

**Minutes of 1197th Meeting of the
Town Planning Board held on 15.3.2019**

Present

Permanent Secretary for Development
(Planning and Lands)
Ms Bernadette H.H. Linn

Chairperson

Professor S.C. Wong

Vice-Chairperson

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Director of Planning

Mr Raymond K.W. Lee

Director of Lands

Mr Thomas C.C. Chan

Deputy Director (1), Environmental Protection Department

Mr Elvis W.K. Au

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Chief Transport Engineer (Kowloon), Transport Department

Mr David C.W. Ngu

Deputy Director of Planning/District

Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Ms April K.Y. Kun (a.m.)

Mr Kepler S.Y. Yuen (p.m.)

Senior Town Planner/Town Planning Board

Mr Alex C.Y. Kiu (a.m.)

Ms W.H. Ho (p.m.)

Agenda Item 1

Confirmation of Minutes of the 1196th Meeting held on 1.3.2019

[Open meeting] [The item was conducted in Cantonese.]

1. The minutes of the 1196th meeting were sent to Members on 15.3.2019 and tabled at the meeting. Subject to no proposed amendments by Members on or before 18.3.2019, the minutes would be confirmed without amendments.

[Post-meeting Note : The minutes of the 1196th Meeting were confirmed on 18.3.2019 without amendments.]

Agenda Item 2

Matters Arising

(i) Town Planning Appeal Decision Received

Town Planning Appeal No. 3 of 2017

Proposed House (New Territories Exempted House (NTEH) - Small House) in “Green Belt” (“GB”) and “Village Type Development” zones, Government Land in D.D. 3 TC, Sheung Ling Pei Village, Tung Chung, Lantau Island

Application No. A/I-TCTC/55

[Open Meeting] [The item was conducted in Cantonese.]

2. The Secretary reported that the following Members had declared interests on the item :

Professor T.S. Liu - close relative co-owning with a friend a property in Tung Chung

Mr Martin W.C. Kwan - close relative owning properties in Tung Chung New Town

3. As the item was to report on the decision on an appeal and no discussion was required, Professor T.S. Liu and Mr Martin W.C. Kwan were allowed to stay in the meeting.

4. The Secretary reported that the subject appeal was against the decision of the Town Planning Board (the Board) to reject on review an application (No. A/I-TCTC/55) for a proposed house (NTEH – Small House) at a site partly zoned “Green Belt” (“GB”) and partly zoned “Village Type Development” (“V”) on the Tung Chung Town Centre Area Outline Zoning Plan (OZP).

5. Members noted that the appeal was heard by the Appeal Board Panel (Town Planning) (TPAB) on 22.1.2018, and dismissed on 26.2.2019. The following points were mentioned in TPAB’s decision :

- (a) the most important consideration in the appeal was the relevant Town Planning Board Guidelines. The appeal site was a vegetated natural slope. The Appellant failed to demonstrate that there was a general shortage of land in meeting the demand for Small House development in the “V” zone of the village;
- (b) two of the grounds of appeal were related to delineation of different landuse zones on the OZP. However, the appeal mechanism for planning applications was not an appropriate channel to challenge the rationality of zonings on the OZP;
- (c) the Board’s practice of putting more weight on the number of existing outstanding Small House applications provided by Lands Department when assessing whether there was shortage of land in meeting the demand for Small House development in the subject “V” zone was appropriate; and
- (d) allowing the Appellant to raise new points at the closing submission would be unfair to the respondent.

(ii) **Abandonment of Town Planning Appeal**

Town Planning Appeal No. 15 of 2010

Proposed 'Petrol Filling Station', Permitted 'Shop and Services' (Retail Shop) and Permitted 'Office' in "Other Specified Uses" annotated "Business" zone, 11-15 Kok Cheung Street, Mong Kok

Application No. A/K3/516

[Open Meeting] [The item was conducted in Cantonese.]

6. The Secretary reported that the Town Planning Appeal was lodged by Lindenford Limited (Lindenford), and Townland Consultants Limited (Townland) and MVA Hong Kong Ltd (MVA) were consultants of the Appellant, and the site was located in the Mong Kok area. The following Members had declared interests on the item :

Mr Ivan C.S. Fu - having current business dealings with MVA

Mr Thomas O.S. Ho - having current business dealing with MVA and past business dealings with Townland

Mr Franklin Yu - having past business dealings with MVA

Mr Stephen L.H. Liu - co-owning with spouse a flat and his company owning another flat at Harbour Green, Sham Mong Road

Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Mong Kok

7. As the item was to report the abandonment of the appeal, the above members were allowed to stay in the meeting.

8. The Secretary reported that an appeal had been abandoned by the Appellant on its own accord. Town Planning Appeal No. 15/10 was received by the Appeal Board Panel (Town Planning) (TPAB) on 19.10.2010 against the decision of the Town Planning Board (the Board) on 6.8.2010 to reject on review an application (No. A/K3/516) for a proposed 30-storey commercial/office building with a petrol filling station on a portion of the ground floor at the

subject site zoned “Other Specified Uses” annotated “Business” on the Mong Kok Outline Zoning Plan (OZP).

9. The Appellant, Lindenford, lodged a Judicial Review (JR) on 28.7.2011 against the Board’s decision on 29.4.2011 of not amending the Mong Kok OZP No. S/K3/28 to meet its representation. The Court of First Instance (CFI) dismissed the JR on 5.9.2012 and Lindenford lodged an appeal to the Court of Appeal (CA) on 28.9.2012. Upon the Appellant’s request on 14.5.2014, TPAB agreed on 30.5.2014 that the Town Planning Appeal would be adjourned until the determination of the JR appeal against CFI’s decision in respect of the subject site.

10. In view of the latest proposed amendments to the Mong Kok OZP covering the subject site, the Appellant’s representative wrote to TPAB on 1.3.2019 to abandon the appeal. On 5.3.2019, TPAB formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations of the Town Planning Ordinance.

11. Members noted the abandonment of the appeal.

(iii) Updated Appeal Statistics

[Open Meeting] [The item was be conducted in Cantonese.]

12. The Secretary reported that as at 4.3.2019, eight appeals were yet to be heard and three appeals’ decision was outstanding. Details of the appeal statistics were as follows :

Allowed	36
Dismissed	157
Abandoned/Withdrawn/Invalid	202
Yet to be Heard	8
Decision Outstanding	3
<hr/> Total	<hr/> 406

[Miss Winnie W.M. Ng and Mr L.T. Kwok arrived to join the meeting at this point.]

Tsuen Wan & West Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Mong Kok Outline Zoning Plan No. S/K3/31

(TPB Paper No. 10525)

[The meeting was conducted in English and Cantonese.]

13. The Secretary reported that the amendments of the Mong Kok Outline Zoning Plan (OZP) mainly involved the revision of the building height restrictions (BHRs) for various development zones taking into account the Court's ruling on the judicial review (JR) lodged by the Real Estate Developers Association of Hong Kong (REDA) against the draft Mong Kok OZP No. S/K3/28 (OZP28), and to take forward the recommended development scheme formulated under the 'Planning and Design Study on the Redevelopment of Government Sites at Sai Yee Street and Mong Kok East Station – Feasibility Study' (the SYS Study). The following Members had declared interests on the item for having affiliation/business dealings with Masterplan Limited (Masterplan) (the representative of REDA (**R1**)), Lindenford Limited (Lindenford) (**C2**), Townland Consultants Limited (Townland) (the representative of Lindenford), the Institute of Future Cities (IOFC) of the Chinese University of Hong Kong (CUHK) (the consultant of the OZP review), Ove Arup & Partners Hong Kong Limited (Arup), BMT Asia Pacific Limited (BMT) and/or AGC Design Limited (AGC) (the consultants of the SYS Study), Ms Mary Mulvihill (**R3/C16**), and/or knowing the representers :

Professor S.C. Wong - having current business dealings with Arup and being a
(Vice-chairperson) traffic consultant of Arup

Mr Ivan C.S. Fu - having current business dealings with Masterplan, Arup,
AGC and developers which were members of REDA

- Mr Thomas O.S. Ho - having current business dealings with Arup and past business dealings with Townland, his firm having past business dealings with BMT
- Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] Lindenford (**C2**), Townland, Arup, AGC, and hiring Ms
] Mary Mulvihill (**R3/C16**) on a contract basis from time
] to time
- Mr Stephen L.H. Liu - co-owning with spouse a flat and his company owning another flat at Harbour Green, Sham Mong Road
- Ms Sandy H.Y. Wong - used to be a member of the Women's Commission, and knowing from there Ms Wong Shu-ming (**R5**) and Ms Wu Sui Shan (**R154**)
- Mr Franklin Yu - having past business dealings with Arup
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Mong Kok
- Professor John C.Y. Ng - being the Fellow of IOFC, CUHK

14. Members noted that Mr K.K. Cheung and Mr Thomas O. S. Ho had tendered apologies for not being able to attend the meeting. Members also noted that Professor S.C. Wong, Mr Ivan C.S. Fu, Mr Alex T.H. Lai and Professor John C.Y. Ng had no direct involvement in the JR/the SYS Study/the OZP review or the projects on the representation sites; the interests of Mr Franklin Yu and Ms Sandy H.Y. Wong were not direct; and the properties of Mr Stephen L.H. Liu and Mr Stanley T.S. Choi's spouse did not have a direct view of the representation sites, they should be allowed to stay at the meeting.

