

Comparison of Major Parameters with Requirements in Planning Brief (PB)

Item	Planning Brief (a)	Current Proposal (b)	Difference [(b)-(a)]
Site area (about)	0.78ha (subject to detailed survey)	0.78ha	0
Maximum Plot Ratio	5 ^[1]	5	0
Building Height • Waterfront portion: • Inland portion:	80mPD 100mPD	80mPD 35.6mPD/100mPD	0 0
Maximum Site Coverage • Waterfront portion: • Inland portion:	Not exceeding those stipulated in the Building (Planning) Regulations	<ul style="list-style-type: none"> • Below 15m: Not more than 40% Above 15m: Not more than 33.3% • Below 15m: Not more than 90% Above 15m: Not more than 33.3% 	-
Public waterfront promenade (PWP)	• A PWP of not less than 15m wide as designated on the OZP should be provided.	• A 15m wide PWP as designated on the OZP will be provided.	-
	• Should be opened for public enjoyment every day on a 24-hour basis.	• To be open for public enjoyment every day on a 24-hour basis.	-
	• Sufficient width of landscaped buffer between the PWP and residential development should be provided.	• A 3m wide landscaped buffer between residential blocks and PWP will be provided.	
	• PWP should be designed to allow for the provision of a diversity of activities to ensure vibrancy of the waterfront. Moreover, its design should address the constraints posed by the adjoining existing developments	• As the waterfront promenade has yet to be connected with the adjoining sites to form a continuous promenade, with its small size of about 550m ² , lookout point, bench, and multifunctional lawn has been adopted in the design. The current design also leaves flexibility for future	

^[1] The areas of PWP, public passageway and setback can be included in PR calculation.

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	including the fish market and concrete batching plants.	connection for possible jogging trail, pedestrian walking/cycling path or other appropriate uses.	
	<ul style="list-style-type: none"> Design and materials should make reference to the completed sections for a compatible design. 	<ul style="list-style-type: none"> The applicant will make reference to the “Public Open Space in Private Developments Design and Management Guidelines” for design and management of the promenade and the completed sections of waterfront promenade for a compliant design. 	
Public passageway to PWP	<ul style="list-style-type: none"> An at-grade public passageway of not less than 1.5m wide for public use every day on a 24-hour basis should be provided along its northwestern boundary connecting Tung Yuen Street and PWP. 	<ul style="list-style-type: none"> A 3m wide (with clear headroom of 3.5m) public access from Tung Yuen Street leading to the PWP will be provided. To be open for public 24 hours daily. 	3.5m-wide instead of 1.5m-wide as required by PB
Commercial uses along PWP	<ul style="list-style-type: none"> To enhance the vibrancy at the waterfront area, suitable commercial uses especially shop and services and eating place, should be provided at each “CDA” zone along the public waterfront promenade. 	<ul style="list-style-type: none"> Nil provision 	The applicant claims that the waterfront portion is small with 1/4 designated for PWP, and there is need to provide at-grade greening/private open space to meet relevant requirements under BH. Also, as the PWP has yet to be connected with the adjoining sites to form a continuous

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			promenade, it is not viable to place commercial uses along this small open space.
Local open space	<ul style="list-style-type: none"> Local open space of not less than 1m² per person in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). 	<ul style="list-style-type: none"> Not less than 2,258m² (1m² per person for a design population of 2,258) 	-
Greenery coverage	<ul style="list-style-type: none"> Minimum greenery coverage of 20% based on net site area (excluding PWP). 	<ul style="list-style-type: none"> About 21.5% 	+1.5%
Non-building Area (NBA)	<ul style="list-style-type: none"> A NBA shall be provided to form air paths of not less than 15m wide for better air ventilation (NBA(1) on Plan 5 of Appendix II) falls within “CDA(1)” and “CDA(3)” zones in a northeast-southwest direction and aligning with Shung Yiu Street and Shung Wo Path with a narrow strip of land within “CDA(2)” zone along Shung Wo Path. 	<ul style="list-style-type: none"> NBA of not less than 15m wide is provided that generally aligns with NBA(1) on Plan 5 of Appendix II. 	3.5m additional setback along Shun Yiu Street
Parking and Loading/Unloading (L/UL)	<ul style="list-style-type: none"> Ancillary parking spaces and L/UL facilities should be provided in accordance with the HKPSG and subject to the traffic impact assessment 	Private car: 146 Motorcycle: 10 L/UL: 4 The internal transport provision is in accordance with HKPSG, and agreed by C for T	-

