

MPC Paper No. A/K18/345A
For Consideration by
the Metro Planning Committee
on 17.3.2023

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K18/345

- Applicant** : Hong Kong Baptist University represented by Townlands Consultants Limited
- Site** : 224 Waterloo Road (Part), Kowloon Tong, Kowloon
- Site Area** : About 6,541m²⁽¹⁾
- Land Status** : Falls within the Remaining Portion of New Kowloon Inland Lot (NKIL) No. 4167 and the Extensions thereto ⁽²⁾:
- (a) Lease term to be expired on 30.6.2047
 - (b) Subject to the following restrictions –
 - (i) shall be used for non-profit making post secondary school with staff quarters as approved by Director of Education and also for a church;
 - (ii) Design, Disposition and Height (DD&H) clause;
 - (iii) right of way clause;
 - (iv) non-building area clause; and
 - (v) various development restrictions on building height, number of storeys, gross floor area and parking requirements.
- Plan** : Approved Kowloon Tong Outline Zoning Plan (OZP) No. S/K18/21
- Zoning** : “Government, Institution or Community (7)” (“G/IC(7)”)
- (a) maximum building height restriction (BHR) of 10 storeys (excluding basement floor(s)), or the height of the existing building, whichever is the greater; and
 - (b) provision for application for minor relaxation of the BHR.
- Application** : Proposed Minor Relaxation of BHR (from 10 Storeys to 11 Storeys) for Permitted Educational Institution Use (Academic Complex)

⁽¹⁾ Includes an area of about 48.6m² (0.74%) falling within ‘Road’ area and the lease boundary.

⁽²⁾ Includes a small piece of Government Land and the applicant is required to verify the lot boundary with District Survey Office/Kowloon in subsequent lease modification stage.

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of BHR from 10 storeys to 11 storeys (excluding one storey of basement) for a proposed academic complex at the Ho Sin Hang Campus of the Hong Kong Baptist University (HKBU) (**Plan A-1**). The Site falls within an area zoned “G/IC(7)” on the approved Kowloon Tong OZP No. S/K18/21. According to the Notes of the OZP for the “G/IC(7)” zone, “Education Institution’ is always permitted and development within this zone is restricted to a maximum building height (BH) of 10 storeys (excluding basement floor(s)). Minor relaxation of the BHR may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance based on the individual merits of a development proposal. While the proposed academic complex has 10 storeys over one basement, the heights of the roof-top structures exceed the requirements under Joint Practice Note (JPN) No. 5⁽³⁾ and should be counted towards the height of the buildings, resulting in a BH exceeding BHR of 10 storeys as stipulated on the OZP.
- 1.2 According to the applicant, redevelopment of the Ho Sin Hang Campus of the HKBU will be carried out in two phases, i.e. Phases 1A and 1B (**Drawing A-1**). Phase 1A involves the demolition of existing academic buildings for a new academic complex, while Phase 1B involves the demolition of the remaining buildings for a new annex block, car park and a university plaza. Completion of Phases 1A and 1B are anticipated in 2030 and 2033 respectively.
- 1.3 The subject application for minor relaxation of BHR concerns only Phase 1A redevelopment of the Ho Sin Hang Campus (**Plan A-2**). According to the applicant’s proposal, the main roof of the proposed academic complex is measured at 94.35mPD(10 storeys)(**Drawing A-3**). As the proposed roof-top ancillary structures (i.e. lift machine rooms, cooling towers, plant rooms and jet fans with associated acoustic barriers) with heights ranging from 7m to 12.3m exceed 10% of the BH (i.e. 5.71m for the development with a net BH of 57.1m⁽⁴⁾), the height of the roof-top structures should be counted towards the building height, resulting in 11 storeys, exceeding the BHR under the OZP(**Drawing A-3**).
- 1.4 The proposed development will provide a 6m-wide setback along Waterloo Road in accordance with the non-building area (NBA) requirement designated on the Kowloon Tong Outline Development Plan (ODP) No. D/K18/1A (**Drawing A-2 and Plan A-3**). Besides, at-grade landscaping along western boundary of the Site is proposed. Canopies are also proposed along the southern building edge and western building edge facing Waterloo Road (**Drawing A-8**).
- 1.5 A total of 49 nos. of parking spaces are proposed for the entire Phase 1 development. To ensure parking demand will not be compromised by the construction phasing, temporary car parking spaces will be arranged to ensure there

