

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/819

- Applicant** : Urban Renewal Authority (URA)
- Site** : Development Areas (DAs) 4 and 5 of Kwun Tong Town Centre (KTTC) – Main Site, Kwun Tong, Kowloon
- Site Area** : about 24,620m²
- Land Status** : Government Land (GL) (about 24,390m²) and portion of the Mass Transit Railway Lot No. 1 RP (about 230m²)
- Plan** : Approved URA KTTC – Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/2
- Zoning** : “Comprehensive Development Area (1)” (“CDA(1)”)
 (a) within the Residential Sub-Area (**Plan A-2**), restricted to a maximum domestic plot ratio (PR) of 7.5 and total PR of 9
 (b) within the Commercial Sub-Area, restricted to a maximum total PR of 12
 (c) a maximum total gross floor area (GFA) of 401,250m² for KTTC – Main Site and Yuet Wah Street Site (YWSS), which is zoned “CDA(2)” on the approved URA KTTC – YWSS DSP No. S/K14S/URA2/2
 (d) all Government, institution or community (GIC) and public transport interchange (PTI) facilities shall be included in GFA calculation
 (e) provision of at-grade integrated outdoor open-air public space of not less than 4,060m² in addition to not less than 1m² per person of the planned residential population of the KTTC– Main Site and YWSS
- Application** : Proposed Comprehensive Redevelopment with Commercial Uses (including Hotel, Office, Shop and Services, Eating Place, Place of Entertainment, Educational Institution), PTI (Taxi Stand), Public Open Space (POS), GIC Uses and supporting facilities (Amendments To Approved Master Layout Plan (MLP))

1. The Proposal

- 1.1 The applicant seeks planning permission for amendments to the approved MLP for a proposed comprehensive redevelopment with commercial uses (office, other

commercial^[1] and hotel), PTI (taxi stand) and GIC facilities, and POS at the application site (the Site). The Site falls within the southern portion of an area zoned “CDA(1)”^[2] on the approved URA KTTC – Main Site DSP No. S/K14S/URA1/2 (**Plan A-1**), which is the subject of an application approved with conditions by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 9.2.2018 under Application No. A/K14/745 (Approved Scheme) for comprehensive redevelopment of KTTC – Main Site. The proposed major amendments under application is to allow flexibility in development mix among the previously approved commercial uses (the Proposed Scheme), with the total GFA, approved building heights (BHs), building bulk/disposition and other key design features under the Approved Scheme remain unchanged (see details in paragraph 2.1 below). Since the extent of the proposed changes in GFA between the three previously approved commercial uses is beyond Class A or Class B amendments specified in the Town Planning Board’s Guidelines on Class A and Class B Amendments to the Approved Development Proposals (TPB PG-No. 36B), a fresh application under section 16 of the Town Planning Ordinance (the Ordinance) is required.

- 1.2 As stipulated in the Notes of the DSP, for development on land designated “CDA(1)”, the applicant shall prepare a MLP for the approval of the Board. According to the applicant, the Proposed Scheme is prepared having regard to the Planning Brief (PB) endorsed by the Board on 7.9.2007 and the Approved Scheme. The MLP^[3], floor plans, section plans, Landscape Master Plan (LMP), and photomontage submitted by the applicant for the Proposed Scheme are at **Drawings A-1 to A-16**. Compared with the Approved Scheme, the Proposed Scheme involves the following major changes:
 - (a) proposed GFAs for office, other commercial and hotel uses are set in ranges, instead of specifying the maximum GFA for individual use under the Approved Scheme. Maximum GFA for office is proposed to be increased from 65,860m² to 127,619m²;
 - (b) changes in vehicular ingress/egress arrangement and parking provision; and
 - (c) change in implementation programme.
- 1.3 A comparison of the major development parameters of the Approved Scheme and the Proposed Scheme is shown in the table below with a detailed compliance table set out in **Appendix IIb**.

Development Parameters at DAs 4 and 5 ^[a]	Approved Scheme (A/K14/745) (a)	Proposed Scheme (A/K14/819) (b)	Difference [(b)-(a)] (%)
Site Area	24,540	24,620	+ 80 (+0.3%)
No. of Blocks	2	2	same

^[1] Other commercial uses include ‘Shop and Services’, ‘Eating Place’, ‘Place of Entertainment’ and ‘Educational Institution’.

