

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/34

- Applicant** : International Trademart Company Limited represented by KTA Planning Limited
- Site** : New Kowloon Inland Lot (NKIL) No. 6032, 1 Trademart Drive, Kowloon Bay, Kowloon
- Site Area** : About 22,280m²
- Lease** : NKIL No. 6032
- (a) With a lease term up to 2047;
 - (b) Restricted to non-industrial (excluding godown, petrol filling station, hotel and residential) purposes;
 - (c) Maximum Gross Floor Area (GFA) of 164,872m² (i.e. Plot Ratio (PR) 7.4) with a requirement of minimum GFA of 11,285m² for the Trade Mart for the display of, exhibition of and wholesale trade in manufactured goods or services;
 - (d) Parking, loading and unloading requirements upon redevelopment as specified in the Fifth Schedule of the Modification Letter dated 20.1.2005 governing the Lot; and
 - (e) Height restriction of 185m above Hong Kong Principal Datum (mPD)
- Plan** : Approved Kai Tak Outline Zoning Plan No. S/K22/8 (currently in force)
- Draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/7 (in force at the time of submission. The zoning and development restrictions for the site remain unchanged on current OZP)
- Zonings** : “Other Specified Uses” annotated “Trade Mart and Commercial Development” (“OU(Trade Mart and Commercial Development)”) (about 99.2%) subject to the following restrictions/requirements:
- (a) Maximum PR of 12.0, or the PR of the existing building, whichever is the greater, the GFA of which shall include exhibition/trade-related uses of not less than 11,285m²; and
 - (b) Maximum building height (BH) of 100mPD

Area shown as 'Road' (about 0.8%)

Application : Proposed Minor Relaxation of Building Height Restriction for Permitted Commercial and Trade Mart Redevelopment including Exhibition/Convention Hall, Office, Eating Place and Shop and Services Uses

1. **The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of BH restriction from 100mPD to a maximum of 140mPD (+40%) to facilitate redevelopment of the Kowloon Bay International Trade and Exhibition Centre (KITEC) at the application site (the Site). The Site falls primarily within an area zoned "OU(Trade Mart and Commercial Development)", with a minor portion of the site (about 0.8%) shown as 'Road' ^[1] on the approved Kai Tak OZP No. S/K22/8 (**Plan A-1**). According to the Notes of the OZP for the "OU(Trade Mart and Commercial Development)" zone, developments are subject to a maximum BH restriction of 100mPD. The proposed 'Exhibition/Convention Hall', 'Office', 'Eating Place' and 'Shop and Services' uses are always permitted under the Notes for "OU(Trade Mart and Commercial Development)". Minor relaxation of BH restriction may be considered by the Town Planning Board (the Board) under section 16 of the Town Planning Ordinance.
- 1.2 The redevelopment proposal (i.e. the proposed scheme) comprises three 22- to 26-storey office towers atop a 3-storey podium mainly for retail/commercial and trade mart uses, and 1-storey podium garden (excluding 2 levels of basement carpark). A total PR of about 7.4/GFA of about 164,872m² (including a GFA of not less than 11,285m² dedicated for trade mart use) ^[2] are proposed. The site coverage (SC) below 15m is not more than 65% and above 15m is not more than 32%. The proposed scheme adopts a stepped BH profile generally descending towards the waterfront, from BH of 140mPD at T3 to 132mPD at T2 and 123mPD at T1 (**Drawing A-10**). Vehicular ingress/egress point of the Site is proposed at Trademart Drive (**Drawing A-1**).
- 1.3 The indicative Master Layout Plan (MLP), floor plans, section plan, landscape proposal, and artist impressions submitted by the applicant are shown in **Drawings A-1 to A-20**. The major development parameters of the proposed scheme are summarised below:

Major Development Parameters	
Site Area (about)	22,280m ²
Proposed Uses	'Exhibition/Convention Hall', 'Office', 'Eating Place' and 'Shop and Services'

¹ The Site also includes a minor portion (about 0.8% or 188.5m²) fall within an area shown as 'Road' on the OZP, which can be regarded as minor boundary adjustment.

² Development parameters including total PR/GFA (including GFA dedicated for trade mart use) are proposed to be the same as the existing KITEC development, which would be in compliance with the existing lease conditions governing the lot (Para. 8.1.1 below refers).

Major Development Parameters	
PR (about)	7.4 ^[a]
Total GFA (about) - Office - Retail - F&B and Banquet - Trade Mart	164,872m ² ^[a] - 132,437m ² ^[b] - 10,650m ² ^[b] - 10,500m ² ^[b] - 11,285m ² ^[c]
Site Coverage - Podium (below 15m) - Tower (above 15m)	- Not more than 65% - Not more than 32%
No. of Blocks	3
BH (main roof level) (Drawing A-10) - Tower 1 - Tower 2 - Tower 3	Maximum 140mPD - 123mPD - 132mPD - 140mPD
No. of Storeys (Drawing A-10) - Tower 1 - Tower 2 - Tower 3	- 22-storey ^[d] - 24-storey ^[d] - 26-storey ^[d] all atop a 3-storey podium, 1-storey podium garden and above a 2-level basement
Car Parking and L/UL Facilities - Motor Vehicles Parking Spaces - Motor Cycles Parking Spaces - Light Goods Vehicle L/UL Bay - Heavy Goods Vehicle L/UL Bay - Private Car/Taxi Lay-by	- 604 ^[e] - 60 ^[e] - 72 ^[e] - 41 ^[e] - 7 ^[e]
Greenery Provision ^[f] (Drawings A-16 to A-19) - Overall (excluding greenery at roof level) - Pedestrian/primary zone - Roof level	- Not less than 30% (about 30.47%) ^[f] - Not less than 20% (about 24.55%) - Not less than 20% (about 20.27%)
Building Separations and Tower Setbacks (Drawings A-8 to A-10, A-21 and A-22)	- 30m-wide building separation (above podium) between Towers T1/T2 and T3 - 15m-wide mid-level opening between 5/F to 18/F of Towers T1 and T2 - 15m-wide tower setback from Kai Cheung Road - 5m-wide tower setback from Kai Fuk Road - 7.5m-wide tower setback from adjoining open space strip to the south
Anticipated Completion Date	2027

Notes

- [a] In compliance with existing lease requirements.
- [b] Exact GFA mix of office, retail, F&B and banquet will be subject to refinement at detailed design stage.
- [c] In compliance with existing lease and OZP requirements.
- [d] Proposed floor-to-floor height for office towers is 4.385m.
- [e] In compliance with lease requirements as stipulated on the Fifth Schedule of the Modification Letter dated 20.1.2005 governing the Lot.
- [f] In order to achieve the planning intention of developing Kai Tak as a green hub, a set of higher standard of greening requirement has been imposed. The greening requirements include: (a) an overall minimum greening ratio of 30% of the site area; (b) greening at pedestrian zone/primary zone for at least 20% of the site area; and (c) roof greening for at least 20% of the total roof area. The provision of overall greenery (about 30.47%, excluding the additional greenery proposed at roof level) generally meets the requirement.

