

MPC Paper No. A/K10/259B  
For Consideration by  
the Metro Planning Committee  
on 7.12.2018

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/K10/259**

- Applicant** : Max Hon Knight Properties and Investments Limited represented by Townland Consultants Limited
- Site** : 5 Mok Cheong Street (Kowloon Inland Lot (KIL) 7626), 7 Mok Cheong Street (KIL 7628) and 70-78 Sung Wong Toi Road (KIL 10578), Ma Tau Kok, Kowloon
- Site area** : 8,361m<sup>2</sup> (about)
- Lease** : Subject to the following main restrictions:
- (i) commencing from 26.11.1951 for a lease term of 75 years with a right of renewal for a term of 75 years;
  - (ii) restricted to ‘industrial’ or ‘industrial and/or godown’ purposes excluding offensive trades;
  - (iii) subject to mutual right-of-ways (ROWs); and
  - (iv) KIL 7626 & KIL 7628: design, disposition and height clause (12.19mPD for KIL 7628)  
KIL 10578: height restriction (partly 20.42mPD and partly 15.54mPD).
- Plan** : Draft Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/23
- Zoning** : “Comprehensive Development Area (2)” (“CDA(2)”)
- [Maximum domestic gross floor area (GFA) of 63,000m<sup>2</sup>, maximum non-domestic GFA of 12,600m<sup>2</sup> and maximum building height of 100mPD]
- Application** : Proposed Comprehensive Residential and Commercial (Eating Place, Shop and Services) Development (Amendments to Approved Master Layout Plan (MLP))

**1. The Proposal**

- 1.1 The applicant, owner of 5 Mok Chong Street, seeks planning permission for amendments to the approved MLP under Application No. A/K10/256 for a proposed comprehensive residential and commercial (eating place, shop and

services) development at the application site (the Site), that was approved with conditions by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 27.5.2016. The Site is zoned “CDA(2)” on the draft Ma Tau Kok OZP No. S/K10/23 (**Plans A-1 and A-2**). According to the Notes of the OZP, the Site is subject to a maximum domestic and non-domestic gross floor area (GFA) of 63,000m<sup>2</sup> and 12,600m<sup>2</sup> respectively, and a maximum building height of 100mPD. Application for permission for development on land designated “CDA” shall require submission of a MLP for the approval of the Board and with support of technical assessments.

- 1.2 The MLP covers the whole “CDA(2)” zone and involves two portions (**Drawings A-1 and A-2**). The applicant who is the lot owner of KIL 7626 only proposes amendments to Portion 1 covering 5 Mok Cheong Street (Plan A-2). The applicant proposes no amendment to the part of the MLP in Portion 2, that is owned by the applicants of the previous application No. A/K10/256. The main amendments to Portion 1 is a reduction of flats due to increase in flat size, change in number of car parking spaces, provision of public car park, and changes in layout and phasing.
- 1.3 By reference to TPB PG-No.36B, proposed reduction of flat number may fall within the scope of Class A amendment that is always permitted and proposed change in parking provision, location of ingress/egress and reduction in private open space (with provision rate per person complying with minimum requirement of HKPSG) may fall within the scope of Class B amendments that may be considered by way of a section 16A application under delegated authority of the Board. However, TPB PG-No. 36B states that an application for Class B amendment must be submitted by a person to whom the permission was granted (i.e. in this case the applicants of the previous application). As such, a fresh section 16 planning application is required.
- 1.4 A comparison of the major development parameters of the previous application (A/K10/256) and the current application are summarized in the following tables and highlighted in paragraphs 1.5 to 1.7:

**Table 1: Major Development Parameters**

<b>Same in Application No. A/K10/256 and Current Application</b>	
Site Area (about)	
- Gross Site Area	8,361.3m <sup>2</sup>
Gross Floor Area (GFA)	
- Domestic	Not exceeding 63,000m <sup>2</sup>
- Non-domestic	Not exceeding 9,261.39m <sup>2</sup>
Plot Ratio (PR)	
- Domestic	7.53
- Non-domestic	1.11
Building Height (BH) (main roof)	100mPD