^[2] The “CDA(1)” zone (of about 4.63 ha) covering the entire KTTC – Main Site is divided into four DAs, i.e. DA 2 to DA 5 (**Plan A-2**) for delineating the implementation schedule of each part of the redevelopment area in view of its large development scale. The composite development at DAs 2 and 3 (including four residential towers, retail facilities, PTI (bus and minibus terminus), a hawker bazaar, POS and GIC facilities), i.e. Grand Central, was completed in 2021 based on the previous approved MLP under application no. A/K14/727 approved with conditions on 18.12.2015.

^[3] The development parameter for the completed DAs 2 and 3 as provided is illustrative only to reflect the as-built conditions.

Development Parameters at DAs 4 and 5 ^[a]	Approved Scheme (A/K14/745) (a)	Proposed Scheme (A/K14/819) (b)	Difference [(b)-(a)] (%)
Total GFA (m²)^[b]	201,220	201,220 ^[c]	same
Other Commercial ^[d]	94,759	65,000 – 94,759	} proposed in range under application ^[e]
Office	65,860	65,860 – 127,619	
Hotel	32,000	0 – 32,000	
GIC ^[e]	8,601	8,601	
Maximum BH (mPD)	285 (DA 4) 75 (DA5)	285 (DA4) 75 (DA5)	same
No. of Storeys			
Commercial Tower at DA4	64 (plus 6 storeys of basement carpark/retail)	64 (plus 5 storeys of basement carpark/retail)	-1 basement floor
GIC cum Commercial Building at DA 5	13 (plus 4 storeys of basement car park/retail)	13 (plus 5 storeys of basement car park/retail)	+1 basement floor
Site Coverage (SC)	≤15m : <70% Domestic : <11% Non-domestic : <8 – <52%	≤15m : ≤70% >15m: ≤55%	N/A ^[f]
Hotel Rooms	≤400	0 – 400	proposed in range under application
POS (about m²)			
- at-grade	7,200	7,200 ^[g]	Same
- aboveground	3,230	3,230 ^[h]	Same
Private Landscaped Area (about m²)	1,770	1,770	Same
Greenery coverage	30.8%	30.8%	Same
Car parking spaces	636 – 904	807 – 909	+5 to 171 (+0.55% to 26.89%)
Loading/Unloading (L/UL) Bays	105 – 158	100 – 114	-5 to -44 (-4.76% to -27.85%)
Implementation Schedule	2026	2028 (implemented in phases)	+ 2 years

Remarks:

[a] There is no statutory restriction on the development intensity for individual DA on the DSP nor the PB. Key development parameters given above cover the Site only; whereas that for the “CDA(1)” zone as a whole, with inclusion of those for the completed DAs 2 and 3, are at **Appendix IIb**.

[b] According to the approved general building plans (GBPs), the GFAs for the completed YWSS at DA 1 and the completed composite development at DAs 2 and 3 are 27,830m² and 172,195m² respectively. Together with the proposed GFA of 201,220m² at the Site, the total GFA for KTTC-Main Site and YWSS is 401,245m² which is within the restriction stipulated in the DSP.

- [c] The upper range of office/other commercial/hotel GFA will only apply if the GFA(s) for uses under other category(ies) would be correspondingly reduced (with GIC GFA unchanged) and with resultant maximum total GFA controlled at not more than 201,220m².
- [d] Including 1,500m² for multi-purpose activity centre and 1,300m² for social enterprise use for which the ownership, management and maintenance would be under the Applicant or its future joint-venture partner(s), or its assignee. The proposed observation deck would be counted towards other commercial GFA.
- [e] GIC facilities to be provided at DAs 4 and 5 under both the Approved Scheme and the Proposed Scheme include PTI - taxi stand (2,021m²), social welfare facilities (500m²) and government offices (6,080m²).
- [f] SCs as provided under Approved Scheme cover the entire “CDA(1)” whereas those for the Proposed Scheme are calculated based on the Site; thus direct comparison is irrelevant.
- [g] This include, inter alia, the portion of Yue Man Square Rest Garden (YMSRG) within DAs 4 and 5 and an area of 900m² indicated as ‘Private Landscape Area’ on **Drawing A-11**. At-grade POS will be open for public enjoyment on 24 hour daily.
- [h] To be provided at L2 to L4 and L13 and open for public enjoyment for at least 13 hours a day.