⁽³⁾ According to JPN No.5, for building with height exceeding 30 meters, if the height of the roof-top ancillary structures exceed 10% of the building height or 15 metres (whichever is the less), they should be counted towards the height of the building for the purpose of administering BHR.

⁽⁴⁾ Based on a mean site formation level of 37.25mPD.

is a continuous provision of car parking spaces to meet the parking needs of students, staff and visitors (**Appendix Ie**). Vehicular access will remain at Waterloo Road.

- 1.6 The master layout plan, floor plans, section plans, photomontages and architectural rendering submitted by the applicant are at **Drawings A-1 to A-8**. The major development parameters of the proposed academic complex are as follows:

Development Parameters	Proposed Academic Complex^(*)
Site Area (about)	6,541m ²
Total Gross Floor Area (GFA) (about)	46,200m ²
Plot Ratio (PR) (about)	7.06
Site Coverage (SC) (not more than)	64%
No. of Blocks	1
Nos. of Storeys	Not more than 11 storeys with 1 basement floor [#]
BH at Main Roof Level / Top Roof Level	94.35mPD / 106.65mPD

Notes

- (*) The proposed scheme is indicative only and subject to detailed design. The application is for minor relaxation of nos. of storeys.
 (#) All the floors are proposed mainly for academic uses.

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

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|--|----------------------|
| (a) Application form and letter received on 14.9.2022 | (Appendix I) |
| (b) Supplementary Planning Statement (SPS) received on 14.9.2022 | (Appendix Ia) |
| (c) Further Information (FI) received on 31.10.2022 [1 st FI] | (Appendix Ib) |
| (d) FI received on 5.12.2022 [2 nd FI] [#] | (Appendix Ic) |
| (e) FI received on 20.1.2023 [3 rd FI] [#] | (Appendix Id) |
| (f) FI received on 10.2.2023 [4 th FI] [#] | (Appendix Ie) |
| (g) FI received on 21.2.2023 and 22.2.2023 [5 th FI] [#] | (Appendix If) |

[#] *exempted from publication and recounting requirements*

- 1.8 On 23.12.2022, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for one month as requested by the applicant in order to allow time for preparation of FIs to respond to departmental comments. With the FI received on 20.1.2023, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are provided in the supplementary planning statement at **Appendix Ia** and FIs (**Appendices Ib** and **Ic**). They are summarized as follows:

In Line with Government Policy and Meeting Development Need and Aspirations of HKBU

- 2.1 The proposed redevelopment will refurbish existing facilities of the aging Ho Sin Hang Campus to provide modernized facilities for an optimal teaching and research environment, meeting the Government's policy objective of nurturing Innovation and Technology (I&T) talent.
- 2.2 HKBU aims to become a research-led liberal arts institution of global significance. The proposed minor relaxation of BHR will meet the needs and aspirations of the university by providing the optimal hardware in the campus and allow accommodation of specific research facilities and additional academic space.

In Line with Planning Intention and Compatible with the Surrounding

- 2.3 The proposed academic complex is in line with the planning intention of the "G/IC" zone on the OZP. The proposed minor relaxation of BHR is to accommodate roof-top ancillary structures serving the proposed academic complex which are essential for the development and will not result in additional development potential nor substantial change in the building mass/bulk.
- 2.4 The BH of the proposed academic complex would remain consistent with the existing campus buildings and its surrounding buildings in terms of height, form and disposition. With the minor relaxation of BHR to 11 storeys, the proposed development is still compatible with the neighboring residential developments zoned in the "Residential (Group C) 6" ("R(C)6") and "Residential (Group C) 10" ("R(C)10") zones subject to BHR of 13 storeys and 10 storeys respectively (**Plan A-4**).

