatively.

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

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| (a) Application Form received on 12.8.2025 | (Appendix I) |
| (b) Supporting Planning Statement (SPS) received on 12.8.2025 | (Appendix Ia) |
| (c) Further Information (FI) received on 14.11.2025 [@] | (Appendix Ib) |
| (d) FI received on 17.11.2025 [@] | (Appendix Ic) |
| (e) FI received on 9.3.2026 [@] | (Appendix Id) |

[@] not exempted from publication and recounting requirements

- 1.7 On 10.10.2025 and 9.1.2026, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendix Id**. They can be summarised as follows:

In line with the Government's Prevailing Policies and Initiatives

- (a) the proposal would strengthen Hong Kong's tourism infrastructure by meeting the high demand for hotel guestrooms in TST, the most popular destination for visitors. It is in line with recent initiatives to promote mega-events and attract high-spending overnight visitors to Hong Kong. The Commissioner for Tourism (C for Tourism) has rendered her support to the application;
- (b) the proposal directly contributes to the urban renewal efforts in the urban area. The proposed PR of 15 and BH of 140mPD are in line with the incentive measures to facilitate urban renewal in Yau Ma Tei and Mong Kok under The District Study for Yau Ma Tei and Mong Kok, where the development restrictions for "C" zones within both districts have been relaxed to a PR of 15 and BH of 140mPD or higher. As the Site is situated within the same Yau Tsim Mong district, the same considerations are generally applicable to TST. The proposed PR of 15 will also optimise the use of scarce land resources within a prime location at TST;

Provision of Planning Gains

- (c) a number of planning gains have been proposed per paragraph 1.3 above. In particular, the proposed footpath widening to 6.8m (i.e. 4.3m-wide setback within the Site plus the existing 2.5m-wide public pavement) will significantly enhance pedestrian comfort and deliver a quality streetscape. The Proposed Scheme meets the criteria for minor relaxation of BH restriction as stated in the ES of the OZP; and

No Adverse Impacts

- (d) the proposed BH of 140mPD is compatible with the local environment, and will be partly obscured by The One (at about 156mPD) located to the immediate southwest of the Site. The submitted technical assessments have demonstrated that the proposal will not create any adverse traffic, visual or sewerage impacts on the surrounding area.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information will be deposited at the meeting for Members' inspection.

4. Background

BH restrictions were first incorporated in the draft TST OZP No. S/K1/23 in 2008, with a view to improving planning control on development intensity and BH upon development/redevelopment, and preventing excessive tall or out-of-context buildings in the TST area. Broad BH bands from 80mPD to 130mPD for the “C” zones were imposed, with a general gradation from 80/90mPD near the waterfront to higher BH bands further inland (such as 110mPD for the Site and along the southern side of Kimberley Road). However, some exceptions were also incorporated to reflect the then committed developments, such as Victoria Dockside at Salisbury Road (from 61mPD to 265mPD), The Masterpiece at Hanoi Road (250mPD), Kimpton TST Hong Kong at Middle Road (175.5mPD), and The One at Nathan Road (156mPD, situated to the immediate southwest of the Site) (**Plan A-1**).

5. Previous Application

There is no previous application covering the Site.

6. Similar Application

There is no similar application for proposed minor relaxation of PR and/or BH restrictions in the “C” zones on the OZP.

7. The Site and its Surrounding Areas (Plans A-1 to A-6)

7.1 The Site is:

- (a) located at the heart of TST and abuts the western end of Kimberley Road, which is heavily trafficked by pedestrians and visitors;
- (b) sandwiched between The Mira (a hotel with BH of about 61mPD) to the west and Champagne Court Block A (a C/R building with BH of about 44mPD) to the east. These sites fall within the same “C(6)” subzone and are subject to the same development restrictions as the Site (i.e. PR of 12 and maximum BH of 110mPD); and
- (c) currently vacant.

7.2 The surrounding areas have the following characteristics:

- (a) highly mixed in terms of land use and building composition, mainly occupied by commercial, hotel and C/R buildings with eating places and shop and services uses on the lower floors. Newer, high-rise and high-density buildings have largely been built up to a maximum PR of about 12 and maximum BHs ranging from about 100mPD to 156mPD. Older buildings with lower PR and BHs are also found throughout the area;

- (b) to the north across Kimberley Road is Mira Place (a commercial development with BH of about 104mPD) and to the southwest is The One (a commercial development with BH of about 156mPD);
- (c) to the further west across Nathan Road are Kowloon Park and Park Lane Shopper's Boulevard and to the further north is Observatory Hill, which has a BH restriction of 45mPD. To the further east and south are a mixture of C/R developments, with BHs generally ranging from about 19mPD to 90mPD, intermixed with newer, high-rise developments, including Kimberley 26 (about 105mPD); and
- (d) well-served by various modes of public transport, including MTR, buses and taxis.