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

- (a) Application form received on 26.7.2022 and supplementary (Appendix I) information received on 29.7.2022
- (b) Supporting Planning Statement including MLP, LMP and tree survey (Appendix Ia) report, Visual Impact Assessment (VIA), Traffic Impact Assessment (TIA), Environmental Assessment (EA), Air Ventilation Assessment – Expert Evaluation (AVA – EE), Drainage and Sewerage Impact Assessment (DSIA) and Water Supply Impact Assessment
- (c) 1st Further information (FI) enclosing response to comments (RtoC) (Appendix Ib) and replacement pages of TIA, DSIA, LMP and tree survey report received on 6.9.2022 and 9.9.2022 [*]
- (d) 2nd FI with minor clarification received on 14.9.2022 [*] (Appendix Ic)

[*] *FIs accepted and exempted from publication and recounting requirement*

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the Supporting Planning Statement and FI at **Appendices Ia to Ic**, and summarized as follows:

Fulfilling Planning Intention of the PB with Planning Merits of the Approved Scheme Maintained

- 2.1 The Proposed Scheme fulfils the planning intention specified in the PB. There would be no material change to the Approved Scheme with the relevant planning and design merits intend to keep the character of a ‘town centre’ of KTTC, on the following aspects, are maintained:

- (a) Unique built form and design features, namely landmark tower with approved BH of 285mPD with an observation deck^[4] provided on the topmost floor, iconic egg-shaped GIC cum commercial building with stepped height profile (progressively increasing from about 59mPD in the west to about 75mPD in the east) (**Drawing A-7**), sizeable at-grade POS, and cascading design of landscaped terrace with extensive greening (**Drawings A-11 and A-15**).
- (b) Provision of grade-separated facilities for improving pedestrian connectivity in the area via landscaped deck to MTR Kwun Tong Station and connections to existing footbridges across Kwun Tong Road to APM Millennium City 5 and to Tsun Yip Lane, for which relevant construction/upgrading/modification works would be implemented by the applicant or future developer(s). Also, an opening would be reserved for connecting a proposed subway across Hong Ning Road near Ngau Tau Kok Road under review by the Government (**Drawing A-1**).
- (c) The proposed GIC facilities of about 8,601m² (including a 90-place Early Education and Training Centre (EETC), post office and public service enquiry centre of Home Affairs Department (HAD) and other government offices, and a taxi stand) within the Site under in the Approved Scheme is retained. The EETC and other government offices are proposed to be relocated close to each other at lower levels of the GIC cum commercial building (**Drawing A-7**) as requested by the Government to enhance accessibility for public convenience and improve management and maintenance efficiency. The overall GIC facilities of about 24,800m² for KTTC Main Site as a whole corresponds to about 18% of the total domestic GFA. Besides, multi-purpose activity centre (1,500m²) and social enterprise use (1,300m²), both counted towards other commercial GFA, would be retained.
- (d) Setbacks and building separations under the Approved Scheme will be kept to improve visual permeability and air ventilation (**Drawings A-7 and A-12**).

Enhancement of Development Flexibility

- 2.2 The Proposed Scheme is to allow flexibility in development mix to react to the changing market needs e.g. changing demand for hotel owing to COVID-19 pandemic and the growth of e-commerce and online shopping in recent years that may poses a decreasing demand in retail floor area. The market review conducted by the applicant in late 2021 suggested that enhancement of development flexibility will facilitate future joint-venture developer to make moderate adjustments to the development mix in response to the latest market changes. In order to maintain the character of a ‘town centre’ at a prime location of KTTC, and with reference to popular shopping malls in urban areas such as APM Millennium City and Pacific Place^[5], a minimum of 65,000m² of other commercial GFA is proposed with the maximum GFA set at same level of 94,759m² under the Approved Scheme. Whereas, the office GFA is proposed at a range between 65,860m² (following the Approved Scheme) and 127,619m² (assuming no hotel and minimum 65,000m² for other commercial use) in order to provide sufficient flexibility to meet the market needs.

^[4] The observation deck, with retail and F&B facilities to create a destination for visitors, would will not form part of the hotel component (should hotel use be implemented) and will be open for public enjoyment with an admission fee from 9:00 a.m. to 10:00 p.m. a day.

^[5] According to the applicant, APM Millennium City 5 in Kwun Tong and Pacific Place in Admiralty have about 56,000m² and 66,000m² commercial GFA respectively.