Presentation Session

15. The Chairperson said that reasonable notice had been given to the representers and commenters inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

16. The following government representatives, representers/commenters and their representatives were invited to the meeting :

Planning Department's (PlanD's) representatives

Mr Derek W.O. Cheung - District Planning Officer/Tsuen Wan & West
Kowloon (DPO/TWK)

Ms Caroline T.Y. Tang - Senior Town Planner/Yau Tsim Mong
(STP/YTM)

Mr Kimson P.H. Chiu - Town Planner/Yau Tsim Mong 3 (TP/YTM3)

Representers/Commenters and their Representatives

R1 – The Real Estate Developers Association of Hong Kong (REDA)

C1 – Lau Shun Wah Maggie

Mr Ian Brownlee] Representer's and Commenter's representatives
Ms Wong Oi Chu]

R3 – Mary Mulvihill

C16 – Mary Mulvihill

C17 – TST Residents Concern Group

Ms Mary Mulvihill - Representer, commenter and commenter's
representative

R5 – 油尖旺區議會副主席黃舒明及油尖旺區議員黃建新

Mr Wong Kin San - Representer and representer's representative

R9 – Community March

R14 – 林兆彬

R199 – Wong Siu Yin

R227 – Karina Winning Fong

Mr Lam Siu Pan - Representer and representers' representative

R52 – 王芷欣

Ms Wong Tsz Yan - Representer

R89 – 朱江瑋

Mr Chu Kong Wai - Representer

R134 – 李美芳

Ms Lee Mei Fong - Representer

R154 – 胡穗珊

Ms Wu Sui Shan - Representer

R189 – 賀卓軒

Mr Ho Cheuk Hin - Representer

R195 – 陳偉成

Mr Chan Wai Shing - Representer

C2 – Lindenford Limited

Townland Consultants Limited] Commenter's representatives

Ms Delius Wong]

C3 – 鍾采彤

Mr N.K. Chong - Commenter's representative

C4 – 藍海韻

Ms Tang Hoi Ling Florence - Commenter's representative

C5 – Temple University Alumni Association Hong Kong Chapter

Mr Wong Kwun Shing - Commenter's representative

C6 – 黃保寧

Mr Ching Man Ting - Commenter's representative

C10 – Fa Yuen Street Hawker Association

Mr Ng Chin Hei - Commenter's representative

C12 – 潘維亮

Mr Poon Wai Leung Gary - Commenter

C15 – Creative Youth Club

Mr Cheung Cho Kwai - Commenter's representative

17. The Chairperson extended a welcome to the Government's representatives, the representers/commenters and their representatives, and briefly explained the procedures of the hearing. To ensure the efficient operation of the meeting, the representers/commenters would be allotted 10 minutes each for making oral submission. There was a timer device to alert the representers/commenters two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representers/commenters had completed their oral submissions. Members could direct their questions to the Government's representatives or the representers/commenters. After the Q&A session, the representers/commenters/their representatives and the Government's representatives would be invited to leave the meeting. The Town Planning Board (the Board) would deliberate on all the representations and comments in a closed meeting and would inform the representers/commenters of the Board's decision in due

course. The Chairperson then invited the Government's representatives to brief Members on the representations/comments.

18. Mr Derek W.O. Cheung (DPO/TWK, PlanD) drew Members' attention that a few pages of the representers' submissions were omitted in the CD-ROM (Annex VI) attached to Members' copy of TPB Paper No. 10525 (the Paper). A replacement CD-ROM had already been sent to Members and the copy at the Board's website had also been rectified on 12.3.2019. With the aid of a PowerPoint presentation, Ms Caroline Tang (STP/YTM, PlanD) briefed Members on the representations and comments, including the background of the amendments, the grounds/views/proposals of the representers/commenters, planning assessments and PlanD's responses on the representations and comments as detailed in the Paper.

19. The Chairperson then invited the representers/commenters and their representatives to elaborate on their representations/comments in the written submissions.

R1 – REDA

C1 – Lau Shun Wah Maggie

20. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following points :

Background

- (a) REDA's representation was not related to any specific site but matters of general principles, with the objectives of encouraging development for a more sustainable city, and ensuring that the development system was effective and efficient;
- (b) REDA made a representation (R9) against the imposition of BHRs, non-building areas (NBAs), building gaps (BGs) and building setbacks (SBs) imposed on OZP28. Representation R9 was not upheld, and REDA filed a JR. The Court of First Instance (CFI) ruled against the Board on a number of issues, including procedural fairness and failure to make sufficient

inquiries in relation to development intensity and Sustainable Building Design Guidelines (SBDG), Air Ventilation Assessment (AVA) and BH profile during the representation hearing process in 2011. Hence, the OZP was remitted back to the Board for reconsideration;

NBA, BG and SB

- (c) REDA opposed the NBAs, BGs and SBs imposed on OZP28 as a matter of principle because they affected private property rights and were not necessary if one applied SBDG properly. REDA requested that NBAs, BGs and SBs imposed on the draft Mong Kok OZP No. S/K3/31 (the draft OZP) be removed;

Relaxation of BHRs

- (d) REDA supported the relaxation of BHRs because it addressed the fundamental issue raised by REDA on OZP28. In particular, REDA supported the relaxation of BHRs for residential zones under Amendment Items C1 to C4;
- (e) REDA partly opposed Items A1 to A3 and B1 to B3 because the extent of relaxation of BHRs on “Commercial” (“C”) and “Other Specified Uses” annotated “Business” (“OU(B)”) zones was considered inadequate. REDA was of the view that the BHRs across the Kowloon Peninsula could be relaxed further by 20m, which would result in a better urban form and built environment for people to work and live in. However, REDA’s suggestion was rejected by PlanD on the basis that it was not supported by technical assessments. The further relaxation of BHRs proposed by REDA was common sense and required no technical assessment. Besides, REDA did not possess as much data as PlanD, which should assess the acceptability of REDA’s proposals instead;
- (f) PlanD recommended that no amendment to the draft OZP be made to meet all the representations, reflecting PlanD’s philosophy of absolute maximum BH

control so that only the minimum possible height would be permitted without any flexibility to accommodate good and innovative design that the community was expecting to see;

- (g) REDA suggested a landuse review for the Mong Kok area in view of the largely flat height profile at 100/110mPD, which was undesirable from the urban design and air ventilation perspectives. To that end, the BHRs at three major transport nodes, Mong Kok Station, Mong Kok East Station and Prince Edward Station, were proposed to be relaxed further to address the urban design and air ventilation concerns;
- (h) there was scope to relax the BHRs further without breaching the 20% building free zone of the ridgelines from the two strategic vantage points in PlanD's visual appraisal, as the proposed additional 20m BH in Mong Kok would largely be screened by tall buildings at the waterfront. The said building free zone had already been breached in a number of locations as viewed from the strategic vantage points. Noting PlanD's response that "the proposed maximum BH of 130mPD for the sites near Langham Place was quite close to the 20% building free zone" when the proposed amendments were discussed by the Board on 22.6.2018, the Board was requested to reconsider relaxing the BHRs to 150mPD at the afore-mentioned transport nodes;
- (i) citing Sun Hing Building, Pak Po Mansion, Kwok Chai Building and Kingland Apartments built under the previous volume-based building restrictions, REDA considered that the BHRs of the draft OZP too low to accommodate redevelopment to the existing plot ratio (PR) of some old buildings. REDA requested that the BHRs be set at such levels that the existing PR could be achieved subject to the Buildings Ordinance;
- (j) PlanD should provide evidence to show that adequate BHR was allowed for the relevant sites of existing old buildings of high PR, which would require :
 - (i) a list of buildings with existing PR higher than the stipulated maximum PR under the Notes;

- (ii) a plan showing the location of the buildings;
 - (iii) diagrams and calculations which clearly indicated that the existing PR of those buildings which might be permitted by the Building Authority (BA) on the site could be accommodated within the BHR; and
 - (iv) detailed consideration of the implications of SBDG on the design of such buildings within the BHR;
- (k) CFI pointed out that the Board had a duty to inquire. The hearing should therefore be adjourned until adequate information for old buildings with high PR mentioned above was available from PlanD to enable the Board to make an informed decision;
- (l) Hong Kong was facing a double-ageing problem (ageing of its population and its buildings), and the number of private housing units aged 70 and above was expected to increase from 1,100 units in 2016 to 326,000 units in 2046, with the highest concentration of old housing units in the Yau Tsim Mong (YTM) district. The Board should therefore encourage urban rejuvenation by giving incentives to overcome the urban renewal challenges rather than imposing BHRs;
- (m) the Board's measures on the Tsim Sha Tsui OZP to encourage amalgamation of small sites for development/redevelopment should be introduced to the entire Kowloon Peninsula; and

The SYS Site

- (n) REDA supported the rezoning of the SYS Site under Amendment Item D as its location adjacent to a major transport interchange was suitable for a landmark development and design flexibility should be allowed for a better environment, particularly at the pedestrian level.

[Mr Franklin Yu, Mr Stephen L.H. Liu and Dr Frankie W.C. Yeung arrived to join the meeting during Mr Ian Brownlee's presentation.]

R3 – Mary Mulvihill

21. Ms Mary Mulvihill made the following main points :

- (a) the preparation of OZPs followed a formula, and the conclusion of not amending the OZP to meet the representations was copied and pasted from one OZP to another;
- (b) representers spent hours in preparing their representations because they cared about the community and wanted it to be better. It was disappointing that changes proposed by representers were not discussed at the deliberation session. It was a waste of time if all representation proposals ended up being dismissed by the Board; and
- (c) the minor relaxation provision on OZPs had been abused because there was no definition as to what constituted 'minor'. The relaxation was arbitrary. Minor relaxation was being applied for in almost every redevelopment project in Kwun Tong, and almost all such applications were approved without considering the cumulative impacts.

R5 – Wong Kin-san (Yau Tsim Mong District Council (YTMDC) Member) and Wong Shu-ming (YTMDC Vice-chairperson)

22. With the aid of a visualizer, Mr Wong Kin San, YTMDC Member, made the following points :

- (a) he represented Ms Wong Shu Ming, Vice-chairperson of YTMDC, as well;

Relaxation of BHRs

- (b) the representers opposed Amendment Items A1, A2, C1 and C2. Mong Kok's population density was very high already, and the community was concerned about the increase in vehicular and pedestrian traffic associated with the massive blanket relaxation in BHRs;
- (c) when the proposed amendments to the Mong Kok OZP were put up to YTMDC for consultation on 12.7.2018, almost all DC members expressed worry, disappointment and objection. The Chairperson of YTMDC was unable to lend support to the proposed amendments. The Government's decision to go ahead with the proposed amendments despite YTMDC's objection was unacceptable;
- (d) despite PlanD's emphasis that the review of BHRs did not involve any increase in PR, YTMDC members were worried about subsequent increase in development intensity due to redevelopment, which would result in serious congestion, traffic noise and air pollution impacts;

The SYS Site

- (e) the representers opposed Amendment Item D. According to their past experience, once a site was considered as having distinguished local characteristics, it would be developed into a high-rise landmark building without regard to local concerns or the ridgeline;
- (f) the so-called support for the high-rise commercial development at the SYS Site during the YTMDC meeting on 30.11.2017 was marginal. YTMDC had expressed to PlanD years ago that it would not want to choose amongst development options during public consultation as the public/YTMDC would be forced to choose the lesser evil option. Had an open-ended public consultation been conducted, most locals would opt for public open space (POS), swimming pool and green belt development rather than commercial development at the SYS Site;

- (g) the only consensus reached amongst the community and YTMDC on the use of the SYS Site was a public transport interchange (PTI) to improve the traffic conditions of the district. There was never any public support for a large-scale high-rise commercial development at the Site, which would attract a large amount of pedestrian and vehicular traffic into the area, aggravating the already serious congestion;
- (h) what the Mong Kok community needed most was a solution to the traffic congestion problem, which PlanD failed to answer. Data of traffic assessments mentioned in the consultation documents were not provided to YTMDC. Moreover, there had never been any consultation on the need for grade A office development in Mong Kok;
- (i) on the Area Improvement Plan for the Shopping Areas of Mong Kok announced in 2009, the SYS Site was identified as an underutilised space to be re-structured for the reprovisioning of public transport facilities and incompatible land uses. In a 2012 Public Works Subcommittee document, development at the SYS Site was shown to be of similar height to the surroundings which was about 10 storeys only. In 2013/14, when the Food and Environmental Hygiene Department offices-cum-vehicle depot at the Site was proposed to be relocated to vacate the Site for the development of a PTI and public spaces, there was no mentioning of high-rise development in the YTMDC consultation documents. The announcement of a proposed 75-storey high commercial development at the SYS Site in 2016 was beyond the public's expectation;
- (j) at the YTMDC consultation on 30.11.2017, PlanD put forward for the first time the proposal of developing the SYS Site into a landmark, resembling the so-called twin-tower concept with Langham Place, effectively turning the SYS Site into a tourism project. As tourism projects would require tourism-related supporting facilities, there should be a fresh round of technical assessments and public consultation; and

- (k) the Board was requested to reject the aforesaid Amendment Items which would result in irreversible adverse impacts.