Specific Requirements of Roof-top Structures

- 2.5 The minor relaxation of BHR is to accommodate various regulation and requirements pertaining to the roof-top ancillary structures:
 - (a) Service lifts of 9.14m tall are provided at the eastern core of the roof-top in order to provide access to the roof (**Drawings A-2 and A-3**). According to the Code of Practice for Building Works for Lift and Escalator 2011, an overhead headroom of minimum 8.55m including lift overrun, safety working clearance for lift technician and hoisting beam for supporting and operating the lift car shall be provided. The space requirement could not be met without the minor relaxation of BHR.
 - (b) Fume exhaust fans which are essential to support the daily operation of the academic laboratories (**Drawings A-2 and A-3**) are proposed at the main roof level, as well as atop the covered plant room. Noise mitigation measures to mitigate the noise nuisance of the fans are necessary in order to meet the Acceptable Noise Levels stipulated by the Environmental Protection Department. Noise barriers of approximately 7m tall are

required in order to reduce the noise level of the fans. A covered plant room of 5.3m tall housing essential E&M services is proposed at the main roof level. The combination of the covered plant room (5.3m tall) and the noise barriers for the fans atop (7m tall) results in a height of 12.3m, which exceeds the requirement under JPN No.5.

- (c) Water-cooled cooling towers with silencers of 9m tall in total are installed on the main roof level as part of the Heating, Ventilation, and Air Conditioning (HVAC) system of the proposed development (**Drawings A-2 and A-3**). The size of the cooling towers are typical standard model available in the market.

Proposed Floor-to-floor Heights of the Development

- 2.6 The proposed floor-to-floor heights of 4.5m to 5.7m (**Drawing A-3**) are necessitated by technical constraints from the work zone requirements of laboratory equipment as well as headroom clearance requirements of E&M services. Further review in reducing the floor-to-floor height as far as technically feasible will be undertaken in detailed design stage.

Site Constraints

- 2.7 Without the minor relaxation of BHR, the building footprint has to expand to the north of the proposed academic complex to accommodate the same GFA. However, the stability of the existing slope immediately outside the northern boundary of the site imposes constraints for the building to expand further northward (**Drawing A-1**), as any new foundation at the existing EVA driveway (located to the north of the proposed academic complex) is technically not feasible without stabilization of the slope which falls outside the lot boundary.

Design Merits

- 2.8 Without the minor relaxation of BHR, either one academic floor space would have to be compromised or the footprint of each floor would be enlarged in order to provide the same GFA. As a result, building mass would have to be increased. With the proposed minor relaxation of BHR, more landscaping area and wider building separations could be provided.
- 2.9 The proposed development provides a 6m building setback from Waterloo Road for better pedestrian environment, which complies with the NBA requirement of the ODP (**Drawing A-1**). The 6m-wide setback could improve pedestrian environment and allow landscaping opportunities. Landscape provisions including terrace planters and slope greening, as well as tree planting along Waterloo Road are proposed in order to soften the building facade and provide a pleasant environment to enter the campus. Canopies are also proposed along the southern and western building edges.

No Adverse Technical Impacts

- 2.10 The Visual Impact Assessment (VIA) demonstrated that no adverse visual impact on the surrounding area is anticipated. The roof-top ancillary structures will not be visible from most of the viewing points and the proposed building height is consistent with the building height profile of the surrounding developments (**Drawings A-4 to A-7**).
- 2.11 The Traffic Impact Assessment (TIA) demonstrated that the traffic impact brought by the proposed development is relatively minimal and the proposed internal transport facilities are adequate. The Environmental Assessment (EA) demonstrated that no adverse impact on air quality, noise, water quality and waste management are anticipated.

