

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K22/38

- Applicant** : Capital Asian Limited represented by Masterplan Limited
- Site** : Kai Tak Area 2A Site 2 (Site 2A2), Kai Tak Development (KTD), Kowloon
- Site Area** : About 6,270m²
- Lease** : New Kowloon Inland Lot (NKIL) No. 6590 ¹ (the Lot):
- (a) for a term of 50 years commencing from 12.10.2023;
 - (b) restricted to non-industrial (excluding godown, hotel and petrol filling station) purposes;
 - (c) for Site 2A2:
 - the total gross floor area (GFA) for private residential purpose shall not exceed 40,755m²;
 - maximum building height (BH) of the retail building area at 15mPD; and
 - (d) for Site 2A2 and the two sections of underground shopping street (USS):
 - maximum non-domestic GFA of 6,670m², of which the retail building area shall not be less than 1,254m² and the USS at the same finished floor level shall not be less than 4,000m².
- Plan** : Approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/8
- Zoning** : “Comprehensive Development Area (4)” (“CDA(4)”) subject to the following restrictions/requirements:
- (a) maximum plot ratio (PR) of 7.5;
 - (b) maximum site coverage (SC) of 65% (excluding basement(s));
 - (c) maximum BH of 125mPD;
 - (d) on land designated ‘Shop and Services’ and ‘Eating Place’ uses only, buildings not exceeding 2 storeys to accommodate ‘Shop and Services’ and ‘Eating Place’ uses shall be provided; and
 - (e) provision of USS across the site.
- Application** : Proposed Comprehensive Development including Flat, Shop and Services and Eating Place, and Minor Relaxation of BH Restriction

¹ NKIL No. 6590 comprises Site 2A2 falling within the “CDA(4)” zone, Kai Tak Area 2A Site 3 (Site 2A3) falling within the “Residential (Group A) 6” zone, and the two sections of USS falling within the “Open Space (3)” zone to its southeast and area shown as ‘Road’ to its southwest (**Plan A-2**).

1. **The Proposal**

- 1.1 The applicant seeks planning permission for a proposed comprehensive development including ‘Flat’, ‘Shop and Services’ and ‘Eating Place’ uses at the application site (the Site) (**Plan A-1**), and minor relaxation of BH restriction from 125mPD to 129.035mPD (+3.2%).
- 1.2 The Site is located at the western portion of the Kai Tak City Centre, falling within the “CDA(4)” zone on the OZP (**Plan A-2**). To its immediate northeast and southeast is the proposed Lung Tsun Stone Bridge Preservation Corridor (LTSBPC) falling within the “O(3)” zone on the OZP. The “CDA(4)” zone is intended for residential use with a low-rise retail block (retail belt) fronting the LTSBPC to help foster a lively atmosphere.
- 1.3 According to the Notes of the OZP, an applicant seeking permission for development on land designated “CDA” shall prepare a Master Layout Plan (MLP) with the required information and technical assessments for the approval of the Town Planning Board (TPB). Minor relaxation of BH restriction may be considered by the TPB under section 16 of the Town Planning Ordinance on its individual merits. To facilitate the preparation of the MLP for the Site, a Planning Brief (PB) setting out the special design features was endorsed by the Metro Planning Committee (the Committee) of the TPB on 14.10.2022 ².
- 1.4 The endorsed PB sets out, inter alia, the following planning requirements to guide the development of the “CDA(4)” zone:
 - (a) in the retail belt abutting the LTSBPC to the northeast of the site boundary, building with a minimum PR of 0.2 and not exceeding two storeys above ground (+15mPD) shall be provided to accommodate ‘Shop and Services’ and ‘Eating Place’ uses; and
 - (b) based on the USS alignment on the OZP (**Plan A-6**), a section of USS within the Site at a level of -5.7mPD, connecting to Site 2A3 (zoned “R(A)6”) to the southwest at the same level, and another section at a higher level at +1.5mPD connecting to the LTSBPC to the southeast shall be provided. The USS at two different levels shall be connected via vertical connections in form of a lift and escalators (**Drawing A-19**).
- 1.5 The proposed development, having a total PR of 7.5, comprises a main block of 32 domestic storeys above 3 levels of podium and 3 storeys of basement. The development is mainly for residential use. Commercial facilities (i.e. ‘Shop and Services’ and ‘Eating Place’ uses) are located in the two-storey retail belt along LTSBPC, on G/F fronting the open space to its southeast and on the USS levels at B1/F and B3/F (**Drawing A-19**). The vehicular ingress/egress point of the Site is located at Muk Lai Street. Car parking facilities and loading/unloading (L/UL) facilities will be provided in the basement levels. The MLP, floor plans and section plans of the proposed development are shown in **Drawings A-1 to A-12** and

² The PB for the “CDA(4)” zone can be retrieved at:

[https://www.pland.gov.hk/file/resources/approved_pb/others/pdf/TheComprehensiveDevelopmentArea\(4\)Zone_KaiTakDevelopment.pdf](https://www.pland.gov.hk/file/resources/approved_pb/others/pdf/TheComprehensiveDevelopmentArea(4)Zone_KaiTakDevelopment.pdf)

Landscape Master Plan (LMP) with landscape elevations are shown in **Drawings A-13 to A-18**. The Site can provide about 930 units by 2029 tentatively.

- 1.6 According to the submission, the proposed minor relaxation of BH restriction from 125mPD to 129.035mPD (about +4m, +3.2%) is solely for the adoption of Modular Integrated Construction (MiC) in the residential block (i.e. the 32 domestic storeys). The adoption of MiC involves thickened/double slabs, which will increase each domestic storey height by about 13cm, and hence an overall increase in BH of about +4m. The overall PR and GFA will not be affected by the proposed BH relaxation.
- 1.7 The major development parameters of the proposed development are summarised as follows. For the comparison of the major planning and development requirements in the endorsed PB and the Current Scheme, please refer to **Appendix II**.