R9 – Community March

R14 – 林兆彬

R199 – Wong Siu Yin

R227 – Karina Winning Fong

23. With the aid of a PowerPoint presentation, Mr Lam Siu Pan made the following main points :

- (a) many representers/commenters were concerned about the OZP amendments, and would like to attend the meeting in person. The representation hearings should therefore be held on Saturdays and Sundays to encourage their attendance;
- (b) the representers he represented opposed all Amendment Items;

Relaxation of BHRs

- (c) Mong Kok was a renowned shopping district with a large number of tourists and local shoppers. It was very congested already, both in terms of vehicular and pedestrian traffic. Any traffic accident could paralyze half of the road network in YTM;
- (d) it was common sense that an increase in BH would result in an increase in traffic. The extent of relaxation in BHR under Amendment Items A3, B3, C2 and C3 was very high. In particular, the pavements and roads around the flower market area (Amendment Item C2), were frequently occupied by flower pots and packed with shoppers already. Such massive relaxation would significantly increase the population and pedestrian flow in the area, heavily overload the existing transport facilities, and adversely affect natural lighting and air ventilation;

The SYS Site

- (e) they opposed the high-rise commercial development at the SYS Site. It was noted that 99% of the representations on the draft OZP (or 279 representations) were opposing Amendment Item D. Out of the 279 opposing representations, 273 were gathered by Community March (**R9**) and Democracy Groundwork (**R8**), reflecting the public's strong dissatisfaction against the amendment item;
- (f) the proposed high-rise commercial development at the SYS Site originated from the SYS Study commissioned by PlanD in 2015. The study consultants jumped to conclusions at the early stage of the study that the SYS Site 'would provide an opportunity to enhance the identity of Mong Kok as a tourist, shopping and entertainment destination' and 'enhance the identity of Mong Kok as a commercial node', without considering the local's welfare and living quality, as well as the tourist carrying capacity of Mong Kok;
- (g) PlanD's public consultation on the SYS Study was a false consultation in that the three options had the same mix of landuses, differing only in BH and the provision of POS. No real choice had been offered to the consultees. There were only 51 responses to PlanD's survey;
- (h) Community March (**R9**) conducted its own survey (hard copy questionnaires and online survey) to consult the views of YTM residents on the high-rise commercial development at the SYS Site and the proposed pedestrian footbridge system in Mong Kok. Over 300 replies to the survey, 6 times that of PlanD, were received;
- (i) over 70% of the respondents had no knowledge of PlanD's consultation on the high-rise commercial development at the SYS Site. Over 70% of the respondents opposed the high-rise commercial development at the SYS Site, mainly on the grounds of traffic congestion, sufficient/too many tourists spots nearby and adverse impact on air ventilation. Most respondents supported the

development of POS, medical facilities, sports ground, community centre and child care centre, instead of commercial development, at the SYS Site;

- (j) Annex VIII of the Paper clearly pointed out that Mong Kok had serious deficit in many government, institution and community (G/IC) facilities, including POS (in particular, there was no free-of-charge basketball court in Mong Kok East), schools, hospital beds, day care centres for the elderly and residential care homes for the elderly. It was ironic that against this background, a “Government, Institution or Community” (“G/IC”) site was rezoned to “Commercial (4)” (“C(4)”) with only about 3.5% of its gross floor area (GFA) reserved for G/IC uses. Those facilities should be provided at the SYS Site on top of PlanD’s proposed G/IC facilities;
- (k) there were also too many shopping malls and hotels in Mong Kok. New commercial development at the SYS Site would inevitably result in more traffic in Mong Kok East. Whilst PlanD’s road widening proposals at the SYS Site might ease congestion along the road sections in its immediate vicinity, the additional traffic generated/attracted to the SYS Site would cause congestion in other parts of Mong Kok’s road network;
- (l) the SYS Site was surrounded by residential developments and schools on three sides, and residents therein would be adversely affected in terms of traffic congestion, noise pollution and increasing rent which would drive out many small local shops;
- (m) as a side but related issue, the objective of building the proposed pedestrian footbridge system in Mong Kok was to ease the competition between pedestrian and vehicular traffic. On the other hand, the commercial development at the SYS Site would exacerbate the competition between pedestrian and vehicular traffic. Apparently, different government departments were putting up two contradicting proposals; and

- (n) to sum up, the representers he represented strongly opposed the high-rise commercial development at the SYS Site. The “G/IC” zoning of the Site should remain to address the district’s deficit in G/IC facilities.

[Mr H.W. Cheung and Mr Alex T.H. Lai arrived to join the meeting during Mr Lam Siu Pan’s presentation.]

R52 – 王芷欣

24. Ms Wong Tsz Yan made the following main points :

- (a) she considered that the SYS Site should be developed into a POS and G/IC facilities. Any other form of new development at the SYS Site would be a waste of land, and would not help redress the current air quality and traffic congestion issues of Mong Kok, but would add new issues to the area;
- (b) welfare facilities were lacking in Mong Kok and it was inconvenient for the residents to go to Tai Kok Tsui or even more remote areas to access such facilities;
- (c) local shops could not afford the high rental value of the new commercial development. Property prices/rental value of areas adjoining the SYS Site would increase to levels not affordable by Mong Kok residents;
- (d) waiting for and travelling in lifts of the 65-storey development would take a lot of time. There would be more lift accidents due to overloading; and
- (e) fire safety would be a serious issue. With such a high-rise building, curtain wall damaged during typhoons could affect a very large area. The associated road closure would cause serious congestion.

R89 – 朱江瑋

25. Mr Chu Kong Wai made the following main points :

- (a) he was a member of Community March (**R9**);

Relaxation of BHRs

- (b) according to the Paper, some Members also expressed concern on the traffic conditions and capacity of Mong Kok when the proposed amendments were deliberated at the Board's meeting on 22.6.2018;
- (c) he expressed doubt on PlanD's claim that relaxation in BHRs would not result in any increase in population, which was in contrary to common sense;
- (d) there was also an upper limit on traffic capacity of an area. Hong Kong was a rail-based city, and the capacity of both the East Rail and West Rail had already been reached. Unfortunately for Mong Kok (and Hung Hom), it was the focal point of these two major railways;
- (e) it was quite clear that the relaxation in BHRs was intended to facilitate redevelopment. There were heated discussions in the community on transfer of PR, while many sites in Mong Kok were not yet built to the maximum permitted PR. There were also rumours about an upcoming PR relaxation;
- (f) many commercial buildings along Nathan Road had already been turned into illegal sub-divided flats. These buildings would have the highest chance of redevelopment. He alleged that the relaxation of BHRs was in favour of developers and possibly the Urban Renewal Authority (URA). This could result in social problem if the existing population in those sub-divided flats were forced to move out;

The SYS Site

- (g) there were many public light buses (PLBs) and cross-boundary (X-B) coaches operating in Mong Kok. PLBs at the Tung Choi Street Mini Bus stop constantly occupied three of the four traffic lanes;
- (h) there was a tendency for X-B coach loading/unloading (L/UL) activities to spill out from the traditional hotspots such as the junction of (J/O) Nelson Street/Sai Yee Street (at China Travel Service (CTS)), Shanghai Street and Metro Park Hotel Kowloon to J/O Portland Street/Playing Field Road or even neighbouring districts like Yau Ma Tei and Sham Shui Po. In particular, X-B coach L/UL activities at CTS had spilled over to the section of Sai Yee Street at MacPherson Playground, and were affecting the students of G.T. (Ellen Yeung) College (Junior Primary Section) and Hong Kong Vernacular Normal Schools Alumni Association School Kindergarten Section as well as the elderly in the area. It was wishful thinking to relocate the existing on-street X-B coach L/UL points to the SYS Site, not to mention that the addition of a hotel thereat would generate/attract more X-B coach L/UL activities; and

Public Consultation

- (i) all but one member of YTMDC opposed the amendment items. PlanD's claim that YTMDC was in support of Amendment Item D was unfounded.

R154 – 胡穗珊

26. Ms Wu Sui Shan made the following main points :

- (a) she was the Yau Ma Tei South Area Officer of Community March (**R9**) and used to be a Mong Kok resident. She moved to Yim Po Fong Street in 2002 and witnessed the changes in Mong Kok over the years. Mong Kok used to be a very nice residential neighbourhood. It was vibrant, convenient and there used to be lots of small local shops. The Individual Visit Scheme

changed all that. Small local shops were replaced by unaffordable middle-class restaurants, and she found it hard to continue to live in Mong Kok. Eventually she moved to Yau Ma Tei and then Prince Edward where the population density was lower;

- (b) the planning of Mong Kok was very piecemeal and bigger pieces of land were all put into commercial uses to maximize their financial return, making the area very resident-unfriendly. Development of POS was generally of low priority as it did not generate any gross domestic product. The draft OZP was driving Mong Kok and in fact, the entire YTM district, away from the concept of a livable city as advocated in HK2030+;
- (c) the Government should focus on the community rather than the buildings or land sale. Mong Kok residents were furious about the commercial development at the SYS Site, which would drive up the rent of surrounding properties and break up the community;
- (d) parks in Mong Kok were small and fragmented, which imposed serious constraints on their spatial design and facilities provision. Without any recreational facilities, these small parks were not patronized by children and the elderly, and were often occupied by gamblers. Lacking any sanitary fittings, some of these small parks were dirty; and
- (e) she requested the Board not to relax the BHRs and to rezone the SYS Site for the development of POS and G/IC facilities to address the residents' needs.