- 1.4 As compared to the KITEC, the proposed redevelopment mainly involves change in GFA mix between 'Office', 'Eating Place' and 'Shop and Services' uses. A GFA of about 11,285m² for trade mart use would be maintained. 'Place of Entertainment' use (such as multi-purpose hall and cinemas) would not be provided under the proposed scheme. GFA breakdown of KITEC and the proposed scheme as provided by the applicant are summarised below:

Uses	KITEC (m ²)	Proposed Scheme(m ²)
- Office	63,934	132,437 ^[3]
- Retail	71,151	10,650 ^[3]
- F/B & Banquet	9,117	10,500 ^[3]
- Trade mart	11,312	11,285
- Multi-Purpose Hall	4,860	-
- Cinemas	4,465	-
Total	164,839	164,872^[4]

Building Design

- 1.5 Various building design features have been incorporated in the proposed scheme (details refer to paras. 2(b) to 2(e)). A stepped BH profile for the 3 towers is proposed to be gradually descending towards the waterfront (**Drawing A-10** and para. 1.2 refers). In order to improve air ventilation and permeability, a building separation (above podium level) of not less than 30m-wide is proposed between Towers T1/T2 and T3, and a mid-level opening of not less than 15m-wide is proposed between 5/F and 18/F of Tower T1 and T2 (**Drawings A-8 to A-10 and A-20**). The proposed development would also incorporate tower setbacks from nearby roads to reduce visual impact at street level (**Drawing A-22**). With a smaller podium extent and setback from Trademart Drive, an at-grade open plaza

³ Exact GFA mix of office, retail, F&B and banquet will be subject to refinement at detailed design stage.

⁴ The total GFA/PR for the proposed redevelopment has excluded GFA for the footbridge connection points in the north and south which are subject to detailed design and approval of the Buildings Authority at General Building Plan stage.

is proposed for vibrant street frontages with possible alfresco dining (**Drawing A-21**).

Landscape Design and Greenery Provision

- 1.6 According to the landscape proposal (**Drawings A-11 to A-15**), the proposed development will incorporate vertical greening along Kai Cheung Road and Kai Fuk Road, landscaped public space at multiple levels (including an at-grade open plaza, pocket gardens at 1/F and 2/F and a podium garden at 3/F) and roof greening. The at-grade open plaza, pocket gardens and podium garden (**Drawing A-21**) will be accessible by users and visitors of the proposed development during commercial operation hours.
- 1.7 A total greenery area of not less than 30% of the site area, including not less than 20% of greenery area at pedestrian/primary zone and not less than 20% of greenery at roof, are proposed. Greenery coverage diagrams are at **Drawings A-16 to A-19**.

Green Building Design and Sustainability

- 1.8 The proposed redevelopment will equip with low e-glass minimizing solar heat gain, high efficiency lighting fixture and building façade with lower overall thermal transfer value. It is targeted to achieve BEAM Plus gold rating or above and comply with Sustainable Building Design Guidelines (SBDG). The applicant is also intended to connect the proposed redevelopment to the District Cooling System (DCS) in KTD.

Pedestrian Connectivity

- 1.9 The applicant proposes an opening at 1/F to connect an existing footbridge (leading to Electrical and Mechanical Services Department (EMSD) Headquarters) across Kai Cheung Road in the north (**Drawing A-5**). The existing footbridge would further link to a proposed northern footbridge extension towards Kai Tak City Centre (**Drawings A-23 and A-27**). Another opening^[4] is reserved at 2/F for a proposed southern footbridge, which will further connect to an existing footbridge across Kai Fuk Road from Kowloon Bay towards the South Apron Corner Area of KTD (**Drawings A-6, A-23 and A-27**). Within the proposed redevelopment, barrier-free and 24-hour access will be provided to connect with the footbridges to the street level.
- 1.10 According to the applicant, the proposal for construction of the northern and southern footbridges for public use (which do not form part of the current application) (**Drawing A-23**) was submitted to Development Bureau under the policy of “Facilitating Provision of Pedestrian Links by the Private Sector”^[5] in

⁵ To facilitate early provision of planned pedestrian links to enhance connectivity and walkability, an incentive policy by way of waiving the land premium payable for lease modification for provision of such links (including footbridges and subways), using Kowloon East (covering the Kowloon Bay and Kwun Tong Business Areas) as a pilot area, was announced in the 2016 Policy Address. As pre-requisite conditions of the Policy, the applicants will be required to bear the design, construction, management and maintenance responsibilities and related costs

2017. Both footbridges connection/extension outside the Site will be implemented by the applicant ^[6] with separate application for lease modification currently under processing.

- 1.11 According to the submitted TIA, free shuttle bus service between the Site and Telford Plaza will be maintained with shuttle bus stop to be provided within the G/F of the proposed redevelopment.
- 1.12 In support of the application, the applicant have submitted the following documents:

(a) Application Form received on 11.3.2022

Appendix I

(b) Supporting Planning Statement (SPS) attached to the Application Form, including Master Layout Plan (MLP), Traffic Engineering Technical note, Landscape Proposal (LP), Visual Impact Assessment (VIA) and Air Ventilation Assessment (AVA)(Expert Evaluation(EE))

(c) Supplementary Information (SI) received on 16.3.2022

(d) Further Information (FI) received on 25.4.2022 enclosing response to comments (R-to-C), revised pages of LP, assessment on trip generation rates and traffic generation, and estimation of on-site population [FI(1)]#

Appendix Ia ^[7]

(e) FI received on 14.6.2022 enclosing R-to-C, revised AVA(EE), sewage generation calculation, pedestrian circulation network plan, building separation and setback plan, and replacement page of SPS [FI(2)]#

(f) FI received on 2.8.2022 enclosing R-to-C, Traffic Impact Assessment (TIA), and revised sewage generation calculation [FI(3)]#

(g) FI received on 20.9.2022 enclosing R-to-C, revised AVA(EE) and TIA [FI(4)]#

(h) FI received on 31.10.2022 enclosing R-to-C and revised TIA [FI(5)]#

of the approved links, and provide, as a norm, 24-hour barrier-free public access at such links.

⁶ The applicant has proposed to undertake the design and construction of the proposed northern and southern footbridges. The management and maintenance responsibilities are subject to future agreement between the applicant and relevant government departments.