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 a territorial business centre and regional or district commercial/shopping centres. The areas under this zoning are major employment nodes.
- 8.2 Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR and BH restrictions may be considered by the Board on application under section 16 of the Ordinance. Paragraph 7.5 of the ES of the OZP outlines the relevant criteria for consideration of minor relaxation of BH restrictions, which 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 space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible PR under the OZP; and
 - (f) other factors, such as the 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 the Relevant Government Bureaux/Departments (B/Ds)

9.1 The following Government B/Ds have been consulted and their views on the application are summarised as follows:

Tourism Policy

9.1.1 Comments of the C for Tourism:

- (a) she supports the application as it will provide new and more hotel rooms and facilities to offer additional accommodation options to our visitors and enhance the tourism offering of Hong Kong; and
- (b) she welcomes initiatives that are conducive to the long term and sustainable development of the tourism industry in Hong Kong. For reference, as at December 2025, Hong Kong received over 41 million visitors, of which over 19 million were overnight visitors, from January to October in 2025. Hotel occupancy rate was 86% in the first ten months of 2025. To support and sustain the growing momentum of the tourism industry and maintain the city's attractiveness to visitors, she considers a stable and sufficient supply of hotel rooms to be very important.

Land Administration

9.1.2 Comments of the District Lands Officer/Kowloon West, Lands Department:

- (a) no objection to the application;
- (b) the Site falls within KIL No. 6022 s.B RP, which is held under Conditions of Re-grant No. 4371 dated 13.11.1948. There is no restriction on user, GFA, SC and BH in the lease conditions; and
- (c) the proposed hotel development does not appear to be in breach of the lease conditions and therefore lease modification is not required.

Traffic

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

- (a) no objection to the application provided that the proposed setback area shall be managed and maintained by the applicant and shall properly tie in with the public road; and
- (b) her advisory comments are at **Appendix II**.

Environment

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

- (a) no adverse comment from sewerage, air quality and noise impact

perspectives and his advisory comments are at **Appendix II**;

- (b) air quality and noise impact are not anticipated since the proposed hotel development is typically provided with central air-conditioning system and the applicant would properly locate the fresh air intake;
- (c) based on the SIA, the capacity of existing sewers are not sufficient to cater for the sewage generated from the proposed development. Upgrading works on the public sewers FWD4010908 and FWD4000927 will be conducted by the applicant. A new 225mm sewer is proposed to connect with manhole FMH4000835; and
- (d) should there be future changes to the development parameters, a revised SIA shall be submitted for his review. As such, should the application be approved by the Board, an approval condition for submission of a revised SIA and implementation of the measures identified therein should be stipulated.

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

no adverse comment on the application provided that the proposed local sewer connection and upgrading works will be implemented to the satisfaction of his department.

Urban Design, Visual Impact and Landscape Planning

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

- (a) no adverse comment from urban design, visual impact and landscape planning perspectives;

Urban Design and Visual Impact

- (b) the surrounding area is mainly characterised by low to high-rise C/R buildings with existing BHs ranging from 19mPD to 156mPD. To its immediate west and southwest are The Mira and The One with BHs of about 61mPD and 156mPD respectively. To its further west across Nathan Road is Kowloon Park. The proposed BH relaxation from 110mPD to 140mPD is considered not entirely incompatible with the surrounding context;
- (c) according to the VIA, the visual impact of the proposed development is rated from “negligible” to “slightly adverse” as compared with the OZP-compliant scheme. The Proposed Scheme has adopted various design elements per paragraph 1.3 above. The aforesaid design elements may promote visual interest and enhance pedestrian comfort;

Landscape Planning

- (d) based on the aerial photo (**Plan A-3**) and site photos (**Plans A-4 to A-6**), the Site is situated in an urban area predominantly surrounded by medium-rise commercial developments and no trees are observed within the Site. Landscaping measures have been proposed per paragraph 1.3 above. In view of the above, no significant adverse landscape impact arising from the proposed development is anticipated; and
- (e) her advisory comments are at **Appendix II**.

Fire Safety

9.1.7 Comments of the Director of Fire Services:

no comment on the application subject to fire service installations and equipment being provided to his satisfaction. His advisory comments are at **Appendix II**.

Building Matters

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

he has no objection to the application and notes the applicant's clarifications on the proposed setback area abutting Kimberley Road and the justifications for the proposed FTFHs. His advisory comments are at **Appendix II**.

9.2 The following departments have no objection to/no comment on the application, and their advisory comments, if any, are at **Appendix II**:

- (a) Chief Engineer/Construction, Water Supplies Department;
- (b) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD);
- (c) Commissioner of Police;
- (d) Chief Officer (Licensing Authority), Home Affairs Department (HAD); and
- (e) District Officer (Yau Tsim Mong), HAD.

10. Public Comments Received During the Statutory Publication Periods

During the statutory public inspection periods, three public comments (**Appendix III**) made by the same individual were received raising objection to the application, mainly on the grounds that the proposed development will block sunlight, create canyon effect, reduce air ventilation and disrupt TST's stepped BH profile; the VIA does not provide a complete and realistic representation of the proposed development; the proposed vehicular pick-up/drop-off arrangement would jeopardise road safety; and considered the proposed landscaping measures to be insufficient.