- 2.3 The proposed development flexibility can facilitate successful tender and avoid further delay due to tender cancellation. The proposed development including the proposed POS and GIC facilities, with an anticipated completion in 2028 at the earliest, would be completed for earlier enjoyment by the public.

No Insurmountable Technical Impacts

- 2.4 Relevant technical assessments with alternative sensitivity tests based on different development mixes are conducted to demonstrate the technical feasibility of the Proposed Scheme. Given the overall development intensity, proposed land uses, built bulk/disposition, building separations and key design features have been retained in the Proposed Scheme, the technical assessments as conducted conclude that there is no adverse or unacceptable impact on environmental, air ventilation, sewerage, drainage, water supply, visual and landscape aspects.
- 2.5 To further alleviate the traffic congestion along Kwun Tong Road in particular at the Hoi Yuen Road Roundabout, the applicant proposes to relocate the egress of the proposed development from Kwun Tong Road to Hong Ning Road thus the eastbound traffic of the development could enter the Kwun Tong Road Underpass directly without passing through the Hoi Yuen Road Roundabout (**Drawing A-10**). There are other road network improvement works proposed by the applicant, subject to further review at detailed design stage. The TIA demonstrates that the proposed internal parking provision, in accordance with Hong Kong Planning Standards and Guidelines (HKPSG) would fulfil all possible development mixes for the three proposed commercial uses. The TIA and pedestrian facility assessment demonstrate that the Proposed Scheme is acceptable from traffic point of view.

Consultation with Kwun Tong District Council (KTDC)

- 2.6 KTDC was consulted on the proposed development mix for enhanced development flexibility under the Proposed Scheme on 5.7.2022 who expressed in-principle support to the Proposed Scheme.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is not a ‘current land owner’. The Site mainly comprises GL (99%) for which the ‘owner’s consent/notification’ requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable. For remaining portion within private lot (1%), the applicant has complied with the requirements as set out the TPB PG-No. 31A by giving notification to the concerned owner by registered mail. Detailed information would be deposited at the meeting for Members’ inspection.

4. Previous Applications

- 4.1 Three previous s.16 applications (Nos. A/K14/576^[6], 727 and 745) relating to the Site for the comprehensive redevelopment of KTTC – Main Site, submitted by the same applicant, were approved with conditions by the Committee on 23.1.2009 and 18.12.2015 and 9.2.2018 respectively.

^[6] Three s.16A applications for amending the approved MLP under A/K14/576 were approved with conditions by the Director of Planning under the delegated authority of the Board on 7.11.2011, 24.10.2012 and 27.4.2015.

- 4.2 The latest approved application No. A/K14/745 (i.e. the Approved Scheme) mainly involved changes in DAs 4 and 5 (with all development parameters for DAs 2 and 3 remain the same as that under A/K14/727) including the increase in maximum BH for the commercial tower from 260mPD to 285mPD, and changes in building design, LMP, vehicular access and pedestrian connections and provision of social welfare facilities. Comparison on MLP, LMP, floor plans at various levels, and sections with Proposed Scheme are at **Drawings A-1 to A-9 and A-11 to A-14**. Relevant approval conditions in relation to DAs 2 and 3 solely have been fully complied with. Based on the Approved Scheme, GBP for the Site has been approved by the Building Authority (BA) and relevant land grant exercise for the Site is being processed.

5. Similar Application

There is one similar planning application (No. A/K14/577) for composite development at YWSS forming part of the URA's KTTC project (DA1) and zoned "CDA(2)" (**Plans A-1 and A-2**) which was approved with conditions by the Committee on 5.12.2008. The composite development at DA 1 involves a residential tower at 140mPD with a 3-storey podium accommodating GIC facilities (Kwun Tong Community Health Centre), was completed in 2014.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photo on Plan A-3)

6.1 The Site is:

- (a) located in the town centre of Kwun Tong;
- (b) currently occupied by carriageways and footpaths (i.e. Yue Man Square, Tung Yan Street and Kwun Tong Road Service Road), demolished buildings and empty lots with hoardings/fencings, and portion of YMSRG; and
- (c) bounded by Hong Ning Road to its west, Kwun Tong Road to its south, Hip Wo Street to its east, and DAs 2 and 3 which is occupied by a composite development, namely Grand Central, comprising residential towers, commercial facilities, PTI (bus and minibus terminus), hawker bazaar, refuse collection point and POS at DAs 2 and 3 to its north (completed in 2021).