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	(TIA) to be carried out by the applicant to the satisfaction of C for T.		
Setback	<ul style="list-style-type: none"> Setback in full height at both sides of Tung Yuen Street (Plan 5 of Appendix IIIa) should be provided to allow provision of 3.5m-wide footpath. 	<ul style="list-style-type: none"> Full height setback will be provided along the concerned road section to allow the provision of 3.5m-wide footpath 	-
Technical assessments to be included in MLP submission	<ul style="list-style-type: none"> TIA, environmental assessment including Air Quality Impact Assessment (AQIA) and Noise Impact Assessment (NIA), drainage and sewerage impact assessments (DIA/SIA), visual impact assessment (VIA), AVA, geotechnical assessment (GA) and urban design proposal 	<ul style="list-style-type: none"> TIA, AQIA, NIA DIA/SIA, VIA, AVA, GA and Urban Design Proposal were submitted. 	-

Detailed Comments from Government Departments

Detailed Comments of the District Lands Officer/Kowloon East, Lands Department:

- (a) The proposed comprehensive residential development in the subject planning application falls within the Yau Tong Inland Lot No. 45 (the Lot) which is held under Conditions of Exchange No. 20347 dated 19.6.2019 (the Conditions) for a term of 50 years from 19.6.2019. The user of the Lot is restricted to private residential purposes. The total GFA of any building(s) erected or to be erected on the whole lot shall not exceed 38,865m², of which the total GFA within the waterfront portion (Site A) shall not exceed 10,540m² while the total GFA within the inland portion (Site B) shall not exceed 28,325m². The height restriction for Site A is 80mPD while the height restriction for Site B is 100mPD.
- (b) According to Special Condition No. (S.C.) (13) of the Conditions, the Grantee is required to form a promenade with a minimum width of 15m within the Pink Hatched Blue Area. According to S.C. (14) of the Conditions, the Grantee is also required to form a public pedestrian access with a width of not less than 1.5m over and along the ground level of the Pink Hatched Red Area and extending upwards from the ground level to a height of not less than 3.5m within Site A, so as to link up the said promenade and Tung Yuen Street. The Applicant is required to incorporate the said minimum headroom of 3.5m for the public pedestrian access into the Master Layout Plan contained in the "Supporting Planning Statement". According to S.C. (13)(f), (13)® and (14)(d) of the Conditions, the Grantee is required to take up the formation, management and maintenance obligations of the promenade and the public pedestrian access without transferring the same to the individual flat owners of the proposed development.
- (c) Besides, according to S.C. (15) of the Conditions, the Grantee is required to provide full-height setback at the Pink Cross-hatched Blue Area and carry out the formation works for the purpose of footpath widening at both sides of Tung Yuen Street fronting the Lot. And according to S.C. (12) of the Conditions, the Grantee is required to provide the building setback at the ground level(s) or within the air space extending upwards from the ground level(s) of the Pink Stippled Black Area at Shung Yiu Street to a height of 15m.
- (d) Furthermore, the Grantee is also required to comply with the parking, loading and unloading requirements as stipulated under S.Cs. (28) to (32) which should be vetted in the building plan submission stage in consultation with the Transport Department.

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

- (e) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

- (f) The applicant should be reminded that the arrangement of emergency vehicular access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings (FS Code) 2011 which is administered by the Buildings Department.

Comments of the Director of Environmental Protection:

- (g) The sources for Redland Concrete as shown in Figure 3a in the Air Quality Impact Assessment (AQIA) do not match with Figure 3-b1. The coordinates of the road links were not provided in Appendix 10 of AQIA.

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

- (h) Summer weight averaged VR for Focused Group 11 (paragraph 4.4.3 of the Air Ventilation Assessment) – with reference to Table 4.2, the Proposed Scheme has higher SAVR instead of lower SAVR when compared with the Approved Scheme (A/K15/114) under summer condition.