⁷ A consolidated report containing Supporting Planning Statement (SPS), consolidated responses to comments (R-to-C) tables and finalised technical assessments was submitted by the applicant on 13.3.2023 (**Appendix Ia**) that supersedes all previous submission, thus items as listed from (b) to (m) above are not attached in this paper.

- (i) FI received on 20.12.2022 enclosing R-to-C, revised MLP, LP and AVA(EA) [FI(6)]#
- (j) FI received on 20.1.2023 enclosing R-to-C, revised VIA and update page of LP [FI(7)]#
- (k) FI received on 23.2.2023 enclosing R-to-C, response to public comments, revised AVA(EA) and VIA [FI(8)]*
- (l) FI received on 9.3.2023 enclosing R-to-C and replacement pages of VIA and rendering [FI(9)]*
- (m) FI received on 10.3.2023 enclosing replacement pages of VIA [FI(10)]*
- (n) FI received on 13.3.2023 enclosing clarification of background information and consolidated report containing SPS, consolidated R-to-C tables and finalised technical assessments [FI(11)]*

Appendix Ia^[7]

accepted but not exempted from publication and recounting requirement

* 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 detailed in the SPS and FIs at **Appendix Ia** and are summarized as follows:

In-line with Government's Policy and Planning Intention

- (a) The proposed redevelopment will provide a GFA of 132,437m² for office use in CBD2, and maintain a GFA of not less than 11,285m² for display, exhibition and wholesale trade of manufactured goods as trade mart use as required by the OZP. Commercial and entertainment uses are permitted as of right within the "OU(Trade Mart and Commercial Development)" zone. The proposed development could be implemented in a short timeframe as it complies with existing lease conditions and does not require lease modification or infrastructure upgrading.

Planning and Design Merits

- (b) The applicant has explored different development options^[8], of which some would result in full site coverage, low floor-to-floor height, limited opportunity for podium setback and tower separation, varying BHs and provision of podium garden and open

⁸ The applicant had considered the following development options with development parameters including:

- (i) maintaining existing development of PR 7.4 with proposed Alternation and Addition Works;
- (ii) OZP compliant scheme with maximum PR 12 and maximum BH of 100mPD;
- (iii) Compliance scheme with PR 7.4 (under lease) and maximum BH of 100mPD (under OZP); and
- (iv) Proposed development with PR 7.4 (under lease) and maximum BH of 140mPD (i.e. the current application).

plaza. The current scheme with PR of 7.4 and BH of 140mPD is considered as the only option which can put forth the most planning and design merits as detailed at paras. 2(c) to 2(g) below and meet relevant criteria for minor relaxation of BH as stated in the Explanatory Statement of the OZP (para. 7.3 below refers).

- (c) The Site is located next to the Kowloon Bay Business Area (KBBA) dominated by high-rise commercial development with building height (BH) restrictions ranging from 140mPD to 170mPD (**Plan A-5**). In order to achieve a more pronounced stepping BH profile within the Site, BH of the 3 towers would gradually descend towards the waterfront i.e. 140mPD for T3, 132mPD for T2 and 123mPD for T1 to create a dynamic architectural form (**Drawing A-10**). A typical office floor-to-floor height of 4.385m is also in line with the recent trend for Grade A office buildings.
- (d) Building mass and tower disposition above podium are carefully designed to achieve a building separation of not less than 30m between Towers T1/T2 and T3 and a mid-level opening of not less than 15m between 5/F to 18/F of Towers T1 and T2 to improve air ventilation and permeability in the area (**Drawings A-10, A-20 and A-22**). These building separations will also establish a physical and visual connection between the east and west, and act as a spatial relief to pedestrians at street level.
- (e) KITEC has a near full extent of podium coverage. With a site coverage of not more than 65% (i.e. below 15m), the proposed redevelopment will be setback from Kai Fuk Road and Kai Cheung Road at G/F to incorporate commercial facilities with possible alfresco dining (para. 1.5 refers) (**Drawings A-20 and A-22**). Commercial facilities are planned on the lower floors to add vitality and vibrancy to the area. Setback from Trademart Drive would create a landscaped open plaza at ground level that acts as a focal point (**Drawings A-4, A-20 to A-22**). The proposed development will integrate with the Green Link and Green Spine under Energizing Kowloon East Office (EKEO)'s initiative for pedestrian improvement within KBBA^[9] (para. 8.1.3 refers) (**Drawing A-27**).
- (f) There is limited provision of greenery and open space at KITEC. To maximise greening opportunity and provision of open space, the applicant proposes vertical greening along Kai Cheung Road and Kai Fuk Road, public landscaped spaces at G/F, 1/F, 2/F and 3/F of the proposed development that would be opened for public enjoyment during commercial operation hours, and greenery at roof (para. 1.6 refers). The applicant will consider and future explore the provision of pedestrian amenities and weather protection measures at detailed design stage. These landscape provisions would facilitate penetration of prevailing winds at the lower levels, improvement of local greenery at the Site and streetscape enhancement (**Drawings A-11 to A-14**). The proposed development will achieve an overall greenery provision of not less than 30% of the site area (**Drawings A-16 to A-19**).

⁹ Both "Green Spine" and "Green Link" are at-grade linkage system. Existing and planned linear "Local Open Space" sites extending from Kai Cheung Road in the north to Wang Yuen Street in the south are designated as the "Green Spine" in the KBBA Pedestrian Environment Improvement Feasibility Study which will mainly be a "car-free" landscaped pedestrian passageway at the heart of KBBA. To complement the "Green Spine", the "Green Link" will extend from Wang Chin Street near KITEC at the north to guide pedestrian movement to the eastern end of Sheung Yee Road at the south, linking up all major open spaces, new developments or points of interests at the southern and western fringes of KBBA.

- (g) The proposed development would adopt various green building designs as stated in para. 1.8. Requirements under SBDG including building separation, building setback and site coverage of greenery will also be fulfilled.

Compliance with the Harbour Planning Principles

- (h) The proposed BH of 140mPD is not considered visually incompatible with the surrounding developments as described at para. 2(c) forming a stepped BH profile towards the waterfront area. The proposed building separation and mid-level opening as described at para. 2(d) would enable visual and wind permeability from harbourfront towards inland areas of KBBA.
- (i) Retail shops, dining facilities and trade mart hall will be accommodated at the lower levels for better street life and add vitality and vibrancy to the area (**Drawings A-4 to A-6**). The landscape open plaza will serve as a focal point by drawing pedestrians through the spaces for social activities and enhance pedestrian experience at street level.
- (j) The proposed development will echo with EKEO's initiative in enhancing pedestrian connectivity and improving walking environment in that an openings at 1/F and 2/F are reserved for connection to existing and planned footbridges to enhance the connectivity of Kowloon Bay, Kai Tak City Centre and South Apron Corner of KTD (paras. 1.9 and 1.10 refer) (**Drawings A-23 and A-27**).