6.2 The surrounding areas have the following characteristics:

- (a) to the west and further north across Hong Ning Road and Mut Wah Street respectively are high-density residential developments with ground floor shops;
- (b) to the east and northeast across Hip Wo Street are medium-density residential developments, namely Park Metropolitan at YWSS (i.e. DA 1);
- (c) to the further south across Kwun Tong Road is the Kwun Tong Business Area (KTBA) and there are two existing footbridges connecting the Site with APM Millennium City 5 and Kwun Tong View on the other side of Kwun Tong Road; and
- (d) to the southeast is the MTR Kwun Tong Station and is connected with the Site by two existing footbridges.

7. Planning Intention

The planning intention of the “CDA(1)” zone is for comprehensive development/redevelopment of the area for residential, Government and/or commercial uses with the provision of open space and other community and supporting facilities. The zoning aims to enhance vitality and achieve improvement in environmental and traffic conditions in the town centre through comprehensive redevelopment, restructuring the street pattern, promoting efficient land use and providing GIC facilities and POS. As specified in the endorsed PB, the southern portion of the “CDA(1)” zone is intended for pure non-domestic uses which will include commercial (office/retail/hotel), GIC and transport facilities.

8. Major Requirements under PB

The PB, which was endorsed by the Committee of the Board on 7.9.2007 (**Appendix IIa**), sets out the broad planning principles and development requirements to guide and facilitate the preparation of the MLP for the comprehensive development in “CDA(1)” zone. The Proposed Scheme generally complies with the PB regarding key development parameters, land use, BH, provision of GIC, public transport facilities and open space, landscaping and pedestrian connections, car parking and L/UL provision and other technical requirements. etc.. A comparison of major development parameters and requirements under the PB and the Proposed Scheme is at **Appendix IIb**.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Kowloon East and Chief Estate Surveyor/Urban Renewal, Lands Department (DLO/KE and CES/UR, LandsD):

- (a) no adverse comment on the application;
- (b) the applicant has applied for a private treaty grant in respect of the Site (to be known as New Kowloon Inland Lot 6613) for implementation of the Proposed Scheme; and
- (c) the total GFA (i.e. all non-domestic GFA) for the Proposed Scheme is maintained and capped at 201,220m² which is consistent with the maximum GFA to be stipulated under the proposed land grant.

Traffic Aspect

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

- (a) having reviewed the TIA and the FIs, he has no objection in principle on the application from traffic engineering and transport operation view point. Should the application be approved by the Board, approval conditions as set out in paragraph 12.2 (d), (e), (j) and (k) below are suggested; and
- (b) his technical comments are detailed in **Appendix III** which should be revisited in detailed design stage.

9.1.3 Comments of the Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD) and Chief Engineer/Railway Development 2-2, Railway Development Office, HyD (CE/RD2-2, RDO, HyD):

- (a) no adverse comment on the application and suggest approval conditions at paragraphs 12.2(d), (e), (j) and (n) below should the application be approved by the Board; and
- (b) other detailed technical comments are at **Appendix III**.

Environmental Aspect

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

- (a) on air quality aspect, the EA report indicated that the commercial and GIC development would not rely on openable window for ventilation. The EA report recommended that the location of fresh air intake of the central air-conditioning system should be situated at the area as per recommended buffer distance for vehicular emission under HKPSG. On the above basis, adverse air quality impact on the proposed development is not anticipated;
- (b) on noise aspect, as the proposed uses are non-domestic development, it is considered that insurmountable noise impact on the proposed development is not anticipated. Noting that the overall building bulk and built form proposed in the Approved Scheme would be retained, the previous findings and the proposed mitigation measures for residential development at DAs 2 and 3 would remain valid;
- (c) on sewerage impact aspect, based on the findings of the DSIA, it is considered that insurmountable sewerage impact arising from the proposed development is not anticipated. Nevertheless, the applicant shall properly evaluate the sewerage impact arising from the proposed development and address his comment detailed at **Appendix III**, in particular regarding the method of sensitivity test; and
- (d) he has no in-principle objection to the application from environmental perspective and suggests approval conditions at paragraph 12.2(i) and (l) below should the application be approved by the Board.