[Mr Stephen H.B. Yau left the meeting at this point.]

R195 – 陳偉成

27. Mr Chan Wai Shing made the following main points :

- (a) he had been living in Mong Kok for over 30 years, and resided near the SYS Site;

- (b) he opposed the relaxation of BHRs and commercial development at the SYS Site;
- (c) Mong Kok was a shopping district, but the jewellery shops and dispensaries were not what Mong Kok residents needed. The Government's policy was heavily inclined towards the short-stay tourists rather than Mong Kok's residents; and
- (d) Mong Kok did not have a very good reputation, and the addition of a new commercial development at the SYS Site would not turn it into Central, nor would it increase the value of his property by much. Mong Kok was over-crowded already, and the commercial development at the SYS Site would worsen the congestion. He found it very difficult to continue to live in Mong Kok. He would be pleased to sell his property and leave the district if it were the Government's intention to resume all residential premises in Mong Kok and turn the area into a pure commercial zone.

[Professor S.C. Wong left the meeting at this point.]

C3 – 鍾采彤

28. Mr N.K. Chong made the following main points :

- (a) Ms Chung, the commenter he represented, lived in Mong Kok near the SYS Site. Her residence was also a redevelopment project opposed by many during the planning stage. That said, she was grateful that the zoning amendment was agreed by the Board, which gave her a home;
- (b) she supported Amendment Item D, but was concerned about the current traffic congestion in the area, particularly the presence of a large number of PLBs in Fife Street, Tung Choi Street and Fa Yuen Street. She and her neighbours were delighted that a PLB public transport interchange (PTI) would be provided in the SYS development to free up the said road space.

The relocation of X-B coach L/UL point at Sai Yee Street near MacPherson Playground to the L/UL facilities for X-B coaches within the SYS Site would be a benefit to Mong Kok; and

- (c) she looked forward to the implementation of the road widening works at the SYS Site to ease the existing congestion. She was also of the view that the proposed footbridge connection to/from the SYS Site would ease the pedestrian/vehicular conflicts in the area.

C4 – 藍海韻

29. Ms Tang Hoi Ling Florence relayed Ms Lam's support for Amendment Item D as a Mong Kok resident.

C5 – Temple University Alumni Association Hong Kong Chapter

30. Mr Wong Kwun Shing made the following main points :

- (a) the commenter supported Amendment Item D; and
- (b) there was a typo in his comment, and **C5** did not agree with **R15**, rather than **R5**.

C6 – 黃保寧

31. Mr Ching Man Ting made the following main points :

- (a) the commenter supported Amendment Item D; and
- (b) there was a typo in his comment, and **C6 did not agree with R15, rather than R5**.

C10 – Fa Yuen Street Hawker Association

32. Mr Ng Chin Hei made the following main points :
- (a) the commenter supported Amendment Item D; and
 - (b) there was a need to satisfactorily address the vehicular and pedestrian traffic issues.

C12 – 潘維亮

33. Mr Poon Wai Leung Gary made the following main points :
- (a) he lived near the SYS Site when he was a kid, and moved to Hong Kong Island when he grew up. To facilitate his kids' schooling, he moved back to Mong Kok again, still living near the SYS Site;
 - (b) he witnessed the changes in Mong Kok over the past 3 to 4 decades, and found the changes positive. Commercial developments like Moko and Langham Place, did present more choices to Mong Kok residents; and
 - (c) Mong Kok was no different from many parts of Hong Kong in terms of traffic congestion, and most people knew how to avoid the congested peak hours when commuting. That said, as a Mong Kok resident, he was also concerned about the traffic conditions of the area. He considered that the SYS development would bring about traffic improvements to the area, and hence supported Amendment Item D.

C15 – Creative Youth Club

34. Mr Cheung Cho Kwai reiterated Creative Youth Club's support for Amendment Item D.

C16 – Mary Mulvihill

C17 – TST Residents Concern Group

35. With the aid of the visualizer, Ms Mary Mulvihill made the following main points :
- (a) she also represented the TST Residents Concern Group, the members of which shared similar concerns owing to the similarities of the Tsim Sha Tsui and Mong Kok districts in terms of district character and issues;
 - (b) she was disappointed with the support statements given by a few commenters without giving reasons for their support, and not satisfied with the lack of translation for Chinese representations/comments;
 - (c) the Court's ruling on the JR had been exploited by PlanD to relax the BHRs of every building. Not only that the high population density of Mong Kok but also the number of visitors were not considered in the draft OZP;
 - (d) there was a critical shortfall in POS in Mong Kok, with some 8.8 ha deficit equating to only 0.6 m² of POS per person (vs. the territorial average of 2.7 m² per person). Specifically, there was no POS in Mong Kok East in the vicinity of the SYS Site. In all likelihood, the proposed podium POS could be a series of inaccessible landscape decks that could not be enjoyed by the public;
 - (e) Mong Kok also had deficits in the provision of day care centres for the elderly and residential care homes for the elderly, and there was no sports ground/ sport complex and swimming pool complex in the district;
 - (f) despite PlanD's assurance that there would be no major air ventilation issue, the AVA by Expert Evaluation (2018) report did point out some air ventilation concerns;

- (g) with more development in Mong Kok, there would be more traffic, and hence more traffic noise. The curtain wall design of commercial developments would amplify noise;
- (h) as the same groups of consultants were working for the Government on various projects, none of the technical assessments would have a conclusion against the Government's proposal;
- (i) while REDA talked about landmark buildings, there was no innovative architecture in Hong Kong, and all the tall buildings were basically of curtain wall design;
- (j) tall curtain wall buildings were quite dangerous during typhoons. Widespread damage could occur if the curtain wall windows of the future 65-storey SYS building were blown out by typhoon;
- (k) the proposed G/IC facilities, particularly those for children and the elderly, to be incorporated into the SYS development were not compatible with the commercial uses in that people accessing such facilities would have to navigate through the busy footbridge system together with a lot of mainland tourists trawling suitcases;
- (l) while the Government talked about shortfall in G/IC floorspace and prepared to set aside money to buy properties for G/IC uses, "G/IC" sites were taken away from the community. The SYS Site should remain in its "G/IC" zoning and be developed into a POS with a low-rise G/IC building to redress the district's various shortfalls, including a basketball court; and
- (m) if the proposed 1,700 ha of Lantau reclamation for some 800,000 population should go ahead, the Government should stop intensifying development in the old congested urban areas.

Question and Answer Session

36. As the presentations from the Government's representatives and the representers/commenters or their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson said that Members would raise questions and invite the Government's representatives, the representers/commenters or their representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board, or for cross-examination between parties. The Chairperson then invited questions from Members.

Building Height Restrictions and Other Development Restrictions

Plot Ratio

37. The Chairperson, Mr Raymond K.W. Lee (Director of Planning) and some Members had the following questions :

- (a) the height, in mPD, of the existing buildings quoted by **R1** with existing PR likely to be higher than the maximum PR permitted under the draft OZP;
- (b) if the existing PR of a site was higher than the maximum PR permitted under the draft OZP, whether such PR could be accommodated under the proposed BHRs; and whether the development potential of the site would be affected;
- (c) whether there was any obligation on the Board to guarantee that the existing PR of a site could be achieved upon redevelopment;
- (d) the location and number of sites with existing PR higher than the maximum PR permitted under the draft OZP; and
- (e) whether the proposed amendments involved any relaxation in PR.

38. Ms Wong Oi Chu (**R1**'s representative) responded that she did not know the height, in mPD, of Sun Hing Building, Kingland Apartments, Pak Po Mansion and Kwok Chai

Building. These 4 buildings were 20, 17, 17 and 17 storeys high respectively according to her counting, and their site coverage (SC) was very high. She believed that the PRs of these buildings had exceeded 12 (Sun Hing Building and Kingland Apartments) and 9 (Pak Po Mansion and Kwok Chai Building), and there should be assessments that their existing PRs were achievable under the proposed BHRs.

39. Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) the Notes of the draft OZP allowed developments to be built to the existing PR if it exceeded the maximum PR permitted under the draft OZP. In assessing the extent of BHR relaxation, PlanD had made assumptions (a SC of 65% for podium levels taking into account the requirements of SBDG, no basement, a 25% GFA concession, etc.) which could allow flexibility in building design. The assessment results indicated that the proposed BHRs could accommodate the maximum PR permitted under the draft OZP with some margin. PlanD considered that those developments should be able to be built to the existing PRs by adopting suitable building designs, say, basement development, appropriate floor-to-floor-height (FTFH), etc. Hence, the development potential of the site should not be affected. For Members' reference, building plans for redevelopment of a site in "C" zone had recently been approved by BA after the proposed BHR of 110mPD came into effect. The development included a basement in its design, and attained the existing PR as high as 14.979 while the FTFH of podium and upper floors were 5m and 4.475m respectively;
- (b) the attainable PR of a development was also subject to building design and other development restrictions and constraints of individual sites, the Board was not obliged to guarantee that the existing PR of a site could be achieved upon redevelopment;
- (c) many old buildings were built under the previous volume-based building restrictions. Besides, some of the building records were also incomplete. Therefore, PlanD was unable to compile a complete list of sites where the existing PRs were higher than the maximum PR permitted under the draft

OZP. Based on the best available information, there were 37 “C” sites along Nathan Road and 4 “OU(B)” sites in Tai Kok Tsui with existing PR higher than 12, which was the maximum PR permitted under the draft OZP for those zones. It was noted that **R1**’s concern was on commercial developments, and that residential developments were restricted to a lower PR (in accordance with the Building (Planning) Regulations (B(P)R)); and

- (d) the proposed amendments to the draft OZP were made in response to the Court’s Judgment on BHR and the recommendations of the SYS Study. There was no relaxation in PR restrictions.

Floor-to-Floor Height

40. Noting PlanD’s 4m FTFH assumption in the Paper, a Member enquired whether 4m was the prevailing FTFH for commercial developments in the market, and whether the 4m FTFH assumption was consistently applied to all the sites in the area and across other parts of the territory. This Member also enquired about the assumed FTFH for residential buildings.