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

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

4. Previous Application

There is no previous application covering the Site.

5. Similar Applications

- 5.1 There is one similar application No. A/K18/269 within the “G/IC(7)” zone and six applications (No. A/K18/236, No. A/K18/245, No. A/K18/314, No. A/K18/316, No. A/K18/329 and No. A/K18/343) within the “G/IC”, “G/IC(2)”, “G/IC(4)”, “G/IC(7)” and “G/IC(9)” zones (**Plan A-1**) for minor relaxation of BHR, but not due to exceedance of the BHR requirement under JPN No. 5. Six out of the seven similar applications were approved. Application No. A/K18/245 within the “G/IC(2)” zone was rejected. Information regarding these applications are summarized below:

Similar Applications Approved by the Board				
Application No.	Zoning	Minor Relaxation of BHR	Decision (Date)	Reasons
A/K18/236	G/IC	From 51mPD to 54mPD	Approved (28.4.2006)	<ul style="list-style-type: none">• having design merits• insignificant visual impact on the surrounding areas
A/K18/269	G/IC(7)	From 10 to 11 storeys	Approved (23.4.2010)	<ul style="list-style-type: none">• having innovative building design and planning merits• would bring about

Similar Applications Approved by the Board				
Application No.	Zoning	Minor Relaxation of BHR	Decision (Date)	Reasons
				improvements to townscape and amenity of the locality
A/K18/314	G/IC(4)	From 5 to 7 storeys	Approved (17.7.2015)	<ul style="list-style-type: none"> • may not be incompatible with the surrounding developments • would not create adverse impacts on the surrounding areas on various aspects
A/K18/316	G/IC(9)	From 13 to 15 storeys	Approved (5.2.2016)	<ul style="list-style-type: none"> • may not be incompatible with the surrounding developments • would not induce adverse impacts on the surrounding areas on various aspects • could optimize site utilization
A/K18/329	G/IC(9)	From 13 to 17 storeys	Approved (12.4.2019)	<ul style="list-style-type: none"> • considered not incompatible with the surrounding developments • would unlikely create significant adverse effects on the visual character of the area
A/K18/343	G/IC(9)	From 13 to 14 storeys	Approved (14.1.2022)	<ul style="list-style-type: none"> • relaxation of BHR was minor • would not result in a change of existing building bulk • no adverse impacts on various aspects are anticipated
Similar Application Rejected by the Board				
A/K18/245	G/IC(2)	From 3 to 4 storeys	Rejected (1.2.2008)	<ul style="list-style-type: none"> • having no strong justification as there was scope to provide carpark in the basement of the proposed development • insufficient planning and design merits • setting of undesirable precedent

6. The Site and Its Surrounding Areas (Plans A-1 to A-5 and site photos on Plans A-6 to A-7)

6.1 The Site:

- (a) is located at the northern portion of the existing Ho Sin Hang Campus of the HKBU at 224 Waterloo Road;
- (b) is currently occupied by existing academic buildings including the Au Shue Hung Building, Sing Tao Building, University Chapel, Dr. Lam Chi Fung Memorial Building and part of the OEN Hall with existing BH of one storey to nine storeys; and
- (c) is accessible via Waterloo Road.

6.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is a slope across which is a low to medium-rise residential development named Lung Cheung Court zoned “R(C)10” subject to a BHR of 10 storeys;
- (b) to the immediate east is a slope on which the Radio Television Hong Kong Television House and the Radio Television Hong Kong Broadcasting House, as well as a cluster of low to medium rise, low-density residential developments at the Broadcast Drive zoned “R(C)6” subject to a BHR of 13 storeys are situated;
- (c) to the immediate south is the remaining portion of the Ho Sin Hang Campus of HKBU within the same “G/IC(7)” zone with existing BH ranging from 7 to 10 storeys. To the further south of the campus is the Hong Kong Baptist Hospital; and
- (d) to the immediate west is the Waterloo Road and Waterloo Road flyover.