Building Aspect

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

- (a) all building works are subject to compliance with the Building Ordinance (BO). Detailed comments under the BO on individual sites for private developments such as permissible PR, SC, means of escape, emergency vehicular access, private streets, and/or access roads, open space, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at the GBP submission stage; and
- (b) hotel concession under Building (Planning) Regulation (B(P)R) 23A might be considered at the GBP submission stage subject to compliance with the criteria under Practice Note for Authorized Persons, Registered Structural Engineer and Registered Geotechnical Engineers APP-40 and B(P)R 23A.

Urban Design and Air Ventilation Aspects

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

- (a) it is noted from the VIA and AVA-EE as submitted that the proposed amendments to the Approved Scheme is technical in nature, and that the layout, BH and overall building bulk and built form under the Approved Scheme will be retained. As there is no change in the overall building bulk and built form, it does not appear that the proposed development will result in significant adverse impact to the townscape. Should the application be approved by the Board, approval conditions as set out in paragraph 12.2 (h) and (o) below are suggested;
- (b) his other comments are detailed in **Appendix III**.

GIC facilities

9.1.7 Comments of Government Property Administrator:

he has no adverse comment on the application including the proposed location of the relevant GIC facilities in the GIC cum commercial building from property management perspective. His detailed comments on the requirements of relevant government office uses are at **Appendix III**.

9.1.8 Comments of the Director of Social Welfare:

he has no adverse comment on the application on the understanding that the previously proposed 90-place EETC will be incorporated in the proposed development. Following established practice, the applicant will be required under the land grant conditions to design and construct the bare-shell premises of the proposed EETC as part of the development. As such, approval condition at paragraph 12.2(p) below is suggested should the application be approved by the Board.

Open Space Provision and Landscaping Aspects

9.1.9 Comments of the CTP/UD&L, PlanD:

- (a) he has no adverse comment on the application from landscape planning perspective as significant changes to the landscape character and landscape resources on the existing and planned landscape setting are not anticipated;
- (b) according to the LMP and Tree Survey Report (**Appendix Ia**), total 47 existing trees are identified within the Site, of which 32 (including two registered Old and Valuable Trees (OVTs) (T36 & T37 of *Ficus elastica*)) are proposed to be retained, 13 are proposed to be transplanted and 2 are proposed to be felled. According to the Compensatory/Tree Planting Plan, 39 compensatory trees and 168 new trees are proposed to be planted within the Site. Landscape provisions such as Entrance Plazas, Civic Square, Sculpture Garden and YMSRG at Ground Levels (L1 to L1M), Terraced Gardens with edge planting at Levels 2 to 14 and Sky Garden at Roof Levels are proposed to enhance the landscape quality of the proposed development. The proposed greenery coverage is at least 30.8% of the site area. Compared with the Approved Scheme, some minor modifications to

the LMP and tree preservation proposal are observed. According to the Planning Statement (**Appendix Ia**), not less than 7,200m² at-grade public open space area and 3,230m² aboveground open space for public enjoyment will be provided; and

- (c) should the application be approved by the Board, approval condition at paragraph 12.2(f) below is recommended to be included in the planning permission.

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

- (a) he has no adverse comment on the application and suggests approval condition at paragraph 12.2(g) below should the application be approved by the Board;
- (b) for the 2 OVTs in YMSRG, the applicant is reminded that the planning and design of the proposed development must take into account the need to preserve and avoid any damage to the OVTs within and adjacent to the Site with assigning top priority to preserve the OVTs and minimize the adverse impact on tree and root growth. In accordance with DEVB TC(W) No. 5/2020, construction works such as excavation, trenching, piling and landfilling, etc. within the tree protection zone (TPZ) of OVTs should be avoided as far as possible. The applicant and the future developer(s) shall observe DEVB TC(W) No. 5/2020 and avoid any potential conflict and encroachment onto the TPZ.

Fire Safety

9.1.11 Comments of the Director of Fire Services:

- (a) no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed fire safety requirements will be formulated upon receipt of formal submission of GBPs; and
- (b) arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 (the FS Code) which is administered by BD.

Other Aspects

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

he has no in-principle objection to the Proposed Scheme and suggests to impose approval conditions at paragraphs 12.2(i) and (l) below should the application be approved.