Major Development Parameters	Current Scheme
Site Area	About 6,270m ²
Proposed Uses	Residential, Shop and Services and Eating Place ^[a]
Total PR (maximum) <ul style="list-style-type: none"> • Domestic • Non-domestic <ul style="list-style-type: none"> ➤ <i>of which Retail Block should not be less than</i> 	7.5 <ul style="list-style-type: none"> • 6.5 • 1.0 <ul style="list-style-type: none"> ➤ 0.2
Total GFA (m ²) (maximum) <ul style="list-style-type: none"> • Domestic • Non-domestic 	47,025m ² <ul style="list-style-type: none"> • 40,755m² • 6,270m² ^[b] ^[c]
SC (maximum)	65% (excluding basement(s))
BH (mPD) (maximum) <ul style="list-style-type: none"> • Residential • Retail Block 	<ul style="list-style-type: none"> • +129.035mPD at main roof (i.e. 3.2% minor relaxation of the BH restriction) • +15mPD at main roof
No. of Tower	1 residential tower over podium
No. of Storeys <ul style="list-style-type: none"> • Residential • Retail Block 	<ul style="list-style-type: none"> • 32 domestic storeys (over 3 levels of podium, and 3 levels of basement) • 2 storeys (above ground)
Average Flat Size	About 44m ²
No. of Flats	About 930
Private Open Space	Not less than 2,232m ²
Greening Ratio	<ul style="list-style-type: none"> • Overall: 30% of the total site area, including 20% of the total area in the primary zone • 20% of the total roof area

Major Development Parameters	Current Scheme
Car Parking and L/UL Facilities ^[d]	
- Private Car Parking Spaces	240
- Motorcycle Parking Spaces	15
- L/UL Bays	10
- Bicycle Parking Spaces	60

Notes

- ^[a] According to the PB, there are some social welfare facilities required by the Government. As these social welfare facilities could be provided within the “CDA(4)” (the Site) or the “R(A)6” site (Site 2A3), or both, and the applicant has opted to accommodate them in the “R(A)6” site, ‘Social Welfare Facility’ is not a proposed use in the current application. For the purpose of GFA calculation, Government, institution or community (“GIC”) facilities as required by the Government may be disregarded under the Notes of “CDA(4)” and “R(A)6” zones.
- ^[b] According to the submission, the maximum non-domestic GFA under the application in 6,270m². Under the Current Scheme, the total GFA of the two sections of USS outside the Site is about 1,100m² while the non-domestic GFA within the Site is about 5,570m². The exact GFA is subject to detailed design and further liaison with relevant departments.
- ^[c] According to the Conditions of Sale for the Lot, the maximum non-domestic GFA of the “CDA(4)” (the Site) and the two sections of USS outside the Site (**Drawing A-19** and **Plan A-2**) is 6,670m².
- ^[d] Out of the 240 private car parking spaces, there are 191 spaces for residential, 44 for non-domestic and 5 for visitors; out of 15 motorcycle parking spaces, there are 10 spaces for residential and 5 for non-domestic. For L/UL bays, there are 8 for non-domestic and 2 for residential.

Building and Urban Design

Main Residential Block

- 1.8 An “L-shaped” residential tower block is proposed over 3 levels of podium for commercial, clubhouse and E&M facilities, with setbacks including: (i) a 15m-wide townscape setback from Olympic Avenue to the northwest for respecting the visual context and heritage significance of LTSBPC; (ii) 16m to 21m-wide setback to the north-eastern side separated by the retail belt; (iii) a minimum of 3m-wide setback to the south-eastern side fronting the POS; and (iv) 27m-wide to north-western side fronting Muk Lai Street for the upper portion of the residential block (**Drawing A-20**).

Retail Belt Design

- 1.9 The 2-storey retail block (+15mPD at main roof), extending from the main residential podium, contains a building setback of 3m at G/F from site boundary abutting LTSBPC as public pedestrian passageway (**Drawings A-5 to A-7**). It will adopt a cantilever design with transparent and open façade treatment. The structure will be in grey tones to complement the colour scheme in Kai Tak Brand Identity Manual and Public Creative Guideline (KTB MPC). High quality pavement coherent with the timber deck paving of the LTSBPC is proposed for the at-grade public passageway (**Drawings A-10, A-12, A-22 to A-24**).

Urban Design

- 1.10 The Current Scheme follows the Kai Tak Development Urban Design Guidelines and Manual for the private domestic sites, which has outlined a set of control parameters to ensure compatible scale, form and design of the buildings to respect the overall urban design framework for Kai Tak.

Landscape Design and Greenery Provision

- 1.11 According to the LMP, landscape provisions such as arrival plaza, ornamental garden and seating garden at G/F; outdoor lounge area, children play area, terraced landscape, viewing terrace, seating area at 1/F and 2/F are proposed. The main roof of the retail block will be provided with elevated walkway and terraced landscape for the use of residents (**Drawings A-13 to A-18**). There will be thick shrubs and greenery lining the entire length of the retail block roof-edge, to soften the building mass and create visual interest (**Drawings A-22 to A-25**). Boundary fence wall fronting the pedestrian precinct/streets would achieve the visual and physical porosity of not less than 50% of the surface area across their entire length per linear metre from not more than 1m above the general formation level of adjacent pedestrian street, footpaths or land (**Drawing A-21**).
- 1.12 A total greenery area of 1,881m² (i.e. about 30% of the total site area) is proposed. There will be greenery area of 1,254m² at primary zone (15m vertical zone from street level) (i.e. about 20% of the total site area). In addition, on the podium roof and roof of the retail block, there will be greenery area of about 785m² (i.e. about 20% of the total roof area of 3,925m²). A total of 25 trees will be planted within the Site at G/F to 2/F (**Drawings A-13 to A-15**).