7. Planning Intention

- 7.1 The “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents as well as the general public. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 7.2 As stated in the Explanatory Statement of the OZP, a minor relaxation clause in respect of BHRs is incorporated into the Notes of the OZP in order to provide incentive for development/redevelopment with design merits/planning gains. Each application for minor relaxation of BHR will be considered on its own merits and the relevant criteria for consideration of such relaxation 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 public urban space;
- (d) providing separation between buildings to enhance air 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.

8. Comments from Relevant Government Bureaux/Departments

- 8.1 The following Government bureaux/departments have been consulted and their views on the application are summarised as follows:

Policy Aspect

- 8.1.1 Comments of the Secretary for Education (SED) and the University Grants Committee (UGC) Secretariat:

Supports the application as it facilitates the relevant capital works project.

Land Administration

- 8.1.2 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) the proposed redevelopment would be in conflict with the development parameters as permitted under existing lease governing the Lot. Should the subject application be approved by the Board, the applicant has to apply to LandsD for lease modification to implement the proposal. However, there is no guarantee that the lease modification would be approved. Such application, if received, will be considered by LandsD acting in its capacity as the landlord at its sole discretion and any approval given will be subject

to such terms and conditions including, inter alia, payment of premium and administrative fee as may be imposed by LandsD; and

- (b) the Site has additionally included a small piece of Government land. The applicant is therefore required to excise the Outside Portion from the Site and to rectify the corresponding information like site area and PR calculation etc. unless the boundary records of the Lot are verified with District Survey Office/Kowloon.

Building Matters

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

no objection in principle to the application subject to the comment that the proposed PR and SC should not exceed the permissible limits stipulated in the First Schedule of Building (Planning) Regulations. Detailed comments under the Building Ordinance will be formulated at the building plan submission stage.

Traffic

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

- (a) having reviewed the FIs, there is no further comment on the TIA from district engineering traffic point of view. Relevant approval condition in paragraph 11 is suggested to be imposed should the Board decides to approve the application; and
- (b) it is noted from **Appendix If** that the existing footpaths and crossing facilities would be operating with sufficient capacity upon completion of the proposed development. Thus, grade separated walkways would not be required. Nonetheless, the applicant could still consider providing grade separated walkways connecting the Ho Sin Hang Campus and the major public transport facilities so as to provide better connectivity and walking environment.

Environment

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

- (a) having reviewed the revised EA, he considers that insurmountable environmental impacts arising from the proposed development are not anticipated and he has no in-principle objection to the application. To address the potential land contamination issue of the proposed development, relevant approval condition in paragraph 11 is suggested to be imposed should the Board decides to approve the application; and

- (b) the applicant is advised to minimise the generation of construction and demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development.

Urban Design and Landscape

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

Urban Design and Visual

- (a) the surrounding areas of the Site are mainly characterized by low to medium-rise residential developments with existing BH ranging from four to 13 storeys (about 56.8mPD to 103.6mPD) (**Plan A-2**). According to paragraph 8.3.10 of the Explanatory Statement of the OZP, stepped height building profile with two tiers of BHR are adopted to allow smooth transition of BH from the high-rise public housing estates in Wang Tau Hom to the low-rise developments in the inner Kowloon Tong and to echo the stepped height concept for the area to the north of Cornwall Street (**Plan A-4**). The HKBU site together with the “R(C)10” zone to its immediate north and east with lower BH is also required to preserve the view corridor along Waterloo Road;
- (b) the proposed development with a BH of 11 storeys excluding basement (about 94.35mPD at main roof level and about 106.65mPD at top roof level) might not bring about significant adverse impact to the visual character of the surrounding areas;
- (c) the proposed floor-to-floor heights of about 5m are necessitated by technical constraints from work zone requirements of laboratory equipment and headroom clearance requirements of E&M services. The proposed 6m-wide non-building area along the western boundary of the Site in accordance with the Kowloon Tong Outline Development Plan No. D/K18/1A (**Plan A-3**) and landscape treatment at street level along Waterloo Road may improve the streetscape and pedestrian walking environment;

Landscape

- (d) no adverse comment on the application from landscape planning perspective;
- (e) the Site is located in an area of institutional landscape character comprises residential building blocks and institutional facilities.