**Table 2: Comparison of Portion 1**

<b>Development Parameters by Portions</b>	<b>Portion 2 (Named as Portion A under Application No. A/K10/256) <i>[parameters remain the same under the current application]</i></b>	<b>Portion 1 (Named as Portion B under Application No. A/K10/256) (a)</b>	<b>Portion 1 under current application (b)</b>	<b>Difference in Portion 1 [(b)-(a)]</b>
Gross Site Area (about)	6,271m <sup>2</sup>	2,090.3m <sup>2</sup>	2,090.3m <sup>2</sup>	Same
GFA	Not exceeding:			
- Domestic	47,250m <sup>2</sup>	15,750m <sup>2</sup>	15,750m <sup>2</sup>	Same
- Non-domestic	6,111.39m <sup>2</sup>	3,150m <sup>2</sup>	3,150m <sup>2</sup>	
Site Coverage	Not exceeding:			
- Residential Tower	37.5%	33.33%	33.33%	Same
- Podium	62.5%	60%	60%	
No. of Block (Composite)	2	1	1	Same
No. of Storey	30	30	30	Same
- Residential floors	25	25	25	
- Podium floors	3	3	3	
- Basement levels	2	2	2	
No. of Flats	777	202	48	-154
Average Unit Size	64.35m <sup>2</sup>	64.35m <sup>2</sup>	274m <sup>2</sup>	+209.65m <sup>2</sup>
Estimated Population (about)	2,176	566	264	-302
- Person/flat	2.8	2.8	5.5	+2.7
Private Open Space (provision of 1m <sup>2</sup> per person)	Not less than:			
	2,176m <sup>2</sup>	566m <sup>2</sup>	264m <sup>2</sup>	-302m <sup>2</sup> [no change at the ratio of private open space per person]
Parking Facilities				
- Ancillary Private Car Parking for Residents	105	45	52	+7
[Car parking ratio: 1 car parking space for number of flats]	7.4	4.5	0.9	--
- Parking for Visitors and/or Retail	10	5	8	+3
- Public Parking	0	0	45	+45
- Motorcycle Parking	12	5	2	-3
- Loading/Unloading Spaces	10	5	2	-3

1.5 The key development parameters highlighted in Table 1 above, including GFA/PR and BH remain the same as in the approved scheme. Same as the approved MLP (**Drawing A-2, A-13 and A-14**), three residential tower blocks, each with 25 residential floors above three podium floors and two levels of

basement carpark are proposed. In the approved MLP, the podium of all three towers comprise 1 level of resident's clubhouse and 2 commercial floors. In the revised MLP, in Portion 1, there will still be 1 level of residential recreational facilities, and it is proposed to reduce commercial floor to 1 level and include 1 level of refuge floor cum sky garden (**Drawings A-5 to A-7**). There is a reduction of 154 flats in Portion 1 due to increase in flat size. The MLP, floor plans, section plans, Landscape Master Plans (LMP), perspective drawings and photomontages of the proposed development submitted by the applicant are shown in **Drawings A-2 to A-14, A-16 to A-22, A25-A29**.

- 1.6 The applicant proposes that Portions 1 and 2 will be implemented separately (**Plan A-2 and Drawing A-1**). According to the applicant, the two portions are designed to be self-contained and Portion 1 would be implemented by 2023 while Portion 2 is assumed for completion by 2023 for assessment purposes. Under the approved scheme, the anticipated completion years for Portion 2 and Portion 1 are 2021 and 2022 respectively.
- 1.7 Same as the approved scheme, three public at-grade pedestrian passageways in northeast-southwest direction connecting Mok Cheong Street and Sung Wong Toi Road, and a pedestrian passageway in a northwest-southeast direction through the middle of the Site are provided (**Drawings A-5 and A-24**). A minimum 15-m wide building separation running in a northeast-southwest direction between the towers in Portions 1 and 2 for pedestrian and wind corridors are maintained (**Drawings A-9 to A-13**).
- 1.8 In support of the application, the applicant has submitted the following documents:
  - (a) Application form received on 27.4.2018 (**Appendix I**)
  - (b) Supplementary planning statement (**Appendix Ia**)
  - (c) Letter from the applicant received on 3.5.2018 (**Appendix Ib**) providing rectification of information
  - (d) Letter from the applicant received on 10.8.2018 (**Appendix Ic**) providing further information (FI) including responses to departmental comments (R to C), revised drawings, revised landscape proposal and a replacement page of the application form to rectify the average unit size  
*(not exempted from publication and recounting requirements)*
  - (e) Letter dated 19.10.2018 providing FI including R to C, replacement pages for technical assessments, amended perspective drawing, and proposed change of 45 ancillary car park to public car park  
*(not exempted from publication and recounting requirements)*