Pedestrian Facilities and Connectivity

- 1.13 With reference to the requirements under the PB, 24-hour barrier-free pedestrian connections to the LTSBPC (at G/F and B1/F), and the USS within the Site and extending to its neighbouring sites (at B1/F and B3/F) are provided (**Drawing A-19**), including:
- (a) at G/F (+6.0mPD) (**Drawings A-5, A-12, A-22 to A-24**):
 - an at-grade entrance space at the retail block (a minimum clear width of 9m and a minimum clear height of 3m) fronting the LTSBPC;
 - a covered and unobstructed public pedestrian passageway (clear width of 3m and a minimum clear height of 4.2m) along the retail block and with a short portion extending to the south-eastern side fronting the POS;
 - a minimum 3m-wide full-height setback for public pedestrian passageway abutting the south-eastern boundary fronting the POS; and
 - vertical connection in form of a lift and 2-way escalators at south-western side near Muk Lai Street and the POS, connecting to B3/F.
 - (b) at B1/F (at +1.5mPD) (**Drawings A-4, A-23 to A-25**):
 - one pedestrian opening within the commercial/retail portion (a minimum clear width of 4m and a minimum clear height of 2.5m);
 - one pedestrian opening within the USS, outside the Site falling within the "O(3)" zone (a minimum clear width of 8m and a minimum clear height of 2.5m); and
 - vertical connection in form of a lift and 2-way escalators, connecting the LTSBPC (at +1.5mPD) and the USS (at B3/F, -5.7mPD).
 - (c) at B3/F (at -5.7mPD) (**Drawing A-2**):
 - unobstructed pedestrian passageway (a minimum clear width of 8m and a minimum clear height of 3m) within the 20m-wide USS to the adjoining

Site 2A3 (zoned “R(A)6”) on the south-western side (partly outside the Site);

- pedestrian linkage, outside the Site falling within in the “O(3)” zone, connecting to the south-eastern site zoned “CDA(5)” (a minimum clear width of 4m) (partly outside the Site);
- vertical connections from B3/F level to G/F level (paragraph 1.13(a) above refers); and
- vertical connections from B3/F level to B1/F level (paragraph 1.13(b) above refers).

Green Building Design

1.14 The proposed development is targeted to achieve BEAM Plus Gold rating for green building design. It will adopt Automatic Meter Reading System for fresh water supplies and provide 7kW electric vehicle charging facilities covering 30% of total number of car parking and Parking Information System as per “Guidelines for Provision of Parking Information” issued by Transport Department. Other smart city proposals and green building design elements will be considered in the detailed design stage.

Public Open Space outside the Site

1.15 According to the Conditions of Sale for the Lot, a strip of at-grade public open space (POS), with an area of about 1,100m² falling within the “O(3)” zone on OZP, shall be designed and constructed by the developer to the satisfaction of relevant Government bureaux/departments, which would be handed over to the Government for management and maintenance upon completion (**Plan A-2**). The submission has included a reference design of the POS (**Drawings A13 to A15**), subject to the requirement of the PB (**Appendix II**).

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

- | | |
|--|--|
| (a) Application Form received on 18.6.2024 | Appendix I

Appendix Ia ³ |
| (b) Supporting Planning Statement (SPS) and relevant technical assessments received on 18.6.2024 | |
| (c) Further Information (FI) received on 7.8.2024 [FI(1)]* | |
| (d) FI received on 9.8.2024 [FI(2)] [#] | |
| (e) FI received on 15.8.2024 [FI(3)] [#] | |

Remarks

* accepted and 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 as detailed in Section 7 of the SPS are summarised as follows:

³ A consolidated report containing SPS, consolidated R-to-C tables and finalised technical assessments was submitted by the applicant on 13.9.2024 (**Appendix Ia**) that supersedes all the previous submissions, thus items as listed from (b) to (e) above are not attached in this paper.

In-line with Government's Policy on Increasing Housing Land Supply

- (a) The Current Scheme is earmarked to contribute to, and alleviate the long-term housing supply of about 930 private flats.

In-line with the Planning Intention of "CDA" Zone

- (b) The proposed development fully complies with the planning intention of the "CDA(4)" zone and the development intensity and proposed use as stipulated under the zone. A MLP is provided to demonstrate that the disposition, design, and scale of the proposed development is in harmony with the LTSBPC and compatible with the surrounding land uses.

Complies with the Joint Practice Note (JPN) No. 8 to Adopt MiC

- (c) The proposed minor relaxation of BH restriction is solely for the adoption of MiC for the residential portion to enable better quality control, shorten construction period, reduce disturbance and nuisances to the neighbourhood, and reduce waste. As stipulated in JPN No. 8 regarding "Incentive to Promote Green and Innovation Buildings - Enhanced Facilitation Measures for Buildings Adopting MiC", the proposed increase in BH caused by the adoption of MiC for all domestic storeys is within the acceptable 4% range increase in BH. The visual appraisal in the Visual Impact Assessment (VIA) has demonstrated that the visual impact of increasing the building height by about 4m (+3.2%) is minor from all the viewpoints (**Drawings A-26 to A-29**).

Meeting the Development Requirements

- (d) The MLP and LMP have been formulated in conjunction with the planning requirements in the PB. The Current Scheme generally complies with the broad planning parameters, development requirements, such as the pedestrian connections with LTSBPC, connections with the USS, etc. as set out under the endorsed PB.
- (e) According to the Conditions of Sale for the Lot, the required social welfare facilities by the Government could be provided within the Site or the "R(A)6" site (Site 2A3), or both sites. In this submission, the applicant opts to accommodate the required social welfare facilities ⁴ within the development in Site 2A3, which is in line with the requirements as set out in the PB.