The proposed development of a 11-storey building block is considered not incompatible to the landscape character of the surrounding environment;

- (f) according to the Landscape Proposal, landscape provisions including terrace planters and slope greening facing Waterloo Road and new tree planting are proposed to enhance the landscape quality of the proposed development. Significant adverse landscape impact to the existing landscape resources arising from the proposed development is not anticipated; and
- (g) the applicant is reminded that approval of the application under Town Planning Ordinance does not imply approval of the site coverage of greenery requirements under APP PNAP-152 and/or under the lease. The site coverage of greenery calculation should be submitted separately to BD/relevant authority for approval. Similarly for any proposed tree preservation/removal scheme and compensatory planting proposal, the applicant is reminded to approach relevant authority direct to obtain the necessary approval, where appropriate.

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

having considered that the adjacent “R(C)6” and “R(C)10” areas are subject to BHR ranging from 10 storeys to 13 storeys under the OZP, we have no comments from architectural and visual point of view.

8.2 The following Government departments have no objection to or no adverse comment on the application:

- (a) Project Manager (East), Civil Engineering and Development Department;
- (b) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department;
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) District Officer (Kowloon City), Home Affairs Department;
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Highway Engineer/Kowloon, Highways Department;
- (h) Director of Fire Services; and
- (i) Commissioner of Police.

9. Public Comments Received During Statutory Publication Period

The application and the first FI were published for public inspection on 23.9.2022 and 8.11.2022 respectively. During the statutory public inspection periods, a total of 14 public comments submitted by the general public and nearby residents were received. One

commenter supports the application as it optimizes land uses (**Appendix IIa**). 10 comments from individuals oppose the applications mainly on the grounds that the increase in BH would create adverse impacts on noise, air quality, air ventilation and visual aspects, as well as bring nuisance to nearby residents, and the need for redevelopment is not sufficiently justified (**Appendix IIb**). The remaining three comments are from individuals expressing views that the universities should utilize existing resources instead of spending money pursuing developments; relaxation of BHR is beneficial to redevelopments; and nearby residential developments should be allowed relaxation of PR upon redevelopments (**Appendix IIc**).

10. Planning Considerations and Assessments

10.1 The application is to seek planning permission for minor relaxation of BHR from 10 to 11 storeys (i.e. +one storey or +10%) for redevelopment of part of the existing Ho Sin Hang Campus of the HKBU into a new academic complex. The Site is zoned “G/IC (7)” which is intended primarily for the provision of GIC facilities serving the needs of the local residents as well as the general public. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. The proposed academic complex is regarded as ‘Educational Institution’ use which is permitted as of right in the “G/IC (7)” zone under the OZP. The application is supported by the Secretary for Education and University Grants Committee.

Minor Relaxation of BHR

10.2 The proposed development comprises an 11-storey academic complex (excluding one storey of basement) to accommodate academic facilities for research and laboratory use. While the height of the proposed building at 10 storeys at the main roof level does not exceed the BHR under the “G/IC(7)” zone, some of the roof-top ancillary structures with heights ranging from 7m to 12.3m exceed 10% of the BH (i.e. exceed 5.7m) of the proposed development and would be counted towards the height of the building as stipulated under JPN No. 5. The proposed minor relaxation of one storey for accommodating roof-top ancillary structures is considered not significant.