- (f) Letter dated 9.11.2018 providing FI to address (Appendix Ie) Director of Environmental Protection (DEP)'s comments
- (g) Letter dated 21.11.2018 providing FI to provide (Appendix If) supplementary information on urban design and building matters, and to address DEP's comments

1.9 The application was originally scheduled for consideration by the Committee on 15.6.2018. On 15.6.2018 and 5.10.2018, the Committee agreed to defer making a decision on the application for two months respectively as requested by the applicant in order to allow sufficient time for preparation of FI to response to departmental comments. The applicant subsequently submitted FIs in **Appendices Ic, Id, Ie and If**. With the FI received on 19.10.2018 (**Appendix Id**), the application is scheduled for consideration by the Committee at this meeting.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are set out in the planning statement and FIs in **Appendices Ia to If** and are summarized as follows:

### Minor Amendments

- (a) This application proposes minor amendments to the approved scheme in relation to Portion 1 only while respecting the approved scheme as the latest intent for Portion 2.

### Realization of planning intention and urban renewal

- (b) The approved scheme under Application No. A/K10/256 submitted by the owners of Portion 2 indicated a notional scheme for Portion 1 only. For full implementation of the "CDA(2)" site while meeting the applicant's development objectives, minor amendment to the approved scheme related to Portion 1 is proposed under this application. The proposed GFA and BH comply with the OZP restrictions and are same as the approved scheme.
- (c) As 'flat', 'shop and services' and 'eating place' are Column 2 uses under the "CDA" zone, the proposed scheme under this application is in line with the planning intention.
- (d) This application will facilitate urban renewal by removing the remaining obsolete industrial building at the Site, improving the environment and expediting the redevelopment process.

### Enhancing housing options

- (e) Housing shortage has been one of major issues in Hong Kong and tiny flats have become more dominant in recent years. The implementation of the proposed scheme will provide new flats in Kowloon in a timely manner, and widen the

housing options by providing larger flats.

#### Urban design merits

- (f) The amendment will be in line with the Harbour Planning Guidelines and Urban Design Guidelines, in particular bring people to the harbour, enhance scenic views of the harbour, create a quality harbourfront through encouraging innovative building design and provide an integrated network of open space and public pedestrian passageways (**Drawing A-24**).
- (g) The developments in Portions 1 and 2 are under different architectural designs, and the variation in architectural form can help to diversify building mass and provide greater visual interest. In addition, the distinctive podium design adds variety to the streetscape along Mok Cheong Street. To further maintain the unity of the Site, soft and hard landscape design and treatment for Portion 1 will take into account the design of Portion 2 (if available) during the detailed design stage.

#### No adverse impacts

- (h) Technical assessments including environmental, traffic, infrastructural, visual, air ventilation, risk and hazard as well as landscape proposal have been conducted or updated in accordance with the current proposal and has ascertained the technical feasibility of the proposed development.

#### Provision of public carpark

- (i) In response to the request of Legislative Council members, District Council members, local residents and the Commissioner for Transport (C for T), the applicant will provide 45 public car parking spaces in Portion 1. The public car park will be located underground and will adhere to relevant requirements to achieve 100% GFA concession. The developer will construct, maintain and manage the public vehicle park.

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

The applicant is the “current land owner” of NKIL 7626. The applicant has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by taking reasonable steps to give notification to the other land owner(s) in the Site. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Town Planning Board Guidelines**

#### Town Planning Board Guidelines No. TPB PG-No. 17A

- 4.1 According to the Town Planning Board Guidelines on Designation of “CDA” zones and Monitoring the Progress of “CDA” Developments (TPB PG-No. 17A),

“CDA” zones are intended to facilitate urban renewal and restructuring of land uses in the old urban areas; provide incentives for the restructuring of obsolete areas, including old industrial areas, and the phasing out of non-conforming uses; provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land-uses, etc.

- 4.2 For “CDA” sites which are not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that:
- (a) the planning intention of the “CDA” zone will not be undermined;
  - (b) the comprehensiveness of the proposed development will not be adversely affected as a result of the revised phasing;
  - (c) the resultant development should be self-contained in terms of layout design and provision of open space and appropriate GIC, transport and other infrastructure facilities; and
  - (d) the development potential of the unacquired lots within the “CDA” zone should not be absorbed in the early phases of the development, access to these lots should be retained, and the individual lot owners’ landed interest should not be adversely affected.