Compliance with the Harbour Planning Principles

- (f) The proposal has paid due respect to the strategic location of waterfront area. The proposed retail facilities will promote vibrancy and liveliness of the waterfront

⁴ As stated in the Conditions of Sale for the Lot and the PB, the required social welfare facilities by the Government include (i) Neighbourhood Elderly Centre (NEC), (ii) Hostel for Severely Mentally Handicapped Persons (HSMH), (iii) Day Activity Centre (DAC), (iv) District Support Centre for Persons with Disabilities (DSC), (v) Boys' Home; and (vi) Centre for Cyber Youth Support Team (CYST).

area, especially along the LTSBPC. The proposed BH can maintain the stepped height profile of the surrounding buildings from the landmark tower at the site zoned “CDA(1)” (i.e. the Airside to the north-eastern side of 200mPD, **Plan A-5**).

Planning and Urban Design Merits

- (g) The proposed development, with minor relaxation of BH restriction at 129.035mPD, could still respect the intended stepped BH profile in the area.
- (h) The overall design of the proposed development has complied with the dimensions, setback specifications and façade treatment as set out in the PB, such that the proposed development is compatible and congruous with the LTSBPC and surrounding developments. The “L-shape” residential tower has optimised the setback provisions in the Site despite the site constraints, such as the noise impact caused by the heavy traffic at Olympic Avenue and Prince Edward Road East, etc. The footprint of podium, excluding the retail belt, aligns with the residential tower as much as practicable in fulfilling the permitted SC and meeting the greening ratio requirements.
- (i) Pedestrian openings at various levels as elaborated in paragraph 1.13 above can secure the connectivity to LTSBPC and the USS, which can enhance the overall vibrancy.
- (j) To complement the adjacent open space at LTSBPC for public enjoyment, a 3m-wide covered and unobstructed pedestrian passageway along the retail belt with permeable entrance space at G/F will be provided. Moreover, this pedestrian passageway will extend towards the south-eastern side of the G/F commercial extension fronting the POS. The overall at-grade public space could be maximized.
- (k) The various hard and soft landscape treatments, such as at-grade planting, distinctive paving materials and pattern of the retail belt, terraced landscape at the retail belt, etc. will soften the building mass, provide visual integration in elevated views and enhance the overall enjoyment for pedestrians and residents (**Drawings A-13 to A-15**). The retail belt design will be in harmony and ensure visual continuity of design with that under the site zoned “CDA(5)” to its southeast.

No Insurmountable Technical Impact

- (l) Relevant technical assessments have been undertaken and concluded that there would not be any adverse impact pertaining to environmental, drainage, sewerage, air ventilation, traffic, visual and landscape, and heritage aspects associated with the proposed comprehensive development.

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. Town Planning Board Guidelines

According to the Town Planning Board Guidelines for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB-PG No. 17A), “CDA” zones are intended to achieve the following objectives:

- (a) facilitate urban renewal and restructuring of land uses in the old urban areas;
- (b) provide incentives for the restructuring of obsolete areas, including old industrial areas, and the phasing out of non-conforming uses, such as open storage and container back-up uses in the rural areas;
- (c) provide opportunities for site amalgamation and restructuring of road patterns and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
- (d) provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land-uses;
- (e) ensure adequate as well as timely provision of Government, institution or community, transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
- (f) ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

5. Previous Application

There is no previous application in respect of the Site.

6. Similar Application

There is a similar application (No. A/K22/30) for proposed comprehensive development including Subsidised Sale Flats, shop and services and eating place, but without seeking minor relaxation of BH restriction within the “CDA” zone on the Kai Tak OZP. The application was approved with conditions by the Committee of the TPB on 25.6.2021 mainly on grounds that the proposed scheme could comply with the planning and design requirements stipulated under the PB.

7. The Site and Its Surrounding Areas (Plans A-1, A-2 and A-5, aerial photo on Plan A-3 and site photos on Plan A-4)

7.1 The Site is:

- (a) located in the western portion of Kai Tak City Centre area;

- (b) bounded by an area zoned “O(3)” intended for LTSBPC to its northeast and southeast, including the open space to its southeast which would be designed and constructed by the developer and handed over to the Government for management and maintenance;
- (c) accessible from Muk Lai Street to its southwest; and
- (d) currently a fenced construction site.

7.2 The surrounding areas have the following characteristics:

- (a) mixed with commercial, residential, open space and sports facilities, and some of which are under construction;
- (b) to the northwest of the Site is Olympic Avenue. Further north beyond Prince Edward Road East is Kowloon City area, with the Regal Oriental Hotel, medium rise residential clusters and the redevelopment project by Urban Renewal Authority in “Lung Shing” area to the northwest; some sports facilities to the north; and petrol filling stations, school, Tung Wui Estate and Kai Tak River to the northeast;
- (c) to the east across the LTSBPC is a site zoned “CDA(3)” and a site zoned “Other Specified Uses” (“OU”) annotated “Arts and Performance Related Uses”, and a site zoned “CDA(2)” to further east. The three sites are being developed as temporary Light Public Housing; and Kai Tak Station Square is to the further southeast;
- (d) to the south and southwest are sites for public housing developments, including a site zoned “CDA(5)”, a site zoned “R(B)6” and four sites zoned “R(A)4”; and Kai Tak Sports Park zoned “OU” annotated “Stadium”;
- (e) to the west are mainly residential sites zoned “R(A)6”, and 3 sites zoned “R(A)5”; and
- (f) a planned descending BH profile from the “CDA(1)” site at 200mPD towards the south-western and the residential neighbourhoods zoned “R(A)4” and “R(A)5” at 100mPD on the OZP (**Plan A-5**).

8. Planning Intention

- 8.1 The planning intention of the “CDA” zone is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of environmental, traffic, infrastructure and other constraints. The “CDA(4)” zone is intended for residential use and to ensure its disposition and design would be in harmony with LTSBPC.
- 8.2 According to the Explanatory Statement (ES) of the OZP (Paragraph 9.2.4), for the “CDA(4)” site abutting LTSBPC, ‘Shop and Services’ and ‘Eating Place’ uses in buildings not exceeding 2 storeys within the retail belt designated on the OZP

along the frontage of LTSBPC would help foster a lively atmosphere.