9.1.13 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection in principle to the application as the impact arising from the proposed change under application to the major components of the existing water supply system is insignificant;

- (b) cost of any necessary modification diversion or protection works on the existing water supply system shall be borne by the applicant or the future developer; and
- (c) the applicant or the future developer should make reference to the previously submitted Water Impact Assessment for compliance with relevant approval conditions under previous approved applications, and timely consult his department for any necessary modification, diversion or protection works on the existing water supply system within and in the vicinity of the Site.

9.1.14 Comments of the Commissioner for Tourism (C for Tourism):

the Site falls within an area zoned “CDA(1)” on the URA KTTC – Main Site DSP, under which ‘Hotel’ is only one of the uses that may be permitted subject to approval by the Board. The COVID-19 pandemic since early 2020 has seriously affected Hong Kong’s tourism industry, leading to a steep fall in the number of visitor arrivals. It is uncertain when the hotel business will get back to the pre-pandemic level. Development of the Site is a matter of commercial decision and it would be up to developers to decide whether or not to include hotel development.

9.2 The following Government departments have no comments on/no objection to the application:

- (a) Chief Architect/Central Management Division 2, Architectural Services Department;
- (b) Project Manager/East, Civil Engineering and Development Department;
- (c) Director of Electrical and Mechanical Services;
- (d) Commissioner of Police;
- (e) Director of Food and Environmental Hygiene;
- (f) Post Master General, HKPost; and
- (g) District Officer (Kwun Tong), HAD.

10. Public Comments Received During Statutory Publication Period

The application was published for public inspection on 2.8.2022. Within the three statutory public inspection periods, a total of 2 comments were received. Among them, a public comment from a member of the Kwun Tong Centre Area Committee of the KTDC supported the application without giving any reason (**Appendix IV(a)**). The other public comment from an individual agreed in principle on the proposed design, but suggested that the floor height of the refuge floor should be increased for improving air ventilation and natural lighting (**Appendix IV(b)**).

11. Planning Considerations and Assessments

- 11.1 The application is to seek planning permission for the amendments to portion of the previously approved MLP (No. A/K14/745) for proposed comprehensive redevelopment of the KTTC – Main Site. As compared with the Approved Scheme, major amendments as proposed are to specify the GFA for commercial uses (i.e. office, other commercial and hotel) in range and with upward adjustment for maximum office GFA as mentioned in paragraph 1.3 above. Major development parameters including total GFA, the approved BHs (with maximum at 285mPD) and other key design features remain the same in the Approved Scheme.

Planning Intention and Land Use

- 11.2 The “CDA(1)” zone is intended for comprehensive redevelopment of the KTTC – Main Site for enhancing its vitality and achieving improvement in environmental and traffic conditions. The southern portion (i.e. the Site) is intended for pure non-domestic uses including commercial (office/retail/hotel), GIC and transport facilities as specified in the endorsed PB. The proposed main uses at the Site remain the same with commercial uses (including office, other commercial and hotel), PTI (taxi stand), POS and GIC facilities (government offices and social welfare facility), and is generally in line with the planning intention of the “CDA(1)” zone. Provision of GIC, POS and PTI facilities would not be affected under the Proposed Scheme and relevant Government departments have no objection to/adverse comment on current application subject to incorporation of appropriate approval conditions in paragraph 12.2 below.
- 11.3 For the proposal range of hotel GFA (i.e. from 0 to 32,000m²) under application, there would be flexibility for the future developer to implement hotel (with its scale to be determined with maximum of 400 rooms) or not, with corresponding adjustments to the other proposed commercial uses. The applicant claims that development flexibility in the mix of commercial uses would allow the future developer to react to the changing demand for hotel owing to COVID-19 pandemic. Generally speaking, supply of hotel rooms is largely market driven. While there is an intention to provide variety of commercial uses (including hotel) in “CDA(1)” zone, the PB has not specified the minimum number of hotel rooms required. C for Tourism considers that the development the Site is a matter of commercial decision and it would be up to the developers to decide whether or not to include hotel development at the Site. Taken into account comments from relevant B/Ds and that there are existing and planned hotels in the area^[7] serving such demand, the proposal to allow flexibility in hotel provision may not be unreasonable and the planning intention for enhancing vitality and improving the conditions of KTTC would not be significantly undermined.