41. In response, Mr Derek W.O. Cheung (DPO/TWK) replied that FTFH of most existing commercial developments were of 4m. The FTFH assumption for residential developments was 3m, which was also in line with the market situation.

The Court’s Judgment on the JR

42. A Member had the following questions in relation to the Courts’ Judgment on **R1**’s JR :

- (a) whether the Court had ruled that the Board could not impose BHRs; and
- (b) whether the Court had ruled that the imposed development restrictions including NBA/BG/SB etc., should not affect private development rights.

43. In response, Mr Derek W.O. Cheung (DPO/TWK) advised that the Court's Judgment was that the Board should take into account SBDG and not relying on the minor relaxation clause when imposing BHRs. It was well established in previous court rulings that the Board had the power to impose development restrictions, including BHRs. The development restrictions on the draft OZP did not affect private development rights as any NBA/BG/SB so imposed would not affect the site area accountable for PR calculation.

Further Relaxation in BHRs and Rejuvenation of Old Urban Areas

44. Noting **R1**'s request for further relaxation in BHRs in view of the need to rejuvenate the old urban areas, the Chairperson and some Members enquired the following :

- (a) comparing the BH profile proposed by PlanD and **R1**, in particular, whether further relaxation in BHRs would encourage redevelopment, and any reason(s) why further relaxation in BHRs was considered undesirable/inappropriate, particularly in light of the ageing building stock problem;
- (b) quantification in terms of the urban design advantages of the BHR relaxation;
- (c) whether a clause for relaxation of BHRs for sites with an area of not less than 1 800 m² on application to the Board like the one for "C" zones on the Tsim Sha Tsui OZP could be added to encourage amalgamation of sites; and
- (d) in **R1**'s views, what measures could be adopted on the OZP that could assist in the rejuvenation of old urban areas.

45. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) visual appraisal had been conducted as part of the BH review for the Mong Kok OZP. The results indicated that the BH profile of Mong Kok (except the SYS Site) with a 20m BHR relaxation would be just beneath the '20% building free zone' of the ridgeline when viewed from the 2 major strategic vantage points on Hong Kong Island. While **R1**'s proposal, i.e. a further

relaxation of BHR of “C” zones along Nathan Road and “OU(B)” zones by 20m, might not result in very significant impact, the broad urban design principles set out in the Urban Design Guidelines under the Hong Kong Planning Standards and Guidelines (HKPSG) should be adhered to as a yardstick. Besides, no justification had been provided by **R1** to substantiate its claim that there would be a more interesting skyline/townscape for Mong Kok with its proposed further BHR relaxation;

- (b) there were indeed many buildings in Mong Kok which were over 50 years old. That said, BH was only one of the many factors affecting redevelopment of these old buildings, and might not be a strong enough catalyst to accelerate the redevelopment process. Other factors such as ownership pattern, site area, location, etc. might also be relevant;
- (c) it would be quite difficult to quantify the urban design advantages of the BHR relaxation. However, with the implementation of SBDG upon redevelopment, it would result in pedestrian level improvements over time; and
- (d) PlanD would consider different measures when amending OZPs if there was a need to encourage amalgamation of sites. That said, any relaxation of BHRs to encourage amalgamation of sites required careful consideration of various factors. Tsim Sha Tsui was a predominantly commercial and tourism node and was not directly comparable to Mong Kok which was a mixed commercial and residential area. It might not be appropriate to apply the same development control system across the board without due regard to the local characteristics.

46. Ms Wong Oi Chu (**R1**'s representative) responded that there were many challenges in urban renewal. The associated property acquisition process was very lengthy, and elderly owners would present additional difficulties to the process as they were generally more reluctant to move. The further relaxation of BHRs requested by **R1** was merely an attempt to provide redevelopment incentives. The relaxation clause of the Tsim Sha Tsui OZP, which had to be effected through the planning application system, would provide the

necessary development control to address PlanD's concern, and the applicants had to meet a number of criteria to qualify for BH relaxation.

Traffic

47. The Chairperson and some Members noted that some representers were concerned about the traffic impacts associated with the relaxation of BHRs, and had the following questions :

- (a) whether relaxation of BHRs would result in an increase in population or pedestrian/vehicular traffic; and
- (b) what the traffic consultants' conclusion on traffic increase associated with the relaxation of BHRs was.

48. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) vehicular traffic was directly related to the PR/GFA of a development. On the other hand, there was no strong correlation between population/pedestrian traffic and BH. The proposed relaxation of BHRs on the draft OZP aimed merely to allow design flexibility and encourage implementation of SBDG for a better pedestrian environment; and
- (b) no traffic consultant had been engaged by PlanD in reviewing the BHRs. That said, all concerned technical departments had been consulted, and in particular, the Commissioner for Transport had no objection to the BHR relaxation proposals noting that no increase in PR/GFA is involved.

Reception of Television (TV) Signals

49. A Member noted some representers' concern on reception of TV signals, and enquired whether such reception would be affected by the relaxed BHRs.

50. Mr Derek W.O. Cheung (DPO/TWK) responded that concerned technical departments were consulted and the Director-General of Communications advised that there was no major problem on the reception of TV signals in Mong Kok in general. While there might be isolated reception blind spots in Mong Kok's high density development setting, any impact on the reception of TV signals was not considered significant.

Traffic Noise

51. Some Members enquired about the concern raised by C16 on traffic noise impact, particularly the echo effect.

52. Mr Elvis W.K. Au (Deputy Director (1), Environmental Protection Department) advised that adverse traffic noise impacts as a result of the relaxation of BHRs was not anticipated. Accordingly, there would not be significant increase in reverberation of traffic noise. He noted further that Mong Kok was a densely developed area with lots of existing buildings and high traffic noise levels. Therefore, any reverberation effect would not be significant.

The SYS Site

Overall Planning and Design for the SYS Site

53. A Member noted that there was a territory-wide shortage in commercial floorspace, and local deficit of POS and G/IC facilities, together with district traffic problems. This Member requested PlanD to elaborate on how to balance these competing tasks in terms of the SYS Site's planning.

54. Mr Derek W.O. Cheung (DPO/TWK) responded that it was indeed not an easy task to plan for the SYS Site given its strategic location at a transport hub and in a very vibrant part of Mong Kok, which was a fairly old district. PlanD was presented with a multitude of tasks and challenges, including how to link up the Site with the rest of Mong Kok and improve the current traffic conditions; how to satisfy the community's POS and G/IC facility needs; how to come up with a good site layout to ensure that there would not be any

adverse air ventilation and visual impacts; and most important of all, how to optimize the use of this prime site. A balanced consideration was therefore needed.

55. With the aid of the visualizer, he went on to explain the various design features of the SYS Site :

- (a) despite the keen competition for ground level space, a POS of 3,200 m² (or 27% of the site) would be provided at-grade;
- (b) a POS of 3,350 m² would be provided on the podium decks around the commercial tower;
- (c) another POS of 3,200 m² would be provided at the southern part of the adjacent KCRC deck, adding up to a total POS provision of about 1 ha;
- (d) the development would be setback for road widening at Sai Yee Street, Argyle Street and Luen Wan Street. The resulting traffic improvements would be quite apparent;
- (e) in terms of pedestrian flow, the pavement along Sai Yee Street would be widened from less than 2m to 4.5m. The SYS development would provide a north-south linkage to Mong Kok East Station, Bute Street and Hak Po Street. It would be connected to the western parts of Mong Kok by the existing footbridge along Mong Kok Road and the future footbridge along Argyle Street;
- (f) a number of G/IC facilities including a community hall and a daycare centre for the elderly would be provided; and
- (g) Mong Kok was a shopping district, but there was no new supply of Grade A office. The SYS Site provided an opportunity for such provision.

Public Open Space

56. Some Members were concerned about POS provision in the district and enquired the following :

- (a) noting a presenter's concern about the lack of basketball court in Mong Kok East, whether there would be such provision at the SYS Site; and
- (b) whether an additional "Open Space" ("O") site could be identified within the draft OZP at this juncture.

57. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) subject to detailed design, there might be scope to incorporate the provision of basketball court at the SYS Site. That said, this had to be balanced against other societal needs, for example, the provision of landscaped and shaded sitting out areas for the elderly; and
- (b) it would be very difficult to identify an additional "O" site within the draft OZP given that most land in Mong Kok was already developed and under private ownership.

Government, Institution and Community Facilities

58. Noting C16's arguments that putting elderly facilities in a commercial development, even though the elderly facilities were on a separate block, was not appropriate due to concern on shared access, a Member enquired whether there were any existing examples on such mixed development, and the Government's views on the commenter's argument.

59. Mr Derek W.O. Cheung (DPO/TWK) responded that PlanD did not consider elderly facilities and commercial development incompatible in landuse term. There were examples of elderly facilities being required under the leases of new developments, including those for suitable sale sites in Kai Tak, to meet with the society's needs for such facilities.

60. Ms Mary Mulvihill (**C16**) queried the lack of research or consultation for the incorporation of G/IC facilities into each and every commercial and residential development from now on. She alleged that this was an attempt to pave the way for rezoning of more “G/IC” sites. In response, the Chairperson pointed out that PlanD was merely stating the fact, and did not mean that G/IC facilities would be incorporated into each and every new development from now on.

61. A Member noted that YTMDC’s dissatisfaction with Amendment Item D stemmed partly from the changes in the proposal over the years. That aside, this Member asked **R5** whether the presently proposed multi-user facilities at the SYS Site were acceptable to YTMDC.

62. In response, Mr Wong Kin San (**R5**), YTMDC Member, considered the proposed POS and multi-user facilities at the SYS Site insufficient to meet the local needs while Mong Kok residents would have to suffer from the pedestrian/vehicular traffic, noise and other pollution impacts brought about by the high-rise commercial development at the SYS Site. Mr Wong stressed that less than 5% of GFA of the SYS development was allocated for G/IC facilities as proposed by the Government. Given a choice, Mong Kok residents would want more G/IC facilities and POS for a better living environment.

63. Some Members had the following queries on the provision of G/IC facilities within the SYS Site :

- (a) whether it was possible to enlarge and convert the proposed elevated walkways into a large covered public space and to integrate with the SYS podium to form a comprehensive elevated open space network for Mong Kok residents’ enjoyment;
- (b) noting that the 2 low-rise blocks of the SYS development were only a few storeys high, whether there was any scope to provide more G/IC facilities (like clinics) at the Site mentioned by the representers, if the need could be established;

- (c) distribution of G/IC facilities in Mong Kok and the adjoining districts, in particular, what facilities were accessible within 500m of MTR stations; and
- (d) whether considerations would be given to adopting overseas experience, say that of a redevelopment project in Shibuya, Japan where G/IC facilities were integrated within the commercial development.

64. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) the elevated walkways were designed mainly for connection to the existing/planned pedestrian network, and their widths were constrained by the Old and Valuable Trees along Luen Wan Street which should be preserved;
- (b) an AVA had been conducted for the SYS Site which recommended a single high-rise tower and two low-rise blocks to enhance the downwash effect. The two open spaces at podium level were also aligned with the wind corridors of Mong Kok Road and Fife Street respectively. The southern podium open space would also serve as a view corridor to the green backdrop of Kadoorie Hill from Fife Street. If the height of the northern block was increased, it would shadow the adjoining Hong Kong and Kowloon Chiu Chow Public Association Secondary School. Besides, most social welfare facilities should be accommodated at floorspace within 24m from the ground level. All in all, though there might be scope to include some more G/IC facilities, the current SYS proposal represented a possible design scheme after balancing all relevant considerations;
- (c) apart from those facilities the provision of which should be considered in a wider district and elderly services and facilities with standards of provision recently revised/reinstated in end 2018, the provision of G/IC facilities in Mong Kok was generally sufficient;
- (d) the SYS Site was conveniently situated at a transport hub and well-linked to other parts of Mong Kok. It was considered that the SYS Site was suitable

for commercial use with the provision of POS, G/IC and public transport facilities; and

- (e) the option of incorporating G/IC facilities in the commercial tower had been examined, but considered not appropriate in view of its intention for Grade A office development and management of the G/IC facilities by concerned government departments.

65. Mr Raymond K.W. Lee (Director of Planning) supplemented that the block layout prepared under the proposed development scheme for the SYS Study was indicative only, purely to demonstrate the feasibility of accommodating all the proposed uses. The focus of discussion should be the zoning amendments, rather than the detailed design of the SYS development, which would be subject to change at the implementation stage.

Traffic

66. Noting the traffic concerns raised by a number of representers, the Chairperson and some Members enquired the following :

- (a) detailed elaboration of the measures proposed and detailed arrangements to address the unsatisfactory traffic conditions in Mong Kok caused by PLBs and X-B coaches;
- (b) the corresponding increase in pedestrian/vehicular traffic associated with the changes in landuse of the SYS Site;
- (c) noting the location of the SYS Site at a railway node as well as the present PLB and X-B coach operations in the area, whether it was the planning intention to increase the efficiency in the area's road network, and if so, whether such intention had been clearly conveyed to traffic consultants;
- (d) data on office, hotel and retail demand in Mong Kok, and the corresponding increase in pedestrian/vehicular traffic associated with those uses at the SYS Site; and

- (e) whether an additional ingress/egress could be provided at Argyle Street to obviate the need for left turning traffic from Sai Yee Street into Argyle Street.
67. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :
- (a) the SYS Site provided an opportunity for road and footpath widening as well as relocation of on-street PLB stands and X-B coach stopping points in the nearby areas;
 - (b) at present, X-B coach L/UL activities were concentrated near MacPherson Playground. The proposal was to accommodate the L/UL facilities for X-B coaches at first level of basement of the SYS Site via an ingress/egress point at Luen Wan Street;
 - (c) the existing Mini Bus stops around Fife Street were proposed to be relocated to the at-grade PLB PTI within the SYS Site, which would provide 60 parking spaces for PLBs;
 - (d) 130 public car parking spaces would also be provided within the SYS Site;
 - (e) the SYS Site was presently occupied by low-density government facilities, and hence the rezoning would bring about an increase in GFA and changes in landuse, which would lead to increases in both pedestrian and vehicular traffic. To that end, the SYS Study had been commissioned by the Government to examine the development potential of the SYS Site and make recommendations to enhance the public realm and public transport facilities of the area. The Traffic Impact Assessment (TIA) of the SYS Study predicted an increase in the morning/evening peak hour trip generation/attraction by 340/310 car trips as a result of the rezoning. The TIA concluded that the traffic design of the SYS Site would be able to cater for such traffic increase, and there would be no insurmountable traffic problem. The Final Report of the SYS Study including the TIA results had been published and was available on PlanD's website;

- (f) the SYS Site was planned with improvements to the existing local traffic conditions in mind. The traffic consultants had been well-briefed of the traffic improvement requirements and therefore come up with the current scheme;
- (g) whilst there was no data in hand about office, hotel and retail demand in Mong Kok, such data was detailed in the SYS Study report and considered in the study process; and
- (h) apart from the ingress/egress at Sai Yee Street, there would also be an ingress/egress at Luen Wan Street.

Public Consultation

68. Noting some representers' complaint about PlanD's consultation, a Member requested PlanD to elaborate on the consultation procedures and the coverage of consultation.

69. Mr Derek W.O. Cheung (DPO/TWK) responded that all 68 residential buildings, schools and local associations within 100m of the SYS Site, members of the Area Committees and YTMDC were consulted on the SYS proposal following the practice of public consultation of s.16 planning applications. 76% of the replies received were in support for the SYS proposal.

70. In response to another Member's enquiries as to whether locals and YTMDC could participate in the refinements to the SYS development scheme at the detailed design stage, Mr Derek W.O. Cheung (DPO/TWK) advised that the developer would be required under the lease to submit a Master Layout Plan (MLP) and a Landscape Master Plan (LMP), and concerned government departments would provide comments on the proposed development at the detailed design stage. Since YTMDC and the local community had already been consulted on the broad development parameters and the development would be guided by a Planning and Design Brief, it was considered appropriate for the development to proceed subject to the lease conditions.

Commercial Uses

71. The Chairperson and some Members had the following questions about the commercial development :

- (a) whether there was any control on the split of commercial floorspace for the office, hotel and retail elements; and
- (b) noting the concern on small local shop displacement raised by some representers, whether there was any means of control to satisfy the local residents' shopping needs.

72. In response, Mr Derek W.O. Cheung (DPO/TWK) made the following points :

- (a) there was no control on the OZP on the distribution of commercial GFA for the office, hotel and retail uses; and
- (b) it would be very difficult and might not be appropriate to dictate the types of retail facilities to be provided at the development as it should basically be market-driven. Experience from the Langham Place development showed little displacement of small shops in the vicinity.

Zoning

73. In response to a Members' query as to whether the "Comprehensive Development Area" ("CDA") zoning would be more appropriate for the SYS Site, Mr Derek W.O. Cheung (DPO/TWK) advised that a Planning and Design Study Brief had been prepared to guide the SYS development, and the detailed planning requirements would be translated into the land sale conditions. Therefore, the present zoning was considered adequate in achieving the various planning objectives for the SYS Site.

[Mr Lincoln L.H. Huang, Mr Ivan C.S. Fu, Dr Frankie W.C. Yeung, Mr Philip S.L. Kan, Miss Winnie W.M. Ng, Mr Stanley T.S. Choi and Mr L.T. Kwok left the meeting during the Q&A session.]

74. As Members had no further question to raise, the Chairperson said that the hearing of oral submissions had been completed. The Board would deliberate on the representations in closed meeting and would inform representers/commenters of the Board's decision in due course. The Chairperson thanked the representers/commenters, and PlanD's representatives for attending the hearing. They all left the meeting at this point.

[The meeting was adjourned for lunch break at 14:40 p.m.]

75. The meeting was resumed at 3:45 p.m. on 15.3.2019.

76. The following Members and the Secretary were present at the resumed meeting :

Permanent Secretary for Development
(Planning and Lands)
Ms Bernadette H.H. Linn

Chairperson

Mr H.W. Cheung

Mr Sunny L.K. Ho

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Chief Traffic Engineer (Kowloon)
Transport Department
Mr David C.V. Ngu

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Deputy Director of Environmental Protection (1)
Environmental Protection Department
Mr Elvis W.K. Au

Director of Lands
Mr Thomas C.C. Chan

Director of Planning
Mr Raymond K.W. Lee

Agenda Item 3 (Continued)

Deliberation Session

[Closed Meeting]

Amendment Items A to C

77. The meeting noted that the proposed Amendment Items A to C on the draft Mong Kok Outline Zoning Plan No. S/K3/31 (the Plan) were mainly in response to the Court of First Instance (CFI)'s judgement to review the development restrictions for various zones including the building height restrictions (BHR), requirement of non-building areas (NBA), building gaps (BG) and setbacks (SB) taking into account the permissible development intensity, implications of Sustainable Building Design Guidelines (SBDG), as well as planning and design aspects. The Chairperson said that the views of the representers/commenters on the BHR were diverse. While R1 supported the relaxation of BHR for residential zones and requested further relaxation for other zones, some other representers/commenters opposed the relaxation of BHR for reasons related to concerns over increase in development intensity and adverse impacts on traffic, visual and air ventilation. The Chairperson then invited Members to express their views on the representations and comments in relation to Amendment Items A to C.

78. Members generally agreed that the proposed amendments to relax the BHRs to take into account the SBDG requirement were appropriate and the BHRs should not be further revised for the following reasons:

- (a) the approach adopted in reviewing the BHRs of the Mong Kok OZP was consistent with that applied to other OZPs considered by the Board in recent months and was based on sound assumptions and methodology. The review had duly taken into account all relevant planning considerations, the SBDG requirements, urban design guidelines, air ventilation assessment, private development rights, as well as public aspirations for a better living environment. The assumptions adopted in formulating BHR had provided flexibility to incorporate the SBDG requirements and would be able to accommodate the PR as permitted under the Plan. If there was a need to increase the BHRs for design considerations, the land owner could apply for minor relaxation of the BHR and each case would be considered based on its individual merits;

- (b) the objective of the BHR was to avoid excessive tall and out-of-context developments. The relaxed BHRs to take into account CFI's ruling would allow design flexibility for future developments in meeting SBDG requirements including building separation, building setback and site coverage of greenery, which were intended to improve building permeability, air ventilation and visual amenity through good building design, thus would help achieve a better and sustainable environment for the area; and

- (c) while the concern of the local residents on the development intensity and traffic issues in Mong Kok was noted, the current amendments to the BHRs to facilitate the incorporation of SBDG measures did not involve any change in the maximum permissible plot ratio (PR) and/or gross floor area (GFA) on the Plan, and the permissible development intensity of the sites in the area would not be increased due to the amendments to the BHRs.