Town Planning Board Guidelines No. TPB PG-No. 36B

- 4.3 TPB PG-No. 36B states that an applicant for Class B amendments to an approved development proposal is required and can only be submitted by the person to whom the permission is granted, as required under section 16A(2) of the Ordinance.

**5. Previous Applications (Plan A-1)**

- 5.1 The Site or portions of the Site is the subject of seven previous planning applications (Nos. A/K10/187, 195, 198, 199, 210, 224 and 256) for proposed comprehensive residential development with retail shops, eating place and/or shop and services. Details of the applications are summarized at **Appendix II**.
- 5.2 The latest approved application No. A.K10/256 for a comprehensive residential and commercial (eating place, shop and services) development was submitted by the land owners of Portion 2. It was approved with conditions by the Committee on 27.5.2016 mainly for the reasons that the proposed comprehensive development will help phase out existing industrial activities and is considered generally in line with the planning intention of the “CDA” zone; and the proposed development parameters (i.e. domestic/non-domestic GFA and BH) do not exceed the OZP restrictions and are considered acceptable. A copy of its approval letter is at **Appendix III**. The current application is an

amendment to only Portion 1 of the approved MLP under Application No. A/K10/256. All approval conditions as stipulated in the approval letter of the Board have not yet been complied with, and there is yet no general building plan nor application for lease modification being approved.

## 6. Similar Application

There is no similar application for proposed comprehensive residential development with commercial facilities in the “CDA”, “CDA(1)” and “CDA(3)” zones in Ma Tau Kok.

## 7. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photos on Plans A-3 (and A-4)

### 7.1 The Site:

- (a) is located at the northern fringe of Ma Tau Kok area with the Kai Tak Development to its north and south-east separated by Sung Wong Toi Road and To Kwa Wan Road respectively;
- (b) is located in the middle portion of a street block bounded by Sung Wong Toi Road, To Kwa Wan Road, Mok Cheong Street and Kowloon City Road; and
- (c) comprises three existing industrial lots, of which KIL 7626 is owned by the applicant and is occupied by K K Industrial Building that is 9-storey high and built in 1977. It is mainly used for storage and offices. KIL 7628 and KIL 10578 that are owned by the applicants of the previous application No. A/K10/256 are vacant. KIL 7628 was previously occupied by a Grade 3 historic building, i.e. Eastern Cotton Mills Limited, which was demolished with a partial facade of the building remaining at its boundary abutting Mok Cheong Street (**Plan A-4**).

### 7.2 The surrounding areas have the following characteristics:

- (a) to the immediate east is a “CDA(3)” zone occupied by six 2 to 6-storey buildings which are mainly used for vehicle repair workshops on the ground floor, and factory, ancillary offices and storage in upper floors.
- (b) further to the east of “CDA(3)” is a site zoned “Residential (Group A)” (“R(A)”) partly occupied by the Kowloon Animal Management Centre of the Agriculture, Fisheries and Conservation Department and partly vacant, and has been earmarked for a public housing development. To the south of the “R(A)” site is a “Government, Institution or Community” zone currently occupied by a factory cum sheltered workshop and care and attention home of the Hong Kong Society for the Blind (HKSB). The HKSB has plans for in-situ redevelopment at its site (**Plan A-2**);



- (c) to the immediate west of the Site is a “CDA(1)” zone that is currently occupied by the 5-storey Freder Centre, which is mainly used for industrial storage and offices on the upper floors, and vehicle repair workshops and retail shops on the ground floor. To the further west across Kowloon City Road is a residential development, the Sky Tower, and a hotel development, the Harbour Plaza 8 Degrees (**Plan A-2**);
- (d) to the south across Mok Cheong Street are street blocks of 5 to 8-storey residential buildings commonly known as the “Thirteen Streets”. The ground floors are mainly used for vehicle repair workshops and retail shops;
- (e) to the further south of “Thirteen Streets” is the Ma Tau Kok Gas Works (MTKGW), a potentially hazardous installation, which is currently under operation. About 57% of the site area falls within the 300m Consultation Zone (CZ) of the gas works (**Drawing A-30**); and
- (f) to the north of the Site across Sung Wong Toi Road is the proposed open space and “Multi-Purpose Sports Complex” (MPSC) within Kai Tak Development.