8.3 Minor relaxation of BH restriction will be considered by the TPB taking into account its own merits and the relevant criteria for consideration of such application as stipulated in the ES 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 OZP; 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.

9. PB

9.1 The PB for the Site was endorsed by the Committee of the TPB on 14.10.2022, which sets out the broad planning principles and development requirements to guide and facilitate the preparation of the MLP for the comprehensive development of the Site.

9.2 The PB also sets out (a) the types of social welfare facilities ⁴ as required by the Government to be provided in the land sale site covering the Site and the “R(A)6” site to its southwest. The facilities could be provided within the Site, or the “R(A)6” site, or both; and (b) a POS with an area of about 1,100m² falling within the “O(3)” zone, abutting the south-eastern boundary of the Site adjoining the LTSBPC at G/F shall be designed and constructed by the developer and handed over to the Government for management and maintenance upon completion.

9.3 Comparison of the major planning and development parameters and requirements under the PB and the proposed development is set out at **Appendix II**.

10. Comments from Relevant Government Bureaux/Departments

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

Land Administration

10.1.1 Comments of District Lands Officer/Kowloon East, Lands Department (DLO/K of LandsD):

- (a) the Site is referred as “the Peaked Green Area” under the Conditions of Sale No. 20426 dated 12.10.2023 governing the Lot; and
- (b) the user of the Lot is restricted to non-industrial (excluding godown, hotel and petrol filling station) purposes. Detailed design of the proposed development would be examined by the Building Plan Unit (BPU) of LandsD during the building plans submission stage and comment on it is reserved.

10.1.2 Comments of Chief Estate Surveyor/Development Control, BPU, LandsD (CES/DC, BPU of LandsD):

- (a) no objection to the application; and
- (b) the proposal will be examined in details at building plans submission stage.

Traffic

10.1.3 Comments of Commissioner for Transport (C for T):

- (a) no adverse comment from traffic engineering viewpoint; and
- (b) the design, location and provision of the internal transport facilities would be checked in future building plans submission stage.

Urban Design, Visual and Air Ventilation

10.1.4 Comments of Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L of PlanD):

Urban Design and Visual

- (a) the Site is located at the Kai Tak City Centre of the Kai Tak Development abutting the LTSBPC. According to the ES of the OZP, a dynamic skyline with overall BH profile starting with a landmark tower on the “CDA(1)” site of 200mPD in the Kai Tak City Centre gradates towards the waterfront in the south along the residential neighbourhoods towards the Sports Park. According to the applicant, the minor relaxation of BH restriction from 125mPD to 129.035mPD (at main roof level) is solely for adopting MiC at the Site. As gathered from the VIA, the proposed development with a BH of about 129.035mPD at main roof level and about 141.0mPD at top roof level would not encroach into the 20% Building Free Zone when viewing from Strategic Viewing Point 4 at Quarry Bay Park and might not bring about significant adverse impact to the

visual character of the surrounding areas;

- (b) as gathered from the application, the applicant has elaborated how the proposed development has respected the urban design requirements as set out in the PB as listed in paragraphs 1.8 to 1.13 above;
- (c) there is a 16m to 21m-wide setback from the north-eastern site boundary along the LTSBPC and a minimum of 3m-wide setback of the residential tower from the south-eastern boundary facing the POS. The proposed development also complies with the Sustainable Building Design Guidelines subject to detailed design. The aforementioned measures may enhance pedestrian connectivity, promote visual interest and pedestrian comfort, as well as adding vibrancy to the surrounding public realm;

Air Ventilation

- (d) an Air Ventilation Assessment (Initial Study) (AVA IS) using computational fluid dynamic modelling has been carried out to support the subject application. Two scenarios, i.e. the Baseline Scheme and the Current Scheme, have been studied. As set out in the AVA IS report, the Current Scheme, with proposed increase in BH, has a different block layout but similar air ventilation good design features, such as the 15m-wide townscape setback from the northwest site boundary, with the aim to address the potential adverse air ventilation impact induced by the proposal on the surrounding areas;
- (e) regarding the reduction in the width of setback from the residential tower to the south-eastern boundary facing the POS from 4m-wide to 'a minimum of 3m-wide' as indicated in the FI submissions, considering this setback is not one of the key air ventilation design features, such minor amendment is not expected to induce any significantly impact on the pedestrian wind environment nearby;
- (f) according to the simulation results, the overall performances of the Baseline and Current Schemes on pedestrian wind environment are comparable under both annual and summer conditions. Thus, it is not anticipated that the proposed development with mitigation measures described above would generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared with the Baseline Scheme;

Landscape

- (g) with reference to the aerial photo of 2023, the Site is situated in an area of reclamation/ongoing major development landscape character predominately by other construction sites such as LTSBPC to its northeast, Station Square to its east, Kai Yan Court to its south and Kai Tak Sports Park to its further south. The Site is

currently vacant without any existing tree. The proposed residential-cum-commercial development is considered not incompatible to the planned landscape character of the surrounding environment;

- (h) according to the submitted LMP (**Drawing A-13**), total 25 nos. new trees are proposed at G/F to 2/F. Landscape provisions such as arrival plaza, ornamental garden and seating garden at G/F; outdoor lounge area, children play area, terraced landscape, viewing terrace, seating area at 1/F and 2/F are proposed for enjoyment of the users. As significant adverse impact to the existing landscape resources is not anticipated, she has no comment from landscape planning perspective on the application;
- (i) approval of the application under Town Planning Ordinance does not imply approval of the site coverage of greenery requirements under PNAP APP-152. The site coverage of greenery calculation should be submitted separately to the Buildings Department (BD) for approval as appropriate; and
- (j) should the application be approved, an approval condition in paragraph 13.2(b) below is suggested to be imposed should the TPB decide to approve the application.