No Adverse Impacts

- (k) According to the Lease Modification granted in 2005, the maximum BH of the Site has been modified to 185mPD ^[10]. The current application only involves minor relaxation of BH restriction. Total PR and GFA would remain the same as per the KITEC. As demonstrated by various technical assessments including VIA, AVA(EE) and TIA, the proposed development would not generate adverse impacts on the surrounding areas in terms of visual, air ventilation and traffic aspects.

Responses to Public Comments

- (l) In response to the public comments received during the statutory publication periods (**Appendix III**), the responses from the applicant are summarised as follows:
 - (i) Regarding the views on the proposed BH which was considered not minor in nature and incompatible to the surroundings, the proposed maximum BH of 140mPD has made reference to the BH restrictions in KBBA ranging from 140mPD to 170mPD. Varied BH within the proposed redevelopment will maintain the stepped BH profile with gradual transition towards to waterfront area of KTD.
 - (ii) As regards the comments on insufficient pedestrian connections, the applicant has separately submitted footbridge connection proposal in 2017 to Government

¹⁰ The maximum BH of 185mPD under Lease Modification granted in 2005 was in line with the BH restriction for the KITEC site under the then Kai Tak (North) OZP No. S/K19/3 (Paras. 4.3 to 4.4 refer).

for consideration and processing (paras. 1.10 and 2(j) refer). The proposed development will link up KTD and KBBA, as well as Green Spine Link under EKEO's initiative in enhancing pedestrian connectivity and improving walking environment.

- (iii) Regarding air ventilation impact and wall effect, the AVA at **Appendix Ia** has concluded that the proposed development would not have adverse air ventilation impact to the surrounding when compared to the OZP compliant scheme.
- (iv) In response to the loss of place of entertainment use, the applicant may consider to incorporate such use in future when there is the market demand.

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

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

4. **Background**

- 4.1 The Site (NKIL 6032) was sold by public auction in 1987. According to the sale conditions, the lot was restricted to the use of industrial or godown purposes or both with a provision of the lessee to opt for the purpose of a trade mart, which is a trade exhibition centre for display, exhibition and wholesale trade of manufactured goods. The option of 'Trade Mart' was subsequently exercised. The construction of building was completed with occupation permit issued by the Building Authority in 1996.
- 4.2 On 4.9.1998, the Site was excised from the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/10^[11] to form part of the draft Kai Tak (North) OZP No. S/K19/1^[12] with zoning of the Site remained as “OU(Trade Mart or Industrial/Godown Use)” and the same PR stipulation.
- 4.3 In July 2000, the applicant submitted a rezoning request to rezone the Site from “OU(Trade Mart or Industrial/Godown Use)” to “Commercial”^[13] for in-situ conversion of the development to a visitor/family destination centre with entertainment, commercial, trade mart/business and other supporting facilities. A GFA of not less than 11,285m² for exhibition/trade-related uses was also proposed. In June 2001, the MPC considered the request for rezoning and agreed in-principle to adopt a more flexible zoning (i.e. “OU(Trade Mart and Commercial Development)” instead of “Commercial”) to facilitate the in-situ conversion, and

¹¹ According to draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/10, the Site was zoned “OU(Trade Mart or Industrial/Godown Use)” subject to a maximum PR of 12.

¹² The draft Kai Tak (North) OZP No. S/K19/1 was gazetted on 4.9.1998.

¹³ Under the draft Kai Tak (North) OZP No. S/K19/1.

expand the permissible uses in the Notes of the OZP ^[14]. As regards the BH restriction for the Site, it should take into account the findings of the Comprehensive Feasibility Study for the Revised Scheme of South East Kowloon Development (SEKD), in that a stepped height design rising from the waterfront promenade towards the inland was proposed. Given the inland location of the Site, the highest of the BH stipulation of 185mPD was incorporated in the then Kai Tak (North) OZP No. S/K19/2 which was gazetted on 24.8.2001 ^[15].

- 4.4 Subject to the Court of Final Appeal's ruling, the Kai Tak Planning Review (the Review Study) with "no reclamation" as starting point was commissioned in 2004. In 2006, the Kai Tak (North) OZP No. S/K19/3 and Kai Tak (South) OZP No. S/K21/3 were replaced by the draft Kai Tak OZP No. S/K22/1 after the exclusion of reclamation proposal. The Site was zoned "OU (Trade Mart and Commercial Development)" on the draft Kai Tak OZP No. S/K22/1 with maximum PR and GFA requirement on 'Trade Mart' use unchanged, but BH restriction revised from 185mPD to 100mPD taking into account the BH profile in KTD to creating a dynamic skyline and celebrating the views as recommended by the Review Study. The zoning and development restrictions for the Site have remained unchanged since then.
- 4.5 The Site is located next to the KBBA with planned BH restriction of 140mPD to its immediate north east and further east. In February 2005, BH restrictions for various zones in KBBA were incorporated in the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/22 subsequent to the Study of "BH restrictions for Kwun Tong and Kowloon Bay Business Areas" ^[16]. Of relevance, height bands (i.e. 170mPD, 140mPD, 120mPD and 100mPD) for the high-rise business cluster in KBBA were incorporated (**PlanA-5**).

5. Similar Application

There is no similar application for minor relaxation of BH restriction within the "OU(Trade Mart and Commercial Development)" zone on the OZP.

6. The Site and Its Surrounding Areas

(Plans A-1 and A-2, Aerial Photo on **Plan A-3** and Site Photos on **Plan A-4**)

- 6.1. The Site is:

¹⁴ MPC also agreed that a maximum PR of 12 and the requirement of not less than 11,285m² for exhibition/trade-related uses for the Site would be imposed.

¹⁵ Besides the BH restriction, a maximum PR and GFA requirement for exhibition/trade-related uses were imposed on the OZP as per MPC's decision in June 2001.

¹⁶ In taking forward the Study of Urban Design Guidelines for Hong Kong, proposals for BH restrictions for the Kowloon Bay and Kwun Tong Business Areas were prepared and the public was consulted in 2004. The proposals were generally supported by the community as a mean to preserve the views to the ridgelines and to enhance the urban environment. In 2005, PlanD completed the study of "BH Restrictions for Kwun Tong and Kowloon Bay Business Areas".

