

MPC Paper No. A/K14/829
For Consideration by
the Metro Planning Committee
on 16.2.2024

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/829

<u>Applicant</u>	: Drainage Projects Division of the Drainage Services Department (DSD) represented by AECOM Asia Company Limited
<u>Site</u>	: Government Land at Hoi Bun Road Park (HBR Park) and Kwun Tong Promenade (KTP), Kwun Tong, Kowloon
<u>Site Area</u>	: About 6,200m ²
<u>Land Status</u>	: Government Land (GL)
<u>Plans</u>	: Draft Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/25 Approved Kai Tak OZP No. S/K22/8
<u>Zonings</u>	: “Open Space” (“O”) on Kwun Tong (South) and Kai Tak OZPs (5,047m ² or 81.4% of the application site (the Site)) Area shown as ‘Road’ on Kai Tak OZP (1,153m ² or 18.6% of the Site)
<u>Application</u>	: Proposed Public Utility Installation (PUI) (Underground Stormwater Storage Facility (SSF) with Ancillary Aboveground Structures)

1 The Proposal

- 1.1 The applicant seeks planning permission for proposed PUI (underground SSF with ancillary aboveground structures) (the Proposed Scheme) at portions of the HBR Park and KTP (the Site), which are zoned “O” on the draft Kwun Tong (South) OZP No. S/K14S/25 and “O” and area shown as Road’ on the approved Kai Tak OZP No. S/K22/8 respectively (**Plan A-1**). According to the Notes of the OZPs for the “O” zone, ‘PUI’ (to which the proposed SSF is subsumed under) is a Column 2 use which requires planning permission from the Town Planning Board (the Board). Besides, the Covering Notes of the OZPs also state that all uses and developments in areas shown as ‘Road’ require planning permission from the Board.
- 1.2 The Proposed Scheme forms part of the ‘Drainage Improvement Works (DIW) in Kwun Tong’ (the Study), whereby stormwater overflow will be intercepted and conveyed to the proposed 25,000m³ underground stormwater storage tank (SST) at HBR Park Site for temporary storage. When the rainstorm subsides, the intercepted stormwater will subsequently be discharged via underground pipes, pump well and discharge chamber at the KTP Site ~~616~~ to the Kwun Tong Typhoon Shelter (**Drawings A-2 to A-4**).

- 1.3 According to the applicant, while the existing Leisure and Cultural Services Department's (LCSD's) public open space (POS) facilities at the HBR Park Site (i.e. a 5-a-side soccer pitch and spectator stands) and the LCSD plant rooms/facilities at the KTP Site (**Drawing A-1**) will be temporarily affected during the construction stage, the rest of the HBR Park and KTP will continue to be opened for use by the public. All the affected at-grade open space facilities (which are always permitted within the "O" zone) will be re-provisioned in-situ as part of the proposed works and be handed back to the LCSD for long-term management and maintenance (M&M). The proposed works is targeted to commence in Q1 2025 for commissioning tentatively in Q4 2029.
- 1.4 The layout plans, section, location plans, landscape proposal and photomontages of the Proposed Scheme are at **Drawings A-1 to A-8**. The major development parameters of the Proposed Scheme are tabulated as follows:

Major Dev. Parameters	Proposed Scheme		
Site Area (about) (m ²)	6,200		
<i>HBR Park Site</i>	<i>3,400 (~36.6% of the HBR Park)</i>		
<i>KTP Site</i>	<i>2,800 (~6.8% of the KTP)</i>		
Proposed Structures/ Installations^[a]	Floor area (m²)	Height (roof level)	Site Coverage
(Underground)	~3,209	--	--
<i>HBR Park Site</i>			
• SST	~2,247	13m [in depth]	--
<i>KTP Site</i>			
• Pump well	~846	15.05m [in depth]	--
• Discharge chamber (semi-sunken and under landscape bund)	~116	1.1m (5.3mPD)	--
(Aboveground)	~616.4	--	~10.0%
<i>HBR Park Site</i>			
• 1-storey plant room ^[b]	~467	5.3m (~10mPD)	~13.7% ^[d]
<i>KTP Site</i>			
• 1-storey fan rooms, stairhood	~67.1	3.9m (8.4mPD)	~2.4% ^[e]
• 1-storey re-provisioned LCSD facilities (a permitted use) ^[c]	~82.3	3.9m (8.4mPD)	~2.9% ^[e]

Remarks:

^[a] All structures/installations are related to DSD's proposed SSF unless stated otherwise.