10.1.5 Comments of Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA of ArchSD):

the proposed development involves a 32-storey residential development with a low-rise retail block, and the BH is proposed to be relaxed from 125mPD to 129.035mPD solely for the purpose of adopting MiC into its residential tower portion. On the low-rise retail block, it is noted the parapets on the roof of the retail belt would be at a minimum of 1.1m in height. Based on the submitted drawings and images provided and the VIA, he has no particular comment on the proposal from the architectural and visual impact point of view.

Cultural Heritage

10.1.6 Comments of Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (AMO):

- (a) the proposed works are in proximity to the Lung Tsun Stone Bridge Site of Archaeological Interest (LTSB SAI). Special attention should be paid to avoid adverse physical impact arising from the proposed works to the heritage site. Design proposal, method of works and choice of machinery should be targeted to minimize adverse impacts to the heritage site. Suitable mitigation measures should be proposed if needed;
- (b) the applicant is reminded to comprehensively review the potential

effects due to proposed construction works to the LTSB SAI and submit monitoring proposal and precautionary measures for AMO's separate consideration;

- (c) any vibration and movement induced from the proposed works should be strictly monitored to ensure no disturbance and physical damages made to the heritage site during the course of works. Monitoring proposal, including checkpoint locations, installation details, response actions for each of the Alert/Alarm/Action (3As) levels and frequency of monitoring should be submitted for AMO's consideration. Details on the recommended 3As levels for LTSB SAI are set out at **Appendix III**; and
- (d) a relevant approval condition in paragraph 13.2(c) below is suggested to be imposed should the TPB decide to approve the application.

Environmental Aspect

10.1.7 Comments of Director of Environmental Protection (DEP):

- (a) no in-principle objection to the application from environmental perspective as insurmountable environmental impact arising from the proposed development is not anticipated with the proposed mitigation measures in place;

Air Quality

- (b) the minimum separation distance between the proposed residential blocks and the nearest road kerbs of Prince Edward Road East (Primary Distributor >20m), Olympic Avenue (District Distributor >10m) and Muk Lai Street (Local Distributor > 5m) have satisfied relevant vehicular emission buffer distances as stipulated in Hong Kong Planning Standards and Guidelines. Also, there is no chimney emission or industrial activities identified within 200m from the Site;

Noise

- (c) with all practical and effective noise mitigation measures (i.e. façade orientation, vertical fin, acoustic windows and balconies (baffle type), enhanced acoustic windows and balconies (baffle type), noise reducer and fixed glazing with/without maintenance windows) adopted, 100% road traffic noise compliance rate for the proposed development is achieved. There is no potential fixed existing noise source identified within 300m assessment area. For the fixed noise plant noise from the operation of the proposed development, it will be designed with the provision of suitable silencers, acoustic louvers and enclosures at the representative noise sensitive receivers to comply with the fixed noise source standard for planning purpose;

Sewerage

- (d) the finding of the Sewerage Impact Assessment (SIA) has demonstrated that after proposed mitigation measures (i.e. rehabilitation of two existing DN300 concrete public sewage pipes), there will be sufficient pipe capacity for additional sewage flow from the proposed development; and
- (e) detailed comments on the Environmental Assessment and SIA are elaborated in **Appendix III**. To address the remaining comments, relevant approval conditions in paragraphs 13.2(e) to 13.2(g) below are suggested to be imposed should the TPB decide to approve the application.

Building Matters

10.1.8 Comments of Chief Building Surveyor/Kowloon, BD (CBS/K of BD):

- (a) no objection to the application subject to the following:
 - (i) the “R(A)6” site and the Site separated by Muk Lai Street should be considered as 2 individual sites for the purpose of the Buildings Ordinance (BO) and the proposed development in each individual site should be self-sustained in all aspects under the BO;
 - (ii) please ensure the proposed SC should not exceed the permissible limits under the Building (Planning) Regulations (B(P)R). Attention is drawn to B(P)R 18A and 20;
 - (iii) regarding the adoption of MiC in the residential tower portion, the applicant’s attention is drawn to relevant requirements stipulated under JPN No. 8 and PNAP ADV-36;
 - (iv) all building works are subject to compliance with the BO. Detailed comments under the BO on individual sites for private developments such as permissible PR, SC, means of escape, emergency vehicular access, private streets, and/or access roads, barrier-free access and facilities, open space, compliance with the Sustainable Building Design Guidelines, etc. will be formulated at the building plans submission stage; and
- (b) detailed comments are at **Appendix III**.

Fire Safety

10.1.9 Comments of Director of Fire Services (D of FS):

- (a) no specific comment on the proposal subject to water supplies for firefighting and fire service installations being provided to the

satisfaction of D of FS; and

- (b) the applicant should note the following advisory clauses: detailed fire services requirements will be formulated upon receipt of a formal submission of short term tenancy/short term waiver, general building plans or referral of application via relevant licensing authority. Furthermore, the emergency vehicular access provision in the work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Building Authority.

Social Welfare Facilities

10.1.10 Comments of Director of Social Welfare (D of SW):

- (a) the following welfare facilities are required to be provided as Government Accommodation under the Conditions of Sale for the Lot (i.e. bundled land sale site of the Site and Site 2A3 (zoned “R(A)6”), including (i) NEC, (ii) HSMH, (iii) DAC, (iv) DSC, (v) Boys’ Home; and (vi) CYST; and
- (b) given the applicant’s confirmation that (i) the above welfare provision will all be accommodated on the “R(A)6” site (i.e. Site 2A3) to the southwest of the Site; (ii) the planning application will not affect the aforesaid welfare provision in the “R(A)6” site; and (iii) there will be ongoing liaison among SWD and the developer to ensure that all requirements regarding welfare facilities as stipulated in the PB, relevant documents of the Conditions of Sale including the Technical Schedule annexed thereto and all current and prevailing ordinances and regulations (if applicable) will be fulfilled, he has no comment on the planning application.