- (a) Currently occupied by a 14-storey KITEC accommodating 'Exhibition or Convention Hall', 'Office', 'Eating Place', 'Place of Entertainment' and 'Shop and Services' uses with a BH of 52mPD;
- (b) Bounded by Trademart Drive/Kwun Tong Bypass to its east, Kai Cheung Road to its north and Kai Fuk Road to its west; and
- (c) Connected to an existing footbridge across Kai Cheung Road linking to EMSD Headquarters at its north.

6.2. The surrounding areas have the following characteristics (**Plan A-5**):

- (a) To the east across Trademart Drive/Kwun Tong Bypass is KBBA, which is mainly occupied by industrial buildings, industrial-office buildings and commercial/office developments subject to BH restriction of 140mPD;
- (b) To the immediate south is an area zoned "Open Space" with a footbridge landing of an existing footbridge across Kai Fuk Road and a LPG cum petrol filling station. To the further south across Kai Fuk Road are areas zoned "Commercial (8)" and "Commercial (1)" subject to BH restrictions of 100mPD and 80mPD respectively, which are occupied by temporary works areas;
- (c) To the west across Kai Fuk Road are elevated roads and areas zoned "OU" annotated "Amenity". To the further west are areas zoned "OU" annotated "Tunnel Ventilation Shaft and Administration Building" for Central Kowloon Route;
- (d) To the northwest and north are areas zoned "G/IC" which occupied by the Kai Tak River Desilting Compound No.1 and the EMSD Headquarters respectively. To the further northwest and north across Shing Kai Road are the residential cluster in the Kai Tak City Center (i.e. the Grid Neighbourhood).

7. Planning Intention

- 7.1. The planning intention of the "OU(Trade Mart and Commercial Development)" zone is intended primarily for exhibition and ancillary commercial uses.
- 7.2. According to the Explanatory Statement (ES) of the OZP, the designation of the subject "OU(Trade Mart and Commercial Development)" zone is to facilitate a commercial development for retail and entertainment facilities in which a GFA of not less than 11,285m² would be retained for the display, exhibition and wholesale trade of manufactured goods. Commercial and entertainment uses are permitted as of right. Development within this zone are subject to a maximum PR of 12.0 and a maximum BH of 100mPD.

- 7.3. Minor relaxation of BH restriction will be considered by the Board taking into account its own merits and the relevant criteria for consideration of such application for relaxation are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a 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 plot ratio under the Plan; and
 - (f) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

8. Comments from Relevant Government Bureaux/Departments

- 8.1. The following government bureau/departments have been consulted and their views on the application are summarized as follows:

Land Administration

- 8.1.1. Comments of District Lands Officer/Kowloon East, Lands Department (LandsD):

- (a) The site under application is located at NKIL No. 6032 (“the Lot”) with a site area of 22,280m² and lease term up to 2047. The Lot is restricted to non-industrial (excluding godown, petrol filling station, hotel and residential) purposes, maximum GFA of 164,872m² (i.e. PR 7.4) with a requirement of minimum GFA of 11,285m² for the Trade Mart for the display of, exhibition of and wholesale trade in manufactured goods or services, and with parking, loading and unloading requirements upon redevelopment as specified in the Fifth Schedule of the Modification Letter dated 20.1.2005 governing the Lot. Height restriction under lease is 185m HKPD;
- (b) The proposed redevelopment scheme comprised of 3 blocks of office towers over a 3-storey podium for trade mart and commercial/retail uses, 1 level of podium garden and 2-level of basement. The total GFA proposed is 164,872m² (i.e. PR 7.4) (comprised of 132,437m²

for office, 21,150m² for shop and services GFA and not less than 11,285m² for trade-mart uses). The proposed BH is 140mPD. The proposed redevelopment would be in compliance with the existing lease conditions governing the lot; and

- (c) According to the applicant's submission, there are two proposed footbridges connection/extension outside the Lot which will be covered in a separate lease modification application. The lease modification in relation to the two footbridge connections to the proposed development was received in 2018. This office had been handling such application. Due to change of holding ownership, the application was suspended. Recently, the new holding owner submitted further information to reactivate the processing and the lease modification is under departmental circulation stage. The detail design of the proposal is still under discussion with the technical departments. However, there is no guarantee that the lease modification application will be approved and if proceed, may require gazettal and authorization under Roads (Works, Use and Compensation) Ordinance (Cap. 370). Such application will be considered by LandsD acting in the capacity as the landlord at its sole direction. In the event any such application is approved, it would be subject to such terms and conditions as may be imposed by LandsD.

Harbourfront Planning

8.1.2. Comments of the Secretary for Development (Harbour Office) (SDEV (Harbour Office)):

- (a) The Site falls within the harbourfront area under the purview of Harbourfront Commission's Task Force on Kai Tak Harbourfront Development (KTTF). The project should be considered having regard to the Harbour Planning Principles and Guidelines (HPP&G);
- (b) As per the established practice for projects within harbourfront area, the applicant should consult KTTF on the proposed development under this planning application, after which the comments of the Task Force should be conveyed to the Board for consideration; and
- (c) The applicant has consulted KTTF by way of paper circulation on 6.3.2023. The applicant shall supplement the information on building separation, building setbacks and pedestrian connectivity as requested by Members to ensure their comments could be duly addressed. His detailed comments are at **Appendix II**.

Pedestrian Accessibility and Walkability

8.1.3. Comments of Head of EKEO, Development Bureau (DevB):

- (a) His office welcomes the proposal of providing an at-grade open plaza as a point of interest intersecting the green link and the green spine. As regards the applicant's response to the suggestion to improve the pedestrian linkage across Trademart Drive to enhance connectivity with the Green Link and Green Spine system, an advisory clause on requesting the applicant to consult his office about the measures in enhancing the connectivity between the proposed development and the Green Link and Green Spine system at pedestrian level should be imposed, should the application be approved;
- (b) As the proposed development will be connected to the Kai Tak River and future GreenWay by footbridges, the applicant is encouraged to provide bicycle parking facilities within the development;
- (c) Given the proposal would be a major redevelopment within CBD2, the applicant is advised to connect to Kai Tak District Cooling System (DCS) and adopt green and smart building design (e.g. installation of smart water meters, electric vehicle charging facilities and automatic refuse collection system), similar to other new land sale sites in Kowloon East; and
- (d) On the aspect of enhancing the pedestrian environment and walkability as advocated by his Office, he notes that barrier-free and 24-hour accesses to the northern and southern footbridges would be provided and he considers that the footbridge proposal could enhance pedestrian connectivity to connect the KBBA and KTD. Although the proposed northern and southern footbridges do not form part of the current application, he notes that the applicant has confirmed that the future development would continue to connect to the existing footbridge to EMSD headquarters and commit to reserve an opening to connect with the proposed southern footbridge and provide relevant structural support for the said footbridge within the Site.