79. A Member said that while the proposed relaxation of BHRs did not involve any increase in the permissible development intensity in relevant sites, the local residents' concerns on the possible adverse impacts of intensive development as a result of the redevelopment process would be appreciated and a response should be given to address

their concerns. The Chairperson remarked that the on-going Urban Renewal Study in Yau Ma Tei and Mong Kok Districts (Yau Mong Study) commissioned by the Urban Renewal Authority might come up with comprehensive proposals to address any possible adverse impacts arising from redevelopment of the area. Should there be any proposal requiring amendments to the Plan, relevant stakeholders would be consulted in accordance with the statutory procedures in the plan-making process.

80. Mr Raymond K.W. Lee, the Director of Planning, said that in the review of BHRs in response to the court's ruling in other OZPs, similar concerns on the speeding up of the redevelopment process and the associated adverse impacts were raised by the local residents. It should be noted that the relaxation of BHRs to incorporate the SBDG requirements did not involve any relaxation of the permissible development intensity in relevant zones. The "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" study had highlighted the "double ageing" phenomenon of our population and building stock. The Yau Mong Study was examining suitable measures to address such phenomenon. As those issues were not induced by the relaxation of BHRs, they should be dealt with separately from the current OZP amendments. With respect to R1's concern that some of the existing buildings exceeding the PR restriction on the Plan might not be able to attain the existing PR upon redevelopment due to BHRs, it should be noted that most of those buildings were constructed before the promulgation of the Building (Planning) Regulations (B(P)R) and their existing development bulk might have exceeded the B(P)R provisions. Regarding the four existing buildings mentioned by R1, two fell within the "Commercial" ("C") zone with BHR of 110mPD and two fell within the "Residential (Group A)" zone with BHR of 100mPD. It was noted that the existing heights of those buildings were lower than the BHRs under the Plan. Besides, as mentioned by DPO/TWK during the Q&A session, a recently approved building plan for the redevelopment of a building in the "C" zone demonstrated that a PR of 14.979 of the existing building could be accommodated within the BHR of 110 mPD.

81. Members generally agreed that the proposed BHRs on the Plan were appropriate and had struck a balance between landowners' development rights and societal benefits. The concerns of the local residents on the redevelopment issues as well as the traffic and pedestrian congestion problems should be addressed by the concerted effort of the concerned government departments separate from the current OZP

amendments.

82. Members also considered that the major grounds of the representations and comments had been addressed by the departmental responses as detailed in the TPB Paper No. 10525 (the Paper) and the presentations made by the government representative at the meeting. After deliberation, Members agreed that no amendment to the Plan in respect of Amendment Items A to C was required.

Amendment Item D

Land Use Proposal

83. The Meeting noted that the Sai Yee Street site (SYS site), which had a total area of about 1.18ha, would be redeveloped at a PR of 12 for the provision of about 141,600m² GFA. It would be mainly used for commercial purpose with the provision of Government, Institution or Community (GIC) facilities, public open space (POS) and public transport facilities.

84. Members generally agreed that as the SYS site was at a prime location near a transport node in a commercial setting, it should be redeveloped for commercial uses to optimize land use, decentralize commercial activities to the eastern part of Mong Kok, reduce rental price for commercial floor spaces and provide more job opportunities to the local residents. Members also agreed that a mixed use development within the site for the provision of commercial floor space, as well as GIC, POS and public transport facilities was appropriate.

Provision of GIC Facilities

85. Some Members were of the view that more GIC facilities should be provided at the SYS site for the following reasons:

- (a) the site was a piece of government land with part of it originally zoned “Government, Institute or Community” (“G/IC”). Given that there was shortfall of certain GIC facilities in the area, the public would have high expectation for the provision of more GIC facilities at the site. There was a

need to balance the need for commercial development and provision of GIC facilities in the public interest;

- (b) the current practice of requesting the developer to incorporate GIC facilities in private development projects was not effective. Missing this opportunity to increase the GIC provision at the site would render the provision of additional GIC facilities more difficult in future; and
- (c) the SYS site, which was located in the eastern part of Mong Kok, might not be able to attract high-end office users. Besides, more commercial floor space might aggravate the traffic problems in the surrounding area. As such, it would be sensible to provide more GIC facilities at the site to meet the shortfall in the area.

86. Mr Raymond K.W. Lee said that as stipulated in the Notes of the Plan, a total GFA of not less than 4,940 m² would be required for provision of the proposed GIC facilities at the SYS site, which according to the current proposal, would include one neighbourhood elderly centre, one day care centre for the elderly, one integrated children and youth services centre, one integrated community centre for the mental wellness and a standard community hall. Should more GIC facilities be proposed at the site, reference could be made to the table showing the deficit of GIC facilities in Mong Kok, which was shown at Annex VIII of the Paper.

87. While some Members shared the views that more GIC facilities should be provided at the SYS site, they had the concern that there was no solid basis for the Board to recommend an increase in the GFA for GIC uses when relevant government departments had yet to advise that additional GFA would be required for specific types of facilities and that they would indeed take up the additional floor spaces for provision of such facilities. A Member said that consideration could be given to reserving some floor spaces as a buffer to meet the future demand for GIC facilities. Another Member, however, said that any change in the proportion of GFA for commercial use and GIC facilities would need prior consultation with relevant government departments regarding technical feasibility and might trigger another round of amendment to the Plan, which would delay the development schedule of the SYS site and the provision of the recommended GIC facilities.

88. Some Members opined that the deficit of GIC facilities and the needs of the local residents could not be addressed within a single site. There was a need to maintain a reasonable balance between commercial uses and GIC facilities to optimize the valuable land resources. Land use compatibility between GIC facilities and commercial uses should also be considered. As some of the GIC facilities were provided on district basis, the deficit of such facilities could be met in Yau Tsim Mong District as a whole. Besides, the Yau Mong Study would also address the issue regarding the provision of GIC facilities in the area.

89. A Member said that the existing population-based standards for the provision of GIC facilities within a planning scheme area might not be able to reflect the actual needs of the local residents. Another Member said that other uses such as primary health centre could be considered as new GIC standards and provided at the SYS site. In response, the Chairperson said that the Food and Health Bureau would set up district community health centres with a brand new operation mode to meet community needs and one such centre had already been planned for Mong Kok. Besides, the day care centre for the elderly proposed at the SYS site was in line with the latest planning intention to integrate such facility with other uses.

Provision of Open Space

90. The Meeting noted that the proposed POS at the SYS site was not less than 6,550m², among which not less than 3,200m² should be provided at-grade close to the junction of Argyle Street and Sai Yee Street, equivalent to about 27% of the total site area. There was an additional POS of 3,200m² proposed on the adjacent KCRC deck with linkage to the SYS site.

91. Noting that there was high deficit in open space provision in Mong Kok, some Members opined that the POS provision at the SYS site was not sufficient and the proposed at-grade POS covering about 27% of the total site area was not satisfactory. Besides, the existing design of the POS was rather conventional and the provision of POS at different levels of the podium might not be user-friendly. There was room to enhance the POS provision and design, including integrating the POS, improving accessibility and permeability, and providing better linkages with the proposed POS on the adjacent KCRC

deck.

92. A Member said that setting aside about 27% of the site area for provision of at-grade POS was acceptable. However, it was doubtful whether the proposed POS on the KCRC deck could be a decent POS. Another Member said that while more POS was desirable, it would be difficult to determine how much POS was sufficient.

93. A Member said that apart from the requirement for the provision of POS, consideration could be given to providing more public space, which might include covered space, within the proposed development to act as leisure and breathing spaces for the general public. In response, Mr Raymond K.W. Lee said that in general, only a minimum requirement for the provision of POS would be stipulated on the Plan so as to provide more design flexibility for the development. Whether covered space could be vibrant public space similar to POS would be subject to detailed design. Another Member echoed that it would be more appropriate to stick to the established practice and not to add new requirement for the design of the POS without strong justifications.

Traffic and Transport Aspect

94. Some Members welcomed the proposal to provide public transport interchange (PTI) and loading/unloading (L/UL) facilities for cross-boundary (X-B) coaches to consolidate and relocate the existing on-street public light buses (PLB) stands and X-B coach stopping points from the nearby areas to the SYS site. They considered that the proposed development had also provided an opportunity for road and junction improvements and pavement widening, which might be able to address some of the traffic and pedestrian congestion problems in the area.

95. Some Members were of the opinion that with the provision of a PTI and L/UL facilities for X-B coaches at the SYS site, together with its proximity to the KCRC station, the site would become a major transportation node with substantial pedestrian flow. As such, pedestrian connection between the SYS site and the KCRC station, the nearby footbridge system and pedestrian network was important. Consideration should also be given to enhancing the connectivity between the site and the nearby MTR stations, as well as other major attractions in Mong Kok such as Langham Place. There was room to incorporate more innovative design to enhance pedestrian circulation.

96. In response to Members' question, Mr Raymond K.W. Lee said that in order to facilitate pedestrian movement, there would be two elevated landscaped walkways across Luen Wan Street to the KCRC deck, a footbridge linking up with the existing Mong Kok Road Footbridge, and a footbridge across Argyle Street to Mong Kok area south of the site.

97. Some Members considered that while footbridge connection was important to facilitate pedestrian circulation, at-grade pedestrian facilities were also important as there were many attractions and activities along the streets. A good design for pedestrian network was essential to enhance accessibility in the area, in particular for the elderly. Besides, the timing for the implementation of the footbridges and the major facilities should also be better coordinated to ensure that such facilities were finally provided with connections in place.

98. In response to a Member's question, the Secretary said that when the proposed development scheme for the SYS site was submitted to the Board for consideration on 23.2.2018, a Planning and Design Brief (PDB) listing out the traffic and transport requirements, including the PTI and L/UL facilities for X-B coaches, car parking provision, pedestrian connections and road/footpath widening had been included in the TPB Paper No. 10394, which was available at TPB's website. Mr Raymond K.W. Lee supplemented that as the trip generation/attraction rates for various commercial uses were different, the requirements were worked out based on the worst case scenario.

Building Height Aspect

99. Some Members considered that given the strategic location of the SYS site, it was reasonable to redevelop the site into a landmark in the area. Regarding the concern on building height, a Member said that the building height of the proposed development had already been reduced from 350mPD to 320mPD taking into account public comments received during the public consultation on the SYS Study.

Implementation Issues

100. Some Members considered that as the SYS site would become a

transportation node along the major rail corridor to Mainland China, there would be substantial traffic and pedestrian flow at the site. The design of traffic and pedestrian network would be important to enhance circulation efficiency. Besides, the design of the POS would also have implication on the quality and user-friendliness of the open space. Noting that the current proposal was only a schematic design and the future development might have a different design, some Members considered it necessary to request the future developer to submit a master layout plan (MLP) for the Board's consideration to ensure that the planning intention and public aspiration were realized.