Harbourfront Planning

10.1.11 Comments of Secretary for Development (Harbour Office) (SDEV (Harbour Office)):

the Site falls within the harbourfront area under the purview of Harbourfront Commission's Task Force on Kai Tak Harbourfront Development. The project should be considered having regard to the Harbour Planning Principles and Guidelines. Detailed comments are at **Appendix III.**

10.2 The following Government bureaux/departments have no objection to or no adverse comment on the application:

- (a) Secretary for Development;
- (b) Head of Energizing Kowloon East Office, Development Bureau (EKEO of DevB);
- (c) Chief Engineer/Construction Water Supplies Department;
- (d) Chief Highway Engineer/Kowloon, Highways Department (CHE/K of HyD);

- (e) Chief Project Manager 303, ArchSD (CPM303 of ArchSD);
- (f) Chief Engineer/Mainland South, Drainage Services Department (CE/MS of DSD);
- (g) Commissioner of Police;
- (h) Director of Leisure and Cultural Services (DLCS);
- (i) Director of Electrical and Mechanical Services (DEMS);
- (j) Director of Food and Environmental Hygiene;
- (k) District Officer (Kowloon City), Home Affairs Department;
- (l) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO) of CEDD); and
- (m) Project Manager (East), East Development Office, Civil Engineering and Development Department (PM(E) of CEDD).

11. Public Comments Received During Statutory Publication Period

- 11.1 The application and the subsequent FI were published on 25.6.2024 and 13.8.2024 respectively for public inspection. During the statutory inspection periods, comments from two individuals were received (**Appendix IV**), objecting to the proposed residential development in view of the insufficient supply of hotel/commercial sites to support the development of cruise terminal and Kai Tak Sports Park, and there are no supporting GIC facilities in response to the new population proposed under the application.

12. Planning Considerations and Assessments

- 12.1 The applicant seeks planning permission for a comprehensive development including flat, shop and services and eating place at the “CDA(4)” zone, and minor relaxation of BH restriction from 125mPD to 129.035mPD for the adoption of MiC for domestic storeys. As stipulated in the Notes of the OZP, the “CDA(4)” zone is intended for residential use and to ensure disposition and design would be in harmony with the LTSBPC, with appropriate control over the development mix, scale, design and layout of development, taking account of environmental, traffic, infrastructure and other constraints.

Planning Intention and OZP Restrictions

- 12.2 The proposed comprehensive development under the application comprises a residential tower over 3-storey of podium and a 2-storey retail block (+15mPD at the main roof) along its north-eastern boundary abutting LTSBPC. The proposal is in line with the planning intention of the “CDA” zone in terms of land use and complies with the PR and SC of the OZP.

Compliance with the PB

- 12.3 The proposed development complies with the PB requirements in the terms of the proposed uses, key development parameters (except the proposed maximum BH), major planning, and urban design and landscaping requirements on the retail belt, townscape setback, pedestrian facilities and connectivity within the Site and with its surroundings (e.g. the LTSBPC and the USS), building disposition, greenery

requirements, etc., details are elaborated in the following paragraphs.

Retail Belt and its Integration with LTSBPC

- 12.4 Under the Current Scheme, a 2-storey retail block is proposed, which would have a full length frontage with cantilever, 3m setback for a covered unobstructed public pedestrian passageway on the G/F, as well as transparent and open façade treatment to enhance visual connection with the LTSBPC. Permeable and welcoming entrance for interface between the Site and LTSBPC is provided on G/F, and the façade, lighting, pavement and streetscape design will be taken into account in the detailed design stage (**Drawings A-22 to A-25**). The above design features comply with the requirements in the PB.

Pedestrian Connectivity

- 12.5 In accordance with the PB, the applicant shall provide convenient pedestrian connections both internally and with its surrounding areas/development sites. Under the Current Scheme, corresponding pedestrian openings have been reserved at the designated levels for connecting the Site with its surrounding areas, including the 24-hour barrier-free pedestrian accesses at G/F (+6.0mPD) and B1/F (+1.5mPD) for pedestrian connections to the LTSBPC and at B3/F (-5.7mPD) for access to another USS section connecting to the adjacent site zoned “R(A)6” (Site 2A3) and the site zoned “CDA(5)” (paragraph 1.13 above and **Drawing A-19** refer). DLCS, PM(E) of CEDD, and CPM303 of ArchSD have no adverse comment on the provision of pedestrian openings connecting to the USS and the LTSBPC.

Urban and Landscape Design

- 12.6 According to the PB requirements on the disposition of buildings, the proposed development shall be arranged to avoid any visual intrusion that may affect ambience of the LTSBPC and of the surrounding public spaces. Under the Current Scheme, an “L-shape” residential building block is proposed with various setback arrangements (paragraph 1.8 above and **Drawing A-20**). The townscape setback to the north-western side and the setback from LTSBPC to the north-eastern side have respected the visual context and heritage significance of the LTSBPC and enhanced the visual openness of the LTSBPC for the enjoyment of pedestrians. The south-eastern setback of a minimum of 3m has further maximised the at-grade public spaces and the setback of 27m at the south-western boundary has enabled an open and comfortable entrance area for the enjoyment of residents. In this regard, CA of ArchSD and CTP/UD&L of PlanD have no adverse comment from architectural and visual impact point of view.
- 12.7 As required by the PB, a greening ratio of 30% of the total site area, including a minimum of 20% greening at primary zone of the total site area, 20% greening of the total roof area (including podium roof and roof of retail block), and comprehensive landscaping proposal to integrate the development with the surrounding environment and to soften the building mass should be adopted. In the Current Scheme, the proposed greening ratios have satisfied the above greening requirements. Both hard and soft landscape treatments and passive recreational facilities are proposed on G/F to 2/F of the development (**Drawings**

A-13 to A-15). Boundary fence wall along the south-western boundary fronting the pedestrian street will achieve visual and physical porosity of not less than 50% (**Drawing A-21**). Noting that these measures may enhance pedestrian connectivity, promote visual interest and pedestrian comfort, as well as adding vibrancy to the surrounding public realm, CTP/UD&L of PlanD has no adverse comments on the application from landscape planning point of view. An approval condition requiring the submission and implementation of a revised LMP is suggested in paragraph 13.2(b) below.