11. Planning Considerations and Assessments

- 11.1 The application seeks for minor relaxation of the PR restriction from 12 to 15 (i.e. +3 or +25%) and BH restriction from 110mPD to 140mPD (i.e. +30m or +27.3% in terms of mPD) for a permitted hotel development at the Site. According to the Notes of the OZP, minor relaxation of PR and BH restrictions may be considered by the Board based on the individual merits of each proposal.

Planning Intention and Land Use Compatibility

- 11.2 The proposed hotel is in line with the planning intention of the “C” zone, which is primarily for commercial developments. The Proposed Scheme will provide about 159 hotel guestrooms and is supported by C for Tourism, who considers a stable and sufficient supply of hotel rooms to be critical in sustaining Hong Kong’s growing tourism industry. The proposed hotel is also considered compatible with the surrounding land uses, which are highly mixed in nature, dominated by commercial, hotel and C/R buildings with eating places and shop and services uses on the lower floors.

Planning and Design Merits in Support of the Minor Relaxation of PR and BH

- 11.3 The applicant has proposed a number of planning and design merits in support of the Proposed Scheme, notably a voluntary 2.8m-wide full-width setback along the Kimberley Road frontage with associated 2.8m-wide full-width canopy. Together with the OZP-required 1.5m-wide NBA, a total footpath width of 6.8m will be created, which will result in a more spacious and weather-protected pedestrian environment along this stretch of Kimberley Road at the heart of TST, which is often heavily trafficked by pedestrians and visitors. The proposed voluntary setback and associated canopy could have a catalytic impact on future development/redevelopment proposals in the area. Apart from the NBA and voluntary setback, the applicant has also proposed landscaping at multiple levels, notably vertical greening at G/F. CTP/UD&L, PlanD considers that the aforesaid design measures may promote visual interest and enhance pedestrian comfort, while C for T and CHE/K, HyD have no objection to the proposal. In view of the proposed planning and design merits in commensurate with the specific site context, and having regard to the support from the C for Tourism, the proposed minor relaxation of PR restriction from 12 to 15 is not considered unacceptable.
- 11.4 Regarding the height of the proposed building, the increase in BH sought (+30m or +27.3% in terms of mPD) is generally in proportion with the increase in PR (+3 or +25%). The Site is surrounded by a mix of commercial and C/R developments, with BHs ranging from about 19mPD to about 156mPD (The One). The submitted VIA has compared the Proposed Scheme against an OZP-compliant scheme (PR of 12 and BH of 110mPD) and concluded that the visual impact of the Proposed Scheme will be negligible to slightly adverse. CTP/UD&L, PlanD has no adverse comments on the application from visual impact and air ventilation perspectives in light of the design measures proposed in paragraph 1.3 above. The applicant has also provided technical justifications for the proposed FTFHs and claimed that the FTFHs are approvable under the relevant PNAPs or commonly accepted by the BA. In this regard, CBS/K, BD has noted the applicant’s justifications for the proposed FTFHs and has no in-principle objection to the application; detailed compliance will be subject to further scrutiny at the building plan submission stage.

Overall, the proposed BH of 140mPD is commensurate with the proposed increase in PR sought and is considered not incompatible with the surrounding built environment. As a standalone site, the proposal also meets some of the criteria for consideration of minor relaxation of BH restrictions as stated in paragraph 8.2 above in that the proposal will allow for the creation of a better streetscape/good quality street level space and would bring about improvements to the townscape and amenity of the locality.

Technical Aspects

- 11.5 Apart from VIA, the applicant has also submitted a TIA and SIA in support of the application. On sewerage aspect, the applicant pledges to carry out upgrading works and to install a new sewer connection, which will be completed before commissioning of the proposed development. Both DEP and CE/MS, DSD have no adverse comment on the application subject to the imposition of an approval condition on the submission of revised SIA and the implementation of measures recommended therein. Other relevant Government departments, including C for T and CHE/K, HyD, also have no objection to/no adverse comment on the application.

Public Comments

- 11.6 Regarding concerns on the proposed building bulk, visual impact/VIA, road safety and landscaping measures, the planning assessments in paragraph 11.3 to 11.5 above are generally 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 8.5.2030, 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 submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (b) in relation to (a) above, the implementation of the measures identified in the revised Sewerage Impact Assessment 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 II**.

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

the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of plot ratio and building height restrictions.

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 12.8.2025
Appendix Ia	SPS received on 12.8.2025
Appendix Ib	FI received on 14.11.2025
Appendix Ic	FI received on 17.11.2025
Appendix Id	FI received on 9.3.2026
Appendix II	Recommended Advisory Clauses
Appendix III	Public Comments
Drawing A-1	Master Layout Plan
Drawings A-2 to A-10	Extracted Floor Plans
Drawing A-11 to A-12	Sections
Drawing A-13 to A-14	Artists' Impressions
Drawing A-15 to A-17	Extracted Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4 to A-6	Site Photos