## **8. Planning Intention**

The “CDA” zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other community and supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

## **9. Comments from Relevant Government Bureau/Departments**

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

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) The Site zoned “CDA(2)” involves a total of three lots, namely KIL 7626, KIL 7628 and KIL10578. The lots are restricted to “industrial” or “industrial and/or godown”, excluding offensive trades, and subject to respective building height restrictions and mutual ROWs. The proposed comprehensive development comprising residential, shop and services etc. will constitute a breach of lease conditions governing the lots.
- (b) As revealed from the current submission, the ROW arrangement

(**Drawing A-15**) is the same as the approved scheme under Application No. A/K10/256, i.e. the ROW within Portion 1 (ROW E) will remain open whereas a portion of the mutual ROWs currently enjoyed by Portion 1 and within Portion 2 will be decked over (ROWs B, C and D). The applicant has advised that the current application demonstrates feasibility of redevelopment of KIL 7626 (i.e. Portion 1) by keeping the comprehensiveness of “CDA(2)” site and maintaining the existing ROW for the adjoining lots within the “CDA(2)” site. If the planning application is approved, the applicant should be prepared to extinguish his interest in the mutual ROW falling within Portion 2 to facilitate the concerned ROWs to be decked over for implementation of the approved scheme for Portion 2 development at a later stage.

- (c) Subject to the above, and if the subject application is approved by the Committee, the applicant has to apply to LandsD for a lease modification to implement the development at Portion 1. However, there is no guarantee that the lease modification application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD.

### **Building Matters**

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

- (a) No in-principle objection to the application.
- (b) All building works are subject to compliance with Buildings Ordinance (BO). Detailed comments under the BO will be provided in the building plan submission.
- (c) EVA complying with the Building (Planning) Regulations (B(P)R) and the Code of Practice for Fire Safety in Buildings 2011 shall be provided for all buildings at the Site.

### **Traffic Aspect**

9.1.3 Comments of the C for T:

- (a) He has no further comments on the application. It is noted that the applicant has incorporated a public vehicle park for 45 private cars in the development and has proposed road marking of ‘Keep Clear’ in front of the run in/out of Portion 1.

- (b) Should the Committee approve the application, the previous approval condition regarding the design and provision of ingress/egress point, vehicle access, parking spaces, loading/unloading facilities, should be included.

### **Environmental Aspect**

#### 9.1.4 Comments of the DEP:

He has no adverse comment on the submitted Sewerage Impact Assessment (SIA), Noise Impact Assessment (NIA) and Air Quality Impact Assessment (AQIA), and considers adverse environmental impacts (sewerage, noise and air quality) arising from the proposed amendments are not anticipated. Should the Committee approves the application, the previous approval condition regarding submission of an updated NIA and the implementation of the noise mitigation measures identified therein for the proposed development should be included.

### **Electricity and Gas Safety**

#### 9.1.5 Comments of the Director of Electrical and Mechanical Services (DEMS):

##### Electricity Safety

- (a) He has no particular comment on the application from electricity supply safety aspect. The applicant is reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

##### Gas Safety

- (b) He has no comment on the application from town gas safety point of view as the estimated overall population has been reduced from 2,742 under the approved scheme to 2,400 of the current scheme, and the population for the portion within the CZ of the MTKGW under the approved scheme is less than that assumed in the Hazard Assessment (HA) endorsed by the Coordinating Committee on Land Use Planning and Control Relating to Potentially Hazardous Installations (CCPHI) (**Drawing A-30**).

### **Fire Safety**

#### 9.1.6 Comments of the Director of Fire Services (D of FS):

- (a) No objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Detailed Fire Services

requirements will be formulated upon receipt of formal submission of general building plans.

- (b) As no details of the EVA have been provided, comments could not be offered by his department at the present stage. Nevertheless, the applicant is advised to observe the requirement of EVA as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Building 2011” which is administered by BD.

### **Urban Design, Landscape and Air Ventilation**

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

#### Urban Design and Visual

- (a) He has no adverse comments on the application.
- (b) While the proposed pedestrian passageway along the western boundary of Portion 1 will be reduced from 3m to 2.5m, the applicant indicated that a larger sense of space will be offered to the pedestrians due to the change in podium disposition (**Drawing A-25**).
- (c) The proposed building in Portion 1 takes on a more rectilinear shape (**Drawing A-2**) instead of adopting a similar curvilinear built-form predominating in Portion 2. It allows the respective development portions to have their own defining characteristic and may contribute to visual interest. Furthermore, it is noted that the applicant will endeavour to adopt a hard and soft landscape design for Portion 1 similar to that of Portion 2.