- 12.8 According to the submitted AVA (IS), the Current Scheme has incorporated good design feature of the 15m-wide townscape setback from the northwest site boundary. According to the simulation results, the overall performances of the Baseline and Current Schemes on pedestrian wind environment are comparable under both annual and summer conditions. CTP/UD&L of PlanD considers the proposed development with mitigation measures incorporated would not generate significant adverse air ventilation impact on the overall pedestrian wind environment.
- 12.9 For the roof of the retail block, it would form part of the private open space of the Site with the provision of some landscape features including landscape walkway and terraced landscape above the main roof level of 15mPD, and connecting to the podium of the residential block at 2/F (at +16.5mPD). As clarified by the applicant, the retail block would respect the BH restriction of +15mPD as stipulated in the PB and the landscape features will be on the structural roof of +15mPD. CPM303 of ArchSD has no adverse comment from design point of view. To ensure that the design requirements of the retail belt as stated in the PB would be followed, an approval condition on the design and implementation of the retail belt to the satisfaction of the Director of Architectural Services is suggested at paragraph 13.2(d) below.
- 12.10 Regarding the required social welfare facilities ⁴ by the Government for the Lot which the applicant has opted to accommodate them all within the development in the site zoned “R(A)6” (Site 2A3). D of SW has no adverse comments on the suggestion due to the reasons listed in paragraph 10.1.10(b) above and has no requests on the provision of additional GIC facilities.

Minor Relaxation of BH Restriction

- 12.11 The applicant is applying for minor relaxation of BH restriction from 125mPD to 129.035mPD (about +4m, +3.2%) solely for the adoption of MiC for the 32-domestic-storey with no increase in the overall PR. In line with JPN No. 8 regarding “Incentive to Promote Green and Innovation Buildings - Enhanced Facilitation Measures for Buildings Adopting MiC”, and considering the proposed relaxation in BH restriction can maintain the descending BH profile of the area (paragraph 7.2(f) above and **Plan A-5**), and the visual appraisal in the VIA has demonstrated that the visual impact is insignificant from all the viewpoints (**Drawings A-26 to A-29**). In general, CA of ArchSD, CBS/K of BD and CTP/UD&L of PlanD have no objection to the proposal.

Technical Aspects

- 12.12 The applicant has submitted various assessments and concluded that the proposed development would not cause any adverse impacts to traffic, environmental, sewerage and drainage aspects. Concerned departments including C for T, DEP, CE/MS of DSD, H(GEO) of CEDD, EKEO of DevB, CBS/K of BD, CHE/K of HyD, D of FS and DEMS have no objection to/no adverse comment on the application. Relevant approval conditions on traffic, noise, and sewerage are suggested to be imposed (paragraph 13.2 below refers).
- 12.13 As regards the cultural heritage impact, AMO has no objection to the application after reviewing the submitted impact assessment on cultural heritage. An approval condition is suggested to ensure the implementation of the mitigation measures to protect the cultural heritage, including those related to the LTSB SAI as recommended in paragraph 13.2(c) below.

Public Comments

- 12.14 For the public comments received expressing objection to (a) the use of the site for residential development, the applied use is in line with the planning intention of the “CDA(4)” zone, which has been elaborated in paragraph 12.2 above; (b) no additional supporting GIC facilities in relation to the increase in population brought by the proposed development, the planning assessment in paragraph 12.10 above is relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application and the MLP under sections 16 and 4A of the Ordinance, it is suggested that the permission shall be valid until **20.9.2028**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ consideration:

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan, taking into account the approval conditions (b) to (j) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the implementation of the mitigation measures to protect the cultural heritage as identified in the Environmental Assessment to the satisfaction of

Antiquities and Monuments Office or of the TPB;

- (d) the design and implementation of retail belt to the satisfaction of the Director of Architectural Services or of the TPB;
- (e) the submission of a revised noise impact assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the submission of a revised sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the implementation of the local sewerage upgrading/sewerage connection works as identified in the revised sewerage impact assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB;
- (h) the design and provision of vehicular access, parking spaces, loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (i) the design and provision of 24-hour public passageways in the proposed development to connect with the surrounding developments to the satisfaction of the Director of Civil Engineering and Development or of the TPB; and
- (j) the submission of implementation programme indicating the timing and phasing of the proposed development to the satisfaction of the Director of Planning or to the TPB.

Advisory Clauses

13.3 The suggested advisory clauses are attached at **Appendix V**.

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

14. Decision Sought

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

14.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.

14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form received on 18.6.2024
Appendix Ia	A consolidated report containing SPS, finalised revised technical assessments and consolidated R-to-C tables
Appendix II	Comparison of the Major Planning and Development Requirements in the Endorsed PB and the Application
Appendix III	Detailed Comments from Government Bureaux and Departments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawings A-2 to A-9	Floor Plans
Drawings A-10 to A-12	Section Plans
Drawings A-13 and A-15	Landscape Master Plan
Drawings A-16 and A-18	Landscape Elevations
Drawing A-19	Pedestrian Circulation Plan
Drawing A-20 to A-21	Diagram on Building Setback and Separations and Fence Wall
Drawings A-22 to A-25	Artist's impressions on the Retail Belt
Drawings A-26 to A-29	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos
Plan A-5	Height of Existing Buildings in the Surroundings
Plan A-6	Alignment of Underground Shopping Street

**PLANNING DEPARTMENT
SEPTEMBER 2024**