Project Interface on Footbridge Connections

8.1.4. Comments of Chief Engineer 1/Major Works, Highways Department:

- (a) He has no adverse comment on the project interface point of view; and
- (b) It is given to understand that the southern footbridge connection at Kai Fuk Road is proposed and will be built by the developer, and the superstructure of the proposed building was planned to setback around 1m from the boundary of Kai Fuk Road footpath under the proposed southern footbridge (**Drawing A-1**); and
- (c) As a section of Kai Fuk Road near the subject development will be widened under the Central Kowloon Route project, the applicant should be advised to seek comments of Highways Department, Major

Works Project Management Office on the proposed footbridge connection.

8.1.5. Comments of Chief Highway Engineer/Kowloon, Highways Department:

- (a) He has no objection on the application from the highway's maintenance point of view; and
- (b) It is noted that two footbridges are proposed to connect from the proposed development. The developer shall submit the design and construction arrangement to his office for comment prior to commencement of works.

8.1.6. Comments of Director of Electrical and Mechanical Services:

- (a) He has no objection to the proposed northern footbridge; and
- (b) His other technical comments on footbridge design, construction, management and maintenance are set out at **Appendix II**.

Urban Design and Visual Aspects

8.1.7. Comments of Chief Town Planner/Urban Design and Landscape, Planning Department:

According to the VIA and submitted photomontages (**Drawings A-28 to A-31**), the overall visual impacts are considered “negligible to moderately adverse” when viewing from the selected public viewing points. Notwithstanding, the applicant has proposed various design measures including stepped BH profile towards the waterfront to the southwest of the Site, building separation & opening between the towers and tower setbacks as stated in paras. 1.2, 1.3 and 1.5. Landscape treatments including vertical greening and trees/planters, landscaped open plaza & pocket gardens at various floors and a 6m-high podium garden at 3/F are also proposed. Linkages to existing footbridges and future possible elevated pedestrian connections with the surroundings are proposed. Incorporation of the above design measures may contribute to improvement of the streetscape by softening the building edge, promoting visual interest as well as enhancing pedestrian connectivity. The proposed development is considered not incompatible with the existing and planned developments in the surrounding KBBA.

8.1.8. Comments of Chief Architect/Central Management Division 2, Architectural Services Department:

It is noted that the proposed development mainly consist of 3 towers with BH of 123mPD to 140mPD. Since the adjacent “OU(Business)” areas with BH restriction of 140mPD are permitted in OZP, he has no comment from architectural and visual impact point of view. The applicant is

advised to comply with the building separation requirements of the design guidelines promulgated in PNAP APP-152.

Air Ventilation Aspect

- 8.1.9. Comments of Chief Town Planner/Urban Design and Landscape, Planning Department:
- (a) The proposed development with a site area of over 2 hectares, an overall PR of 5 or above as well as a total GFA exceeding 100,000m² has fallen under the criteria set out in the Joint HPLB-ETWB Technical Circular on AVA No. 1/06; and
 - (b) An AVA-EE has been prepared to demonstrate the ventilation performance under the baseline and proposed schemes. Good design measures such as building separation and opening as stated in para. 1.5, a 6m-high podium garden at 20mPD and at-grade open plaza have been incorporated in the proposed scheme to facilitate wind penetration and circulation. Significant adverse impact on the surrounding pedestrian wind environment is not anticipated.

Landscape Aspect

- 8.1.10. Comments of Chief Town Planner/Urban Design and Landscape, Planning Department:
- (a) He has no objection to the application from landscape planning perspective;
 - (b) With reference to the aerial photo of 2020, the site is located in an area of reclamation / ongoing major development landscape character dominated by medium to high-rise industrial and commercial buildings. The proposed commercial and trade mart redevelopment is considered not incompatible with the landscape setting in proximity;
 - (c) According to Landscape Proposal at **Appendix Ia**, no tree is identified within the Site. Landscape provision including open plaza with tree plantings and lawn at G/F, pocket gardens at 1/F and 2/F, peripheral landscaping area with tree and shrub planting at 3/F, vertical greening at the northern and southern boundary of the Site and green roof with groundcover were proposed to enhance overall landscape quality and greenery provision of the site in which total greenery coverage of not less than 30% was provided;
 - (d) The applicant is reminded that approval of the Section 16 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 Buildings Department (BD) for approval; and

- (e) should the Board approve the application, the following condition should be imposed:

The submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.

8.1.11. Comments of Project Manager (East), East Development Office, Civil Engineering and Development Department:

It is noted that extra 20% greenery of the roof area is proposed in addition to the 30% of overall greenery of the site area which is higher than the standard of greening requirement for private development in Kai Tak (i.e. 30% greenery including the greenery on roof). He has no comment on the application.

Environmental and Sewerage Aspects

8.1.12. Comments of Director of Environmental Protection:

- (a) He has no objection to the application;
- (b) He has no further comment on the sewage generation calculation as submitted by the applicant; and
- (c) Although there is no increase on the GFA, there is substantial change on the uses in the office and retail GFA on the proposed development. To ensure that the proposed development would not cause adverse impact to the public sewerage as well as to demonstrate the effectiveness of mitigation measures, if required, it is recommended to impose the following approval conditions should the application be approved by the Board:
 - (i) The submission of a sewerage impact assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
 - (ii) The implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

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

Comments/advice from Environmental Protection Department, the planning authority of sewerage infrastructure, should be sought regarding the sewerage impact on the proposed relaxation of BH restriction.

Risk Aspect

8.1.14. Comments of Director of Electrical and Mechanical Services:

- (a) There is one petrol cum LPG filling station at the immediate south of the Site at Wang Chin Street (**Plan A-2**). A Quantitative Risk Assessment (QRA) study is required to be carried out by the project proponent in order to ascertain that the risk level posed by the concerned petrol cum LPG filling station after taking into account the subject development with increase in population and change of building layout, population distribution and occupancy factor is still in compliance with the Hong Kong Planning Standards and Guidelines; and
- (b) Should the application be approved, the following approval conditions are recommended to be imposed:
 - (i) The submission of a QRA report prior to the commencement of construction works to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board; and
 - (ii) The implementation of the mitigation measures, if any, identified in the QRA prior to the occupation of building to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board.