^[b] The plant room serves as the power supply and ventilation system for the proposed underground SSF. It includes two transformer rooms, switch room, variable speed drives/control room, fan room and equipment room.

^[c] Including photovoltaic panel plant room, mist plant room and equipment room, which are ancillary and incidental to the permitted open space use.

^[d] Equivalent to a site coverage (SC) of about 5% of the entire HBR Park.

^[e] Both facilities would together be equivalent to a SC of about 0.4% of the entire KTP.

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

- (a) Application Form received on 27.12.2023 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Further information (FI) received on 5.2.2024 ^[*] **(Appendix Ib)**

Remarks:

^[*] 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 Supplementary Planning Statement and FI at **Appendices Ia and Ib**, which are summarised as follows:

Essential Infrastructure and Locational Considerations

- (a) To alleviate the high flood risk in the low-lying areas of Kwun Tong, ‘The Review of Drainage Master Plan in East Kowloon – Feasibility Study’ (the Review) proposed DIWs in the form of three stormwater storage schemes (SSS) in Kwun Tong district^[1]. The Proposed Scheme is an essential flood prevention facility, the commissioning of which can alleviate flood risks in the Kwun Tong drainage basin, enhance the flood resilience of Kwun Tong district, minimise flood-induced economic losses and reduce inconveniences caused to the public during heavy rainstorm events.
- (b) The Site is situated at the downstream of the Lai Yip Street and How Ming Street drainage catchments (**Drawing A-4**). Due to the proximity of the Site to the sea, downstream pipe length and the associated power requirement (as well as their environmental/cost implications) could be minimised. Besides, the Site has the benefit of being entirely GL, of a sizeable area, located away from noise-sensitive residents and would require minimal modifications to the existing drainage network and superstructure. Overall, the Study considers the Site to be the most suitable location for the proposed SSF.

Minimal Impact to the POS

- (c) The proposed integrated design is in line with the “Single Site, Multiple Use” (“SSMU”) principle in that an underground space could be utilised for an essential infrastructure while the existing at-grade POS and public amenities would be re-provisioned. Although the Proposed Scheme will necessitate temporary closure of the existing at-grade POS facilities, nevertheless, the construction programme has been optimised to ensure least disturbance to the public. During the interim period, similar soccer pitches in Kwun Tong District can meet the public demand (**Plan A-1**). Apart from full re-provisioning of the affected facilities, further enhancements at the KTP will also be carried out as part of the proposed works (such as seating benches with shelters and/or solar panels as agreed with LCSD).

No Adverse Impacts on the Surrounding Area

- (d) The Proposed Scheme is not a Designated Project under the Environmental Impact Assessment Ordinance. Nonetheless, various technical assessments have been conducted for the Proposed Scheme, including preliminary environmental review, drainage impact assessment and traffic impact assessment, etc. With the implementation of relevant mitigation measures, including regular site watering and adopting air and noise enclosure, etc., the proposal will not impose any adverse environmental, drainage, sewerage and traffic impacts on the surrounding area during the construction and operation stages.

^[1] Namely KTP SSS (i.e. the Proposed Scheme), Kwun Tong Action Area SSS and Sau Nga Road SSS (**Drawings A-4**). The Sau Nga Road SSS was approved by the Metro Planning Committee (the Committee) of the Board in 2022 (see para. 5 below).

- (e) There are no Old and Valuable Trees (OVTs) within the Site. While 32 trees within the Site will be felled, compensatory trees will be planted at a rate of 1:1 (**Drawing A-5**). In terms of tree species for the proposed new trees, the works agent has made reference to the ‘Theme Plants for Kwun Tong’ of the Greening Master Plan by the Civil Engineering and Development Department (CEDD) and ‘Street Tree Selection Guide’ by Development Bureau (DEVB). The extent of the proposed aboveground structures has been minimised, and the façade/roof treatment will follow the architectural design of the adjoining POSs so as to blend in with the surrounding area (**Drawings A-6 to A-8**). The applicant also pledges to install information display panels at appropriate locations of the Site to enhance the public’s understanding of the Proposed Scheme.

Community Support

- (f) The Proposed Scheme has received support from the Area Committee of Kwun Tong and Kowloon Bay Business Area, the Food, Environmental Hygiene and District Facilities Management Committee of the Kwun Tong District Council and the Task Force on Kai Tak Harbourfront Development of the Harbourfront Commission.

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

As the Site involves GL only, 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 Town Planning Ordinance (TPB PG-No. 31B) is not applicable.

4 Previous Application

There is no previous application concerning the Site.