#### Landscape

- (d) No objection to the application as the landscape details including the planting scheme and planting palate will be further updated at the detail design stage to respond to the character and setting of the architectural design.
- (e) Should the Committee approve the application, the previous approval condition regarding the submission and implementation of a revised Landscape Master Plan (LMP), should be included.

#### Air Ventilation

- (f) An Air Ventilation Assessment (AVA) Initial Study (IS) using computational fluid dynamic modelling has been carried out in support of the captioned application. Two scenarios, i.e. the approved scheme and the proposed scheme, have been studied. As set out in the AVA IS report, the previous mitigation measures including (i) a 7.3m-wide opening along the eastern boundary

within Portion 2 (**Drawing A-2**) and (ii) a 15m-wide building separation between towers in both Portions running northeast/southwest in the middle of the Site are retained (**Drawings A-9 and A-10**). In Portion 1, more ground level open area (i.e. landscape area and areas for run in/out) has been proposed with the aim to address potential adverse air ventilation impact on surrounding areas.

- (g) According to the simulation results, both approved and proposed schemes have comparable air ventilation performance under annual condition, while the proposed scheme (with amendments at Portion 1) has a slightly better overall performance on pedestrian wind environment when compared with the approved scheme under summer condition.

### **Heritage Aspect**

- 9.1.8 Comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD):

Since there are no graded building, proposed graded building or new item situated within Portion 1 of the Site, he has no specific comment on the revised building layout as well as its adjusted development parameters at Portion 1 from heritage conservation perspective<sup>1</sup>.

### **Architectural Aspect**

- 9.1.9 Comments of the Chief Architect/Central Management Division 2, Architectural Department (CA/CMD2, ArchSD):

- (a) He has no comment on the application.
- (b) The proposed use, development massing and intensity may not be incompatible with adjacent developments with maximum building height 100mPD.
- (c) It is noted that solar control and shading devices like external fins, low shading coefficient glass and solar blinds would be explored at the detail design stage.

### **Water Supplies Aspect**

- 9.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

Existing water mains are being affected by the proposed development. It is noted that the specific details of affected watermains will be assessed during later stages of implementation and appropriate requests

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<sup>1</sup> AMO's advisory comments regarding Portion 2 of the Site are at **Appendix IV**.

for abandonment/relocation would be submitted to the relevant authority.

### **Drainage Aspect**

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

He has no comment on the application from the drainage maintenance viewpoint. Should the application be approved, the previous approval conditions regarding the implementation of drainage facilities and local sewerage upgrading/sewerage connection works, should be included.

### **Local Views**

9.1.12 Comments of the District Officer (Kowloon City), Home Affairs Department (DO(KC), HAD):

(a) he has no comments on the application. It is noted that PlanD has notified the interested Kowloon City District Council (KCDC) members, the To Kwa Wan Area Committee as well as the Owners' committees/Mutual Aid Committees/Management Committees of buildings near the Site about the planning application and that notified parties have been invited to contact PlanD about any enquiries or comments. The Committee should take into account all the comments gathered in the consultation exercise in the decision-making process. Should the application be approved, the applicant should take appropriate measures to address the concerns of relevant stakeholders.

9.2 The following Government departments have no comment on/objection to the application:

- (a) Director of Leisure and Cultural Services;
- (b) Chief Highway Engineer/Kowloon, Highways Department; and
- (c) Commissioner of Police.

## **10 Public Comments Received During Statutory Publication Period**

10.1 The application, rectified information and the subsequent FIs (**Appendices I to Id**) were published for public inspection on 8.5.2018, 17.8.2018 and 30.10.2018. Within the three public inspection periods, a total of 4 public comments were received (**Appendices V(1) to V(4)**). The Incorporated Owners of Freder Centre and a member of the public oppose the application and two members of the public provide comments/express view.

10.2 The main points of the public comments are summarized as follows:

## **Opposing**

### The Incorporated Owners of Freder Centre (Appendix V(1)):

- (a) The proposed location of ingress/egress at the western side of the development in Portion 1 is too close to the existing ingress/egress of Freder Centre. It would generate a traffic queue blocking the ingress of Freder Centre. Hence, it is suggested to relocate the ingress/egress eastward to increase the separation between two ingresses.