Development Intensity and Technical Feasibility

- 11.4 Under current application, total GFA at the Site would be retained the same as that under the Approved Scheme and would not exceed the total GFA restriction under DSP, taken into account the two completed developments at DAs 2 and 3 and YWSS.
- 11.5 As the proposed amendments to the Approved Scheme is technical in nature, and that the layout, BH and overall building bulk and built form under the Approved Scheme will be retained, CTP/UD&L advises that the Proposed Scheme would unlikely to result in significant adverse impact to the townscape on visual and air ventilation aspects. On other technical aspects, relevant assessments with alternative sensitivity tests based on different development mixes are conducted, and relevant Government departments consulted have no in-principle objection to/ no adverse comment on current application on traffic, environmental, sewerage, drainage and waterworks aspects, subject to incorporation of appropriate approval conditions in paragraph 12.2 below.

Compliance with PB

- 11.6 As set out in paragraph 8 above, the proposed development generally complies with the PB requirements regarding key development parameters, land use, BH, provision of GIC, public transport facilities and open space, landscaping and pedestrian connections, car parking and L/UL provision and other technical requirements. etc..

^[7] There are a total of 37 approved planning permissions for hotel or office-cum-hotel developments in KTBA. Among them, six hotels have been completed for providing about 1,700 rooms, and five planning permissions are still valid.

Public Comments

- 11.7 The two supportive public comments received are noted. Regarding the suggestion for applicant to increase the floor height of refuge floor to improve air ventilation and natural lighting, the suggestion has been conveyed to the Applicant for consideration at design detailed stage.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 23.9.2026, 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 and implementation of a revised Master Layout Plan to take into account the approval conditions as stated in paragraphs (b) to (q) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the building height of the proposed commercial development within the application site should not exceed 285mPD;
- (c) the proposed observation deck should be opened for public enjoyment;
- (d) the submission and implementation of the public transport operations (including routing and bus arrangement for affected bus routes, taxi stand and pick-up/drop-off points) proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board;
- (e) the submission and implementation of detailed setback proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board;
- (f) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (g) the submission and implementation of a Landscape Master Plan for the proposed at-grade public open space (Yue Man Square Rest Garden) and a tree preservation and tree replanting scheme to the satisfaction of the Director of Leisure and Cultural Services or of the Town Planning Board;
- (h) the submission of a revised air ventilation assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Planning or of the Town Planning Board;
- (i) the submission of a revised drainage impact assessment and revised sewerage impact assessment to the satisfaction of the Director of Drainage Services and the Director of Environmental Protection or of the Town Planning Board;

- (j) the submission of a revised traffic impact assessment (including pedestrian traffic study) and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board;
- (k) the provision of parking facilities, loading/ unloading space and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (l) the submission and implementation of interim sewerage diversion scheme to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the Town Planning Board;
- (m) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (n) the submission and implementation of a detailed risk assessment and contingency plan on potential road unsettlement of Hip Wo Street, Mut Wah Street, Hong Ning Road, and Kwun Tong Road arising from construction activities of the proposed car park to the satisfaction of the Director of Highways or of the Town Planning Board;
- (o) the submission and implementation of a design proposal for the retail podium façade and the pedestrian deck along Kwun Tong Road to the satisfaction of the Director of Planning or of the Town Planning Board;
- (p) the design and provision of social welfare facilities to the satisfaction of the Director of Social Welfare or of the Town Planning Board; and
- (q) the design and provision of Government Offices to the satisfaction of the Government Property Administrator or of the Town Planning Board.

Advisory Clauses

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

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

there is no strong justification in the submission for the proposed development mix of the commercial uses.

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 26.7.2022
Appendix Ia	Supporting Planning Statement received on 26.7.2022
Appendix Ib	FI vide letter received on 6.9.2022 and 9.9.2022
Appendix Ic	FI vide email received on 14.9.2022
Appendix IIa	Endorsed PB
Appendix IIb	Comparison of main development parameters with PB
Appendix III	Other technical comments from Government departments
Appendices IV(a) and IV(b)	Public Comments
Appendix V	Recommended advisory clauses
Drawings A-1 to A-9	MLP, layout plans, section plans submitted by the applicant
Drawing A-10	Proposed vehicular access arrangement
Drawings A-11 and A-12	LMP
Drawings A-13 and A-14	Pedestrian circulation plans
Drawing A-15	Greenery Area Calculation
Drawing A-16	Photomontage
Plans A-1 and A-2	Location Plan and Site Plan
Plan A-3	Site Photo

**PLANNING DEPARTMENT
September 2022**