5 Similar Application

There is one similar application (No. A/K14/811) for the same proposed use at the Lower Sau Nga Road Playground within another “O” zone on the OZP (**Plan A-1**) which was approved with conditions by the Committee on 28.1.2022 on the considerations that the proposed SSF was an essential infrastructure to reduce flood risk in Kwun Tong; the planning intention of the “O” zone would not be undermined; the proposed development was compatible with the surrounding areas; and the proposal would not generate any adverse impacts on the surrounding areas.

6 The Site and Its Surrounding Areas (Plans A-1 to A-4)

6.1 The Site:

- (a) comprises of two portions occupying parts of HBR Park and KTP, which are separated by HBR in between. Both HBR Park and KTP are managed by LCSD;

- (b) the HBR Park Site is currently occupied by a 5-a-side soccer pitch, spectator stand and amenity area. It is bounded by Wai Yip Street to the north and HBR to the south; and
- (c) the KTP Site is currently occupied by LCSD's plant rooms, equipment room, seating and amenity area, and partly underneath the Kwun Tong Bypass. It is bounded by HBR to the north and abuts the Kwun Tong Typhon Shelter to the south.

6.2 The surrounding areas have the following characteristics:

- (a) the HBR Park Site is situated within the Kwun Tong Business Area. To its immediate north across Wai Yip Street are some commercial/office (c/o) buildings and Hay Nien Industrial Building. To the east of the HBR Park Site is a c/o building (known as NEO) and to its further east are some low-rise government facilities, including a refuse collection point, a toilet, a sitting-out area and a former cooked food hawker bazaar. To the west of the HBR Park is an electricity substation and a c/o development (namely One Bay East); and
- (b) the KTP Site is located at the western portion of the KTP which connects the Kowloon Bay/Kai Tak areas to Kwun Tong/Cha Kwo Ling areas along the shores of Kwun Tong Typhon Shelter.

7 Planning Intention

The "O" zone is primarily intended for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

8 Comments from Relevant Government Departments

8.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

8.1.1 Comments of the District Lands Officer/Kowloon East, Lands Department:

the Site falls within Permanent Government Land Allocations No. GLA-NK 448 and 782 for public local open space and KTP respectively, both allocated to LCSD. It is presumed that the project proponent would liaise with LCSD on any interface issues and the future M&M arrangement for the proposed development.

Urban Design, Visual Impact and Landscape Planning

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

- (a) she has no adverse comment on the application from urban design, visual impact and landscape planning perspectives, and her advisory comments are at **Appendix III**;

Urban Design and Visual Aspects

- (b) as gathered from the submission, the proposed façade and greening treatments as mentioned in paragraph 2(e) above may help the proposed structures to blend in with the surrounding and enhance visual interest. As the proposed low-rise structures are comparable in scale to the existing park facilities in the vicinity, significant adverse visual impact to the surrounding areas is not anticipated; and

Landscape Planning

- (c) with reference to the aerial photo of 2022 (**Plan A-3**), the Site is situated in an area of industrial urban landscape character predominated by industrial buildings, c/o buildings and open space with recreational facilities. According to the submission, preservation/transplanting of existing trees and planting of new trees will be carried out. Furthermore, the existing open space facilities, such as soccer pitch, sitting-out areas and landscape areas, will be reinstated and greening atop the plant room is proposed. The proposed development with associated re-provisioning works is considered not incompatible with the landscape character of the surrounding environment.

Open Space Management and Tree Preservation/Removal

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

- (a) he has no particular comment on the application and the temporary suspension of the soccer pitch at HBR Park. He trusts that the project proponent would duly consult all concerned stakeholders, minimise the associated impacts during the construction stage and provide sufficient promotion and notification to the public in due course; and

- (b) his advisory comments are at **Appendix III**.

8.2 The following government departments have no comment/no objection to the application and their advisory comments, if any, are at **Appendix III**:

- (a) Principal Assistant Secretary (Harbour), DEVB;
- (b) Head of Energizing Kowloon East Office, DEVB;
- (c) Director of Environmental Protection (DEP);
- (d) Commissioner for Transport (C for T);
- (e) Director of Fire Services;
- (f) Head of Geotechnical Engineering Office, CEDD (H(GEO) of CEDD);
- (g) Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD);
- (h) Chief Engineer/Construction, Water Supplies Department;

- (i) Chief Engineer/Port Works, CEDD;
- (j) Chief Engineer/Mainland South, DSD (CE/MS of DSD);
- (k) Chief Highway Engineer/Kowloon, Highways Department;
- (l) Project Manager (East), CEDD;
- (m) Commissioner of Police; and
- (n) District Officer (Kwun Tong), Home Affairs Department.