10.3 According to the applicant, the roof-top ancillary structures are essential to support the operation of the academic complex which is designated for research and laboratory use. The service lifts located at the eastern core of 9.14m tall is to meet the headroom, operation and maintenance requirement in accordance with the code of practice. The roof-top ancillary structure of 12.3m tall, located at the east of the rooftop, consists of a covered plant room of 5.3m and acoustic barriers for the jet fan of 7m atop the plant room is necessary for the operation of the academic complex as well as for noise mitigation purpose. The cooling tower with silencers of 9m tall has to be located at the roof-top as part of the HVAC system to support the operation of the building. DEMS has no adverse comments on the application. The applicant has also explained that should there be no minor relaxation of BHR,

the building footprint would have to be expanded northward to accommodate the intended GFA. However, the stability of the slope immediately outside the northern boundary of the site would impose technical constraint on such proposal.

- 10.4 The proposed development with BH of 11 storeys (about 94.35mPD at main roof level and 106.65mPD at top roof level) is considered not incompatible with the adjacent residential and GIC developments with existing BHs ranging from four to 13 storeys (about 56.8mPD to 103.6mPD) (**Plan A-2**). Having reviewed the VIA submitted by the applicant, CTP/UD&L, PlanD considers that the proposed development might not bring about significant adverse impact to the visual character of the surrounding areas. Noting that the adjacent residential development is subject to BHR ranging from 10 storeys to 13 storeys, CA/CMD2, ArchSD also has no comments on the application from architectural and visual impact point of view.

Design Merits

- 10.5 The proposed development will provide a 6m-wide building setback along Waterloo Road to comply with the NBA requirement of the ODP to enhance the townscape of the Kowloon Tong area. Besides, landscape treatments such as slope greening and tree planting are proposed along Waterloo Road. These landscape treatments may improve streetscape and pedestrian walking environment. Having considered the above special circumstances and design merits, the proposed minor relaxation of BHR is considered not unreasonable and could bring about improvements to townscape and amenity of the locality.

Technical Aspects

- 10.6 On environmental aspect, DEP has no adverse comments from noise and air quality perspective and is of the view that the proponent should be required to submit land contamination assessments and implement the measures recommended in the assessments. Both CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comments on the proposed redevelopment from visual perspective and C for T has no adverse comments on the application from district engineering traffic point of view. Relevant approval conditions on environmental and traffic aspects are suggested to be imposed (paragraph 11.2 refers).

Public Comment

- 10.7 The supporting comment is noted. Regarding the public comments opposing or providing views on the application concerning the need for redevelopment and the potential adverse impacts brought about by the minor relaxation of BHR, justifications provided by the applicant in paragraph 2 and the planning assessments in paragraph 10 above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10, 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 17.3.2027, 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 approval conditions are suggested for Members' reference:

Approval Conditions

- (a) the submission of Land Contamination Assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (b) the design and provision of vehicular access, parking spaces, loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Advisory Clauses

The recommended advisory clause is 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 and letter received on 14.9.2022
Appendix Ia	Supplementary Planning Statement received on 14.9.2022
Appendix Ib	1 st FI received on 31.10.2022
Appendix Ic	2 nd FI received on 5.12.2022
Appendix Id	3 rd FI received on 20.1.2023
Appendix Ie	4 th FI received on 10.2.2023
Appendix If	5 th FI received on 21.2.2023 and 22.2.2023
Appendices IIa to IIc	Public comments
Appendix III	<i>Recommended Advisory Clause</i>
Drawing A-1	Master Layout Plan
Drawing A-2	Floor Plans at Main Roof and Top Roof Floor
Drawing A-3	Section Plan
Drawings A-4 to A-7	Photomontages
Drawing A-8	Architectural rendering
Plan A-1	Location Plan
Plan A-2	Site Plan with Existing Building Height
Plan A-3	Non-building Areas
Plan A-4	Building Height Restriction Plan
Plan A-5	Aerial Photo
Plans A-6 to A-7	Site Photos

**PLANNING DEPARTMENT
MARCH 2023**