### Individual (Appendix V(2)):

- (b) The development would generate adverse impacts on the environment, air ventilation and pedestrian flow.

## **Providing views**

### Individuals (Appendices V(3) and (4)):

- (c) The tower of Portion 1 is too close to Mok Cheong Street. Setback of 7.5m from the building line should be provided to enhance good air flow. In addition, public parking should be provided for the commercial area.
- (d) The Site is near the existing MTKGW and within its CZ (**Drawing A-30**). There was doubt on whether a quantitative risk assessment has been conducted for the proposed development and whether population increase will cause unacceptable societal risk.

## **11 Planning Considerations and Assessments**

- 11.1 The application is for amendments to the MLP approved for the Site under A/K10/256. The applicant, who is the owner of Portion 1, proposes amendments to Portion 1 of the approved scheme only; Portion 2 remains the same as the approved scheme. The proposed comprehensive residential and commercial development will help phase out existing industrial activities and is in line with the planning intention of the "CDA" zone.
- 11.2 The main development parameters, including site area, total domestic and non-domestic GFAs/PR and BH remain the same as the approved scheme. The amendments proposed in Portion 1 are generally minor, involving (i) reduction in number of flats due to increase in flat size, (ii) reduction in private open space due to reduction in population but open space provision per person remains the same (i.e. the minimum requirement of 1m<sup>2</sup> per person of local open space provision under the HKPSG), and (iii) change in ancillary parking provision, provision of public car park, and layout of EVA and ingress/egress which C for T has no adverse comments. Relevant technical assessments as highlighted in paragraph 2(h) were submitted to support the proposed scheme.
- 11.3 In the approved scheme, there are a number of design measures that will not be compromised with the proposed amendments. Those involving Portion 2 will

be retained<sup>2</sup>. Those that involve Portion 1 are provision of two pedestrian passageways along its northwestern and northeastern boundaries (that will connect to the passageways in Portion 2) to provide connections between Mok Cheong Street and Sung Wong Toi Road (**Drawing A-5**); provision of building separation of minimum 15m-wide between towers in Portion 1 and 2 to avoid 'wall effect and allow a wind corridor (**Drawings A-9 to A-13**); and minimise podium with site coverage of about 60% (**Table 2**). All these design measures will be retained in Portion 1. The width of the pedestrian passageway in the northwestern boundary will be slightly reduced from 3m to 2.5m but due to more setback of the podium at that façade, the sense of openness to pedestrian will be enhanced.

- 11.4 In response to local demand, the applicant proposes to change 45 ancillary car parking spaces to public car parking spaces to serve the area that will be constructed, maintained and managed by the developer. The TIA demonstrates that the proposed amendments will not result in unacceptable traffic impacts and C for T has no adverse comment on the application. Conditions on the provision of traffic arrangement/facilities and public carpark are proposed in paragraphs 12.3 ~~(g)~~**(h)** and ~~(h)~~**(i)**.

#### Technical Aspects

- 11.5 To support the amendments to the design of Portion 1 (with BH same as the approved scheme at 100mPD) the applicant submitted a set of photomontages to demonstrate that the amendments would not result in any significant difference in visual impact as compared to the approved scheme (**Drawings A-26 to A-29**). A revised LMP was also submitted to illustrate the revised landscape proposals. CTP/UD&L, PlanD has no adverse comments on the application from urban design and landscape perspective and a landscape condition as previously stipulated is recommended in paragraph 12.3(c) below.
- 11.6 Environmental assessments including SIA, NIA and AQIA were submitted to demonstrate that the proposed development is acceptable in the environmental aspects. DEP have no adverse comments on the submitted assessments. Relevant approval condition as previously stipulated are recommended in paragraphs 12.3(e) and *to* ~~(f)~~**(g)**.
- 11.7 On air ventilation aspect, an AVA using computational fluid dynamic modeling has been carried out to support the application. According to the AVA, both the approved scheme and proposed scheme have comparable air ventilation performance under annual condition, while the proposed scheme with amendments in Portion 1 has a slightly better overall performance on pedestrian wind environment under summer condition. CTP/UD&L has no adverse comments on the AVA.