101. In response, Mr Raymond K.W. Lee said that development parameters including GFA and BHR, as well as design requirements for POS and pedestrian connection had been stipulated in the Notes and Explanatory Statement (ES) of the Plan respectively. Although no development scheme would need to be submitted for the Board's consideration, detailed development requirements and urban design considerations for the SYS site had already been set out in the PDB to guide its future development. The future developer would be required under the lease to submit a MLP and a landscape master plan (LMP) to the Government making reference to the PDB to ensure an integrated and compatible layout for the proposed development before development proceeded. Relevant government departments would examine the development proposal and POS design under the MLP and LMP clauses in the lease. Should Members wish to comment on the MLP, reference could be made to the Lok Ma Chau Loop (LMCL) OZP, for which the project proponent was invited to consult the Board before submitting the master plan to the Director of Lands for approval, such that Members' views on the LMCL development would be taken into account in the preparation and approval of the master plan. On the other hand, if the Board would prefer imposing a statutory requirement under the Town Planning Ordinance (the Ordinance) for the future developer to submit the development proposal for the Board's consideration, the Notes of the Plan would need to be further amended.

102. A Member said that the role of the Board was mainly to designate an appropriate land use zoning, as well as stipulate development parameters and design requirements at the planning stage. With respect to the implementation issues, there was an established mechanism to set out detailed design requirements under the lease and the relevant government departments would examine whether the requirements were complied with. The Board might not be the most appropriate authority to scrutinize the

detailed building design of the development after the site was disposed of.

103. Some Members said that the major concern of the Board was mainly on the overall design concept, utilization of land, as well as traffic and pedestrian connections rather than the detailed design and technical issues. Under the existing mechanism, there was no requirement for the future developer to consult the public regarding the design of the proposed development. Given that the future developer might have different considerations from the general public, there might be situations that even though the proposed development met the design requirements as set out in the PDB, it had yet to address the public concern. If a MLP was required to be submitted to the Board for approval, it would provide an opportunity for the general public to be consulted on the development proposal and the Board could consider the MLP taking into account the public's view.

104. In response to the Chairperson's question, the Secretary said that in general, the submission of MLP was only applicable to "Comprehensive Development Area" ("CDA") zone, which should set out the development mix, scale, design and layout of development with the support of technical assessments. In the subject case, the site would be developed in accordance with the PDB. There was also no dispute on the development mix and scale, and the technical feasibility of the proposed development had been confirmed by a study. As Members' concerns were mainly on the pedestrian connectivity and POS design, the standard technical submissions required under the "CDA" zoning might not be necessary. Members could consider adding a requirement on the submission of a layout plan (LP) for the proposed development for the Board's approval in the Notes of the subject "Commercial (4)" zone. The ES of the Plan could also be amended to state that the LP submission should be prepared based on the requirements of the PDB. The future developer would then be required to submit the LP through a planning application under section 16 of the Ordinance.

105. The Chairperson concluded that Members generally considered that as the SYS site was located in a prime location, the rezoning of the site for commercial uses together with POS, GIC and public transport facilities was appropriate. Regarding the suggestion for the provision of more GIC facilities and POS at the site, there was a lack of information on the actual needs and technical feasibility in the absence of advice from relevant government departments. Notwithstanding that, the POS and GIC requirements

stipulated in the Notes of the Plan were the minimum requirements. If there was a need to increase the POS and GIC provision at the site as requested by relevant government departments at a later stage, there was still opportunity to incorporate such requirements in the lease before the land sale conditions were finalized. Regarding the implementation issue, Members generally agreed that the future developer should be required to submit a LP in accordance with the requirements set out in the PDB for the approval of the Board through the planning application mechanism so that the Board would be able to consider the overall design of the proposed development vis-à-vis the planning intention. Under such arrangement, members of the public would also be able to provide comments on the development proposal.

106. Members generally considered that other grounds of the representations and comments had been addressed by the departmental responses as detailed in the Paper and the presentations made by the government representatives at the meeting.

[Dr F.C. Chan, Mr Wilson Y.W. Fung, Mr Stephen L.H. Liu and Mr Franklin Yu left the meeting during the deliberation session.]

107. After deliberation, the Board noted the supportive views of Representations No. R1(part) and R2 (part).

108. The Board also decided to partially uphold Representations No. R2(part), R3 to R5, and R8 to R283 and considered that the Plan should be amended to partially meet the representations by amending the Notes of the “C(4)” zone under Amendment Item D for reasons set out in paragraph 105 above. The following paragraph was proposed to be added in the Remarks of the Notes for the “C(4)” zone:

“On land designated “Commercial (4)”, for any new development or redevelopment of an existing building, a layout plan shall be submitted for the approval of the Town Planning Board. The layout plan should include the following information:

- (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings (including structures) to be erected on the site;
- (ii) the proposed total gross floor area for various uses and facilities;

- (iii) the details and extent of Government, institution or community facilities, parking, loading/unloading and public transport facilities, and open space to be provided within the site;
- (iv) the alignment, widths and levels of any footbridges, elevated walkways and roads proposed to be constructed within the site;
- (v) the landscape and urban design proposals within the site;
- (vi) programmes of development in detail; and
- (vii) such other information as may be required by the Town Planning Board.”

109. The Board also agreed that the ES of the Plan with respect to the “C(4)” zone should be revised to set out that any new development or redevelopment of an existing building at the site should be submitted to the Board for approval in the form of a layout plan (LP) to ensure an integrated and compatible layout for the development at the site before development proceeded. The LP should set out the proposed mix of land uses, government, institution or community facilities, open space, vehicular access, pedestrian circulation and connection, landscaping and tree preservation etc. in accordance with the requirements set out in the Planning and Design Brief. The amended OZP would be published for further representation under section 6C(2) of the Town Planning Ordinance (the Ordinance) for three weeks and the Board would consider the further representations, if any, in accordance with the provisions of the Ordinance.

110. Other than the decision mentioned in paragraphs 108 and 109 above, the Board decided not to uphold the remaining parts of Representations No. R1 to R5 and R8 to R283, and R6 and R7, and considered that the Plan should not be amended to meet the representations under Amendment Items A to D for the following reasons :

“Relaxation of Building Height Restrictions

- (a) the amendments to the outline zoning plan (OZP) including relaxation of the building height restrictions (BHRs) and the revision to the non-building areas (NBA) are appropriate as they have taken into account all relevant considerations such as the existing BH profile, committed development, topography, site formation level, local characteristics, the

views to ridgelines/mountain backdrops from the strategic viewing points/important public viewing point, compatibility with surroundings, predominant land use and development intensity, visual impact, air ventilation, the Sustainable Building Design Guidelines (SBDG) requirements and a proper balance between public interest and private development right (**R1 to R3, R5 to R7, R9, R14, R89, R154, R195, R199 and R227**);

- (b) the BHR of 130mPD for “Commercial” (“C”) zones on the two sides of Nathan Road sandwiched between Boundary Street and Prince Edward Road West as well as between Mong Kok Road and Argyle Street, and 110mPD for other “C” zones on two sides of Nathan Road and “Other Specified Uses” annotated “Business” (“OU(B)”) zones are considered sufficient to accommodate the permissible development intensity of future developments. There is no justification or technical assessment(s) to substantiate further relaxation of the BHRs from 130mPD to 150mPD for the concerned “C” zones and from 110mPD to 130mPD for other “C” zones and “OU(B)” zones (**R1**);
- (c) the NBA, building gaps (BG) and setbacks (SB) requirements stipulated on the OZP are necessary to be retained. The relaxed BHRs could accommodate the permissible development intensity, taking into account such requirements. There is no need to rely on the minor relaxation clause for the BHRs and NBA/BG/SB requirements to achieve the maximum development intensity allowed under the OZP (**R1**);
- (d) the standard clause allowing for the permitted plot ratio (PR) to be exceeded as defined in section 22(1) or (2) of the Building (Planning) Regulations has already been stipulated for all development zones with PR control in the Notes of the OZP (**R1**);
- (e) given the different character and planning circumstances of the Area, it is considered not appropriate to incorporate a relaxation clause for BHRs based on site area similar to the Tsim Sha Tsui OZP (**R1**);

- (f) the revision of BHRs is mainly for allowing design flexibility for both commercial and residential developments to incorporate the SBDG requirements with the PRs remained unchanged on the OZP, the claim that relaxing the BHR will lead to adverse impact on the traffic and transport, visual, air ventilation and environment is not justified (**R2, R3, R5 to R7, R9, R14, R89, R154, R195, R199 and R227**);
- (g) the BHRs of 100mPD for the “Residential (Group A)” and “Residential (Group E)” zones and 110mPD for the “OU(B)” zone to the west of Tai Kok Tsui Road are considered appropriate. There is no justification to maintain the previous BHRs as shown on the Mong Kok OZP No. S/K3/30 (**R6 and R7**);

The Sai Yee Street (SYS) Site

- (h) a comprehensive feasibility study with public consultation was undertaken for the SYS Site during which public support for the proposal was gained. A balance has been struck to optimise the land use and development intensity for a comprehensive commercial development at the SYS Site. The site will provide not only commercial use, but also government, institution or community facilities, public open space and public transport facilities. Opportunity is also taken to implement the road/footpath widening along the site boundary and enhance the pedestrian connectivity in the Area by providing new footbridges (**R2 to R5 and R8 to R283**);
- (i) relevant technical assessments have been conducted for the SYS Site, which demonstrate that the current development proposal of the SYS Site is technically feasible on the traffic and transport, visual, air ventilation, environmental aspects, etc. without any insurmountable problems (**R2 to R5 and R8 to R283**); and

The Soy Street Site

- (j) the amendment to the requirement for the provision of government, institution or community facilities at the Soy Street Site has taken into account that the planned provision of community halls in the Yau Tsim Mong district is generally sufficient, and some suitable social welfare

facilities can be accommodated in the site to serve the local community
(R2).”

111. Other than the amendments proposed in the draft Mong Kok OZP No. S/K3/31, the Board decided not to propose any amendment to meet the remaining part of previous R9 to the draft Mong Kok OZP No. S/K3/28 on the consideration as set out in paragraphs 8.2(a) to (e) and Annexes V(a) and IX of the Paper.

Agenda Item 4

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

112. There being no other business, the meeting was closed at 6:30 p.m.