9 Public Comment Received During the Statutory Publication Period

During the statutory public inspection period, one public comment was received from an individual (**Appendix II**) objecting to the application on the grounds that there are more suitable sites for the proposed development; the proposal would lead to a reduction of POS; the scale of the above-ground structures and the construction timeframe are excessive; and that the proposed development would generate adverse environmental impacts during the construction stages, etc.

10 Planning Considerations and Assessments

10.1 The application is for proposed PUI (underground SSF with ancillary aboveground structures) at the Site mainly zoned “O” on the Kwun Tong (South) and Kai Tak OZPs, with a minor portion within an area shown as ‘Road’ on the Kai Tak OZP. The Proposed Scheme is identified by the Review as an essential flood attenuation infrastructure aimed at reducing the flood risk in the low-lying areas of Kwun Tong district during heavy rainstorm events. After exploring other possible sites within the catchment area, the Study concluded that the Site is the most suitable location to accommodate the proposed SSF.

Planning Intention and Site Utilisation

10.2 The planning intention of the “O” zone is for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. In line with the Government’s prevailing policy of “SSMU”, the proposed SSF will utilise underground space beneath two POSs for construction of an essential flood attenuation infrastructure. All the existing at-grade recreational and operational facilities at HBR Park and KTP will be re-provisioned as part of the proposed works. During the construction period, the remaining areas of HBR Park and KTP will continue to be opened for use by the public. Although a 5-a-side soccer pitch will be temporarily closed during the construction period, there are similar facilities in Kwun Tong district (**Plan A-1**) to meet the demand during the interim. Overall, with the in-situ re-provisioning of open space facilities, the integrity and function of the POS at the Site would not be affected in the long-term nor would the planning intention of the “O” zone be undermined. In this connection, DLCS has no in-principle objection to the re-provisioning proposal and temporary arrangement.

Visual and Land Use Compatibility

- 10.3 The majority of the Proposed Scheme will be positioned underground. As for the proposed single-storey, low-rise aboveground structures at the HBR Park Site (about 467m² in floor area) and KTP Site (about 149.4m²), they are incidental to the proposed SSF and the existing/re-provisioned open spaces. The extent of the proposed structures has been minimised and would occupy an insignificant area of the concerned open spaces (covering about 5% and 0.4% of the respective POSs). Moreover, the proposed architectural and landscape design of the proposed development will help soften the building bulk so as to blend in with the surrounding POS and waterfront setting (**Drawings A-6 to A-8**). CTP/UD&L, PlanD and CA/ASC, ArchSD have no adverse comment on the Proposed Scheme from urban design and visual impact perspectives. The Proposed Scheme is also considered not incompatible with the surrounding area.

Landscaping and Other Technical Aspects

- 10.4 There are 120 existing trees within the Site, which are of common ornamental species and no OVT is identified. Amongst them, 32 trees are proposed to be felled due to direct conflict with the proposed development. In accordance with prevailing technical circulars, compensatory tree planting at a rate of 1:1 will be provided and greening at roof areas are also proposed to mitigate the potential landscape impact. CTP/UD&L, PlanD does not anticipate any significant adverse landscape impact to the existing landscape resources arising from the Proposed Scheme. As with the prevailing practice, the eventual landscaping and tree preservation/removal works will be carried out to the satisfaction of the DLCS, i.e. the current and future M&M agent of the at-grade POS at the Site.
- 10.5 The applicant has submitted various technical assessments confirming the technical feasibility of the proposed development. Concerned departments, including DEP, C for T, CE/MS of DSD and H(GEO) of CEDD, have no objection to/no adverse comment on the application. Adverse environmental, traffic, drainage, sewerage and geotechnical impacts on the surrounding area are not envisaged.

Public Comments

- 10.6 One objecting public comment was received during the statutory publication period. The applicant's justifications at paragraph 2 and the planning assessments in paragraphs 10.1 to 10.5 above are relevant.

11 Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comment mentioned in paragraph 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 16.2.2028, 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 advisory clauses are attached at

Appendix III.

11.3 There is no strong reason to recommend rejection of the application.

12 Decision Sought

12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

12.2 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.

12.3 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.

13 Attachments

Appendix I	Application Form received on 27.12.2023
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 5.2.2024
Appendix II	Public Comment
Appendix III	Recommended Advisory Clauses
Drawing A-1	Existing Site Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Section
Drawing A-4	Location Plan of the DIW under the Study
Drawing A-5	Compensatory Tree Planting Scheme
Drawings A-6 to A-8	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2024**