Transport and Traffic Aspect

8.1.15. Comments of the Commissioner for Transport (C for T):

- (a) She has no objection in principle on the application subject to the following:
 - (i) Provision of parking/ L/UL facilities follow that of Fifth Schedule of the Modification Letter dated 20.1.2005 governing the Lot;
 - (ii) No traffic queue originated from the carpark, L/UL area and/or pick-up/drop-off area extending on to Trademart Drive, Wang Chin Street and/or other public roads in vicinity should be allowed. The Applicant should implement proper traffic management control measures within the Site to prevent such traffic queue; and
 - (iii) Should the Board decide to approve the application, an approval condition on the design and provision of vehicular access, parking spaces, L/UL facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board is recommended to be imposed.

Building Matters

8.1.16. Comments of Chief Building Surveyor/Kowloon, BD:

- (a) He has no objection in principle to the application subject to the following:
 - (i) All proposed building works should in all aspects comply with the Buildings Ordinance (BO) and its allied regulations;
 - (ii) 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, barrier free access and facilities, compliance with sustainable building design guidelines, etc. will be formulated at the building plan submission stage;
 - (iii) The applicant should ensure that the proposed development is in compliance with the SBDG under PNAP APP-152. In particular, for the podium of the proposed development connecting Towers 1, 2 and 3, the applicant is reminded to ensure that the building separation requirements stipulated in PNAP APP-152 are complied with; and
 - (iv) His other detailed comments are set out at **Appendix II**.

Fire Safety Aspect

8.1.17. Comments of Director of Fire Services:

He has no specific comment on the proposed minor relaxation of BH restriction. As regards the proposed commercial development, he has no objection in principle to the proposal provided that the fire service installations and water supplies for firefighting are provided to the satisfaction of the Director of Fire Services. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011, which is administrated by BD.

Connection to District Cooling System

8.1.18. Comments of Director of Electrical and Mechanical Services:

- (a) To tie in with the sustainable and environmentally-friendly development of KTD, the Government is implementing a DCS to serve the non-domestic facilities at the area. DCS is a large-scale centralised air-conditioning system which produces chilled water by central chiller plants for distribution to user buildings for air-conditioning purpose.

Being one of the key initiatives in Hong Kong Climate Action Plan 2050, DCS is considered as a major infrastructure supporting low-carbon development. The energy efficiency performance of DCS is better than that of traditional central air-conditioning systems in individual buildings. Since the proposed development at NKIL 6032 is located within the area served by Kai Tak DCS under Cap. 624, the redevelopment's connection to the DCS will not only contribute to combat climate change, but also demonstrate the corporate social and environmental responsibility to the community; and

- (b) He notes that the applicant's intention to connect the proposed development to the Kai Tak DCS. An approval condition on the requirement of DCS connection is recommended, should the application be approved by the Board.

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

- (a) Secretary for Development (Planning Unit);
- (b) Secretary for Development (Lands Unit);
- (c) Chief Engineer/Construction, Water Supplies Department;
- (d) Commissioner of Police;
- (e) Director of Food and Environmental Hygiene;
- (f) Director-general of Trade and Industry; and
- (g) District Officer (Kwun Tong), Home Affairs Department.

9. Public comments Received During Statutory Publication Periods

9.1. During the statutory public inspection periods, a total of 250 public comments (**Appendix III**) from individuals were received, including 232 supporting comments (of which 9 individuals indicated support to the application without reason), 10 objecting comments and 8 providing views on the proposal.

9.2. The supporting grounds are mainly as follows:

- (a) The proposal can materialize Government's policy in transforming the Kowloon East as a second CBD by providing more office floor spaces and job opportunities. It can complement the commercial development in Kai Tak and Kowloon Bay. Besides, trade mart for exhibition/trade-related use can continue to be provided upon redevelopment;
- (b) Compared to KITEC, the proposed development with a smaller podium allows the provision of open plaza and opportunities for alfresco dining at G/F. It also enhance sunlight penetration and wind permeability in the lower levels;
- (c) Together with landscaped areas and greenery to be provided within the site, the proposed development will enhance townscape and provide breathing and resting spaces in an urban area;

- (d) KITEC is old and outdated. The proposed development will be a landmark development in Kowloon East with iconic design features such as 30m-wide building separation and 15m-wide mid-level opening which can improve visual and wind permeability in the area;
- (e) The proposed development with footbridge connections can enhance pedestrian walkability and accessibility from Kai Tak City Centre to waterfront under comfortable walking environment; and
- (f) The proposed development will allow sufficient setback from major roads at street level and the elevated Kwun Tong Bypass. It help reduce pedestrian-vehicle traffic conflicts.

9.3. The objecting grounds and concerns are mainly as follows:

- (a) 40% relaxation of BH is considered not minor in nature. It is incompatible to the area and will adversely affect air ventilation, visual, and sunlight penetration to nearby buildings. Approval of the application will set an undesirable precedent;
- (b) There is insufficient technical assessment submitted by the applicant in support of the application;
- (c) The proposal will generate more traffic and worsen the vehicular traffic in the area; and
- (d) There is high office vacancy rate in Kowloon Bay. There is insufficient market demand to absorb additional commercial floor space from the proposed development.

9.4. Major points of the comments providing views are summarised as follows:

- (a) The proposed development should be more distinctive with modern design. Incorporation of green building design allows the proposed development can be more environmentally friendly than KITEC;
- (b) The proposed development should incorporate cultural, exhibition, entertainment, hotel, sports and/or recreation facilities; and
- (c) Transport and pedestrian connections between the Site and the adjoining area should be enhanced.

10. Planning Consideration and Assessments

Planning Intention

- 10.1. The application is for minor relaxation of BH restriction from 100mPD to a maximum of 140mPD (+40m/40%) for proposed commercial and trade mart

redevelopment at the Site with permitted 'Exhibition/Convention Hall', 'Office', 'Eating Place' and 'Shop and Services' uses. A GFA of not less than 11,285m² will be dedicated for trade mart uses as required by the OZP. The proposal is in line with the planning intention of the "OU(Trade Mart and Commercial Development)" zone which is intended primarily for exhibition and ancillary commercial uses.

Minor Relaxation of BH

- 10.2. The Site is located at the fringe of KBBA/ South Apron Corner of KTD. In terms of BH profile in the vicinity of the Site i.e. immediate across the Kwun Tong Bypass/Trademart Drive is the KBBA which is subject to BH restriction of 140mPD. At the South Apron Corner, BH restrictions of the sites generally follow a stepped BH profile descending from 100mPD to 80mPD towards the harbourfront. The proposed BH profile (i.e. T3 at 140mPD, T2 at 132mPD and T1 at 123mPD) is considered in keeping with the general stepped BH profile of the locality which is descending progressively from the inland of KBBA to the harbourfront of KTD (**Plan A-5**). Based on the VIA and submitted photomontages (**Drawings A-28 to A-31**), CTP/UD&L of PlanD considers that the proposed development is not incompatible with the existing and planned developments in the surrounding KBBA. CA/CMD2 of ArchSD has no comment on the application from architectural and visual impact perspectives.