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<sup>2</sup> The design measures involving Portion 2 include provision of setback along the eastern boundary, keeping of façade of the Eastern Cotton Mills on Mok Cheong Street, provision of three pedestrian passageways allowing easy access between Mok Cheong Street and Sung Wong Toi Road, about 15m wide separation between towers in Portions 1 and 2 and minimising of podium size.



- 11.8 The Site is within the CZ of the MTKGW. Since the estimated population of the proposed scheme is less than that assumed in the latest HA endorsed by CCPHI, DEMS has no comment on the application from town gas safety point of view.
- 11.9 The relevant Government departments consulted have no objection to or no adverse comments on the application on sewerage, drainage and waterworks aspects, subject to the incorporation of appropriate approval conditions at suggested in paragraph 12 below.

### **Public Comments**

- 11.10 Regarding the opposing comment from The Incorporated Owners of Freder Centre on the proposed ingress/egress at Portion 1, the applicant pointed out that the proposed ingress/egress at Portion 1 is at the existing location of K K Industrial Building and C for T has no adverse comments on the proposed location of the ingress/egress. For opposing comments or comments providing views on adverse impacts on the environment, air ventilation impacts, pedestrian flow, provision of public car parking spaces and risk of the MTKGW, paragraphs 11.4, 11.6 to 11.9 above are relevant.

## **12 Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 7.12.2022, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed.
- 12.3 The recommended conditions of approval are largely the same as those imposed under Application No. A/K10/256 (**Appendix III**) except that *the submission of updated DIA and SIA are included in conditions (d) and (e), and* condition ~~(h)~~ (i) is added in relation to the provision of public carpark within the Site and proposed road traffic measures on Mok Cheong Street. The advisory clauses revised as suggested by concerned departments to reflect the current circumstances (**Appendix VI**). They are as follows:

### **Approval Conditions**

- (a) the submission and implementation of a revised Master Layout Plan (MLP) to incorporate the approval conditions as stipulated in conditions (b) to ~~(i)~~ (j) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a revised development programme indicating the timing and phasing of the comprehensive development to

the satisfaction of the Director of Planning or of the Town Planning Board;

- (c) the submission and implementation of a revised Landscape Master Plan, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the submission of *an updated* Drainage Impact Assessment and implementation of ~~mitigation measures~~ *the drainage facilities* identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of *an updated* Sewerage Impact Assessment (*SIA*) ~~and implementation of the sewerage improvement measures identified therein~~ to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) *the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board;*
- ~~(g)~~(g) the submission of an updated Noise Impact Assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- ~~(g)~~(h) the design and provision of ingress/egress point, vehicular access, parking spaces, loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- ~~(h)~~(i) the provision of public car parking spaces within the Site and proposed traffic measures on Mok Cheong Street to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- ~~(i)~~(j) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

#### Advisory Clauses

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

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

### **13 Decision Sought**

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

- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

## **14 Attachments**

<b>Appendix I</b>	Application form received on 27.4.2018
<b>Appendix Ia</b>	Supplementary planning statement
<b>Appendix Ib</b>	Letter from the applicant received on 3.5.2018 providing rectification of information
<b>Appendix Ic</b>	FI received on 10.8.2018
<b>Appendix Id</b>	FI received on 19.10.2018
<b>Appendix Ie</b>	FI received on 9.11.2018
<b>Appendix If</b>	FI received on 21.11.2018
<b>Appendix II</b>	Previous applications
<b>Appendix III</b>	Approval letter for Application No. A/K10/256
<b>Appendix IV</b>	Detailed Departmental Comments
<b>Appendices V(1) to V(4)</b>	Public Comments
<b>Appendix VI</b>	Advisory Clauses
<b>Drawing A-1</b>	Phasing Plan
<b>Drawing A-2</b>	Master Layout Plan
<b>Drawings A-3 to A-12</b>	Floor Plans
<b>Drawings A-13 and A-14</b>	Section Plans
<b>Drawing A-15</b>	Right of Way and Setbacks
<b>Drawings A-16 to A-23</b>	Landscape Master Plans and Greening Proposal
<b>Drawing A-24</b>	Urban Design Diagram
<b>Drawing A-25</b>	Proposed Western Passageway
<b>Drawings A-26 to A-29</b>	Photomontages
<b>Drawing 30</b>	300m Consultation Zone of Ma Tau Kok Gas Works
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 to A-4</b>	Site Photos