Planning and Design Merits

- 10.3. According to the applicant, the proposed scheme with a minor relaxation of BH restriction from 100mPD to a maximum of 140mPD (i.e. +40m/+40%) would allow the most planning merits/design features compared with other development options considered (para. 2(b) above refers). As elaborated in paras. 10.4 and 10.5 below, it is considered that the proposal scheme generally meets the criteria for considering application for minor relaxation of BH restrictions such as provision of better streetscape/good quality street level public urban space, separation between buildings for air and visual permeability enhancement and townscape improvement as set out in paras. 7.2(c), (d) and (f) above.
- 10.4. The proposed development would incorporate a number of design measures including the provision of vertical greening, roof greening, public landscaped spaces on the lower levels of the development, building separation, mid-level opening and tower setback (paras. 2(b) to 2(g) above refer) (**Drawings A-10, A-21 and A-22**). Commercial/retail facilities/landscaped spaces (open for public enjoyment during commercial operation hours) on the lower levels would add vitality and vibrancy to the area. (**Drawing A-21**). CTP/UD&L of PlanD has no adverse comment from urban design and visual perspective and considers that incorporation of the above design measures may contribute to improvement of the streetscape by softening the building edge and promoting visual interest. Head of EKEO, DevB welcomes the proposal of the at-grade open plaza as a point of interest intersecting the Green Link and Green Spine (para. 8.1.3 refers). From air ventilation perspective, CTP/UD&L of PlanD considers that the above measures could facilitate wind penetration and circulation, and significant adverse impact on the surrounding pedestrian wind environment is not anticipated.

- 10.5. The proposed development would achieve an overall site coverage of greenery provision of not less than 30% of the site area, and an extra 20% greenery coverage at the roof level (para. 1.3 refers). As regards the greenery provision/landscape treatments as described para. 8.1.10(c) (**Drawings A-16 to A-19**), CTP/UD&L of PlanD has no objection to the application from landscape planning perspective and considers that the proposed landscape treatments could enhance the overall landscape quality of the development. An approval condition on the submission and implementation of landscape proposal is recommended to be imposed. Noting that a higher greenery coverage than the standard greening requirement for private development in KTD is proposed by the applicant, PM(E) of CEDD has no comment on the application. On the sustainable and green building design aspect, the applicant indicates that the relevant SBDG requirements will be fulfilled (para. 2(g) refers).

Pedestrian Connectivity

- 10.6. The scheme proposes two openings on 1/F and 2/F of the development to connect to existing and future footbridges located to the north and south which would enhance the connectivity between KBBA and KTD. Within the proposed development, barrier-free and 24-hour access will be provided to connect with the footbridges to the street level. CTP/UD&L of PlanD considers that the proposal may enhance the pedestrian connectivity in the area. Concerned departments including HyD and EMSD have no adverse comment/no objection to the proposed footbridge connection from project interface point of view. On the aspect of enhancing the pedestrian environment and walkability as advocated by his Office, Head of EKEO, DevB considers that the footbridge proposal could enhance pedestrian connectivity to connect KBBA and KTD.
- 10.7. As regards the applicant's proposal for the northern and southern footbridges for public use^[6] which do not form part of the current application (para. 1.10 refers), separate application for lease modification for the footbridges connection/extension outside the Site is currently under processing by Government departments.

Technical Aspects

- 10.8. The applicant has submitted VIA, AVA(E) and TIA which concluded that the proposal would not have any adverse impact to the surrounding areas on visual, air ventilation and traffic aspects. Concerned departments including CTP/UD&L of PlanD and C for T have no objection/adverse comment on the application. Other relevant departments consulted including D of FS, PM(E) of CEDD, EPD, CE/MS of DSD, HyD and WSD have no adverse comment on/no objection to the application with relevant approval conditions in relation to sewerage, provision of internal transport facilities and provision of fire service installations and water supplies for firefighting to be imposed as in para. 11.2.
- 10.9. As regards DEMS's comments on the potential risks associated with the petrol cum LPG filling station at the immediate south of the Site (**Plan A-2**), approval conditions requiring the submission of QRA prior to the commencement of

construction works and implementation of mitigation measures prior to the occupation of building are recommended as set out in para. 11.2. Regarding DEMS's recommendation to impose an approval condition to connect to the DCS, it is considered more appropriate to incorporate it as an advisory clause as the current application is for minor relaxation of BH restriction for permitted uses and the connection to the DCS is outside the Site.

Public Comments

- 10.10. Regarding the public comments objecting to and/or providing comments on the application on the grounds as stated in para.9 above, the applicant has provided responses as stated in para. 2(1). Concerned Government departments' comments and the planning assessments above are also relevant. As regards public comments concerned that 40% relaxation of BH is not minor in nature, each planning application for minor relaxation of BH restriction will be considered on its own merits and relevant criteria for consideration of such application as stated in para. 7.3 above.

11. Planning Department's Views

- 11.1. Based on the assessment made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, 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 conditions of approval and advisory clauses are also suggested for Members' consideration:

Approval Conditions

- (a) The submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) The implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in (a) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) The submission of a Quantitative Risk Assessment prior to the commencement of construction works to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board;
- (d) The implementation of the mitigation measures identified in the Quantitative Risk Assessment in (c) above prior to the occupation of building to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board;

- (e) The submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (f) 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; and
- (g) The provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix IV**.

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

The applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of BH restriction.

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 11.3.2022
Appendix Ia	FI dated 14.3.2023 providing clarification on background information, a consolidated report containing Supporting Planning Statement, consolidated R-to-C tables and finalised technical assessment
Appendix II	Detailed Departmental Comments
Appendix III	Public comments received during the statutory publication periods
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawings A-2 to A9	Floor Plans
Drawing A-10	Section Plan

Drawings A-11 to 15	Landscape Proposal
Drawings A-16 to A19	Greenery Coverage
Drawing A-20	Artist Impressions
Drawing A-21	Open Space Plan
Drawing A-22	Building Setback and Separation Diagram
Drawing A-23	Proposed Footbridge Connections
Drawings A-24 to A-27	Pedestrian Circulation and Connection Network
Drawings A-28 to A-31	Photomontages
Plan 1	Location Plan
Plan 2	Site Plan
Plan 3	Aerial Photo
Plan 4	Site Photos
Plan 5	Height of Existing Buildings in KBBA and Kai Tak South Apron Corner

PLANNING DEPARTMENT
MARCH 2023