Comments of the Director of Agriculture, Fisheries and Conservation:

- (i) The application site is located next to the Kwun Tong Wholesale Fish Market (KTFM), which has been in existence since 1986 under the operation of the Fish Marketing Organisation (FMO) in accordance with the Marine Fish (Marketing) Ordinance (Cap. 291). As the KTFM will continue to provide the wholesale services for market users, the community of Kwun Tong and nearby districts, potential impact arising from the daily operation of KTFM including visual, traffic and environmental (e.g. air quality, odour and noise) impacts, to the future residents of the proposed development should be duly acknowledged by the applicant. The applicant is advised to incorporate appropriate measures in the proposed development to mitigate the impacts concerned. Alternatively, the applicant may propose mitigation measures at KTFM subject to prior agreement of AFCD, FMO, EPD and other relevant authorities together with the provision of the required capital and recurrent costs. Please also note that public access to the KTFM is generally restricted and waterfront in the KTFM will not be opened to the public owing to considerations on market operation, public safety and the security of the KTFM.
- (j) To avoid public access to KTFM from the adjacent promenade, the project proponent/developer should undertake to provide appropriate measures, such as providing/maintaining an effective barrier between KTFM and the promenade, to ensure safety of tourists and security of users and properties of KTFM.

**Appendix VII of
MPC Paper No. A/K15/122B**

Advisory Clauses

- (a) the approved Master Layout Plan (MLP), together with the set of approval conditions, will be certified by the Chairman of the Town Planning Board (the Board) and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into a revised MLP for deposition in the Land Registry as soon as possible;
- (b) the approval of the application does not imply that any proposal on building design elements to fulfill the requirements under the Sustainable Building Design Guidelines (SBDG) and/or the relevant requirements under the lease, and that the proposed Gross Floor Area (GFA) concession for the proposed development will be approval/granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) and the Lands Department (LandsD) direct to obtain the necessary approval. If the proposed building design elements and GFA concession are not approved/granted by the BA and the Lands Authority, and major changes to the approved scheme are required, a fresh planning application to the Town Planning Board may be required;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, BD that applications for modification to Buildings Ordinance (BO), if any, can be submitted at building plan submission stage, with demonstration of compliance with the relevant acceptance criteria, requirements, prerequisites, cap, etc. in the relevant Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) for his consideration; the subject site comprises two plot of lands separated by Tung Yuen Street. They should be regarded as two individual sites for the purpose of BO. In other words, these independent sites should be self-sustained in terms of Plot Ratio (PR), Site Coverage (SC), open space, access, Emergency Vehicle Access (EVA), Means of Escape and Servicing etc.; the public waterfront promenade (PWP) at the waterfront portion of the application site shall not be regarded as a specified street for site classification purpose; it is noted that the PWP shall be handed over to the Government upon request/ on demand. The area to be surrendered should not be included in site area for calculation of PR and SC under Building (Planning) Regulation (B(P)R) 20 and 21, unless accepted otherwise by the BA in building plan submission stage; the PWP should not be used for compliance with the requirements on open space under B(P)R 25 or prescribed window under B(P)R 30 and 31 for the proposed development, unless accepted otherwise by the BA in building plan submission stage; for greenery provision under SBDG, the area of the promenade and the remaining site should be independently assessed; detailed comments will be given at building plan submission stage.
- (d) to note the comments of the Chief Engineer/Port Works, Civil Engineering and Development Department that in view of the potential coastal hazards at the shoreline, the applicant should check whether the existing seawall meets the requirements in the latest version of the Port Works Design Manual taking into account the proposed development as to safeguard the public. If negative, the existing seawall should be enhanced by the applicant in accordance with the

latest version of the Port Works Design Manual. The landing steps and the affected seawall should meet the requirements in the latest version of the Port Works Design Manual. To enhance the protection of public lives and properties, the applicant should carefully review the potential impact of more extreme weather to the development which is located at or close to the coastline, in particular pier facility, seawalls, promenade, basement, carpark, pump house, electricity room or ancillary facilities, etc. They should be designed or enhanced to protect the development from possible damage or coastal flooding as a result of extreme wave action;

- (e) to note the comments of the Director of Fire Services that fire service installations and water supplies for firefighting should be provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The arrangement of EVA shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings (FS Code) 2011 which is administered by the BD;
- (f) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the application site is located next to the Kwun Tong Wholesale Fish Market (KTFM), which has been in existence since 1986 under the operation of the Fish Marketing Organisation (FMO) in accordance with the Marine Fish (Marketing) Ordinance (Cap. 291). As the KTFM will continue to provide the wholesale services for market users, the community of Kwun Tong and nearby districts, potential impact arising from the daily operation of KTFM including visual, traffic and environmental (e.g. air quality, odour and noise) impacts, to the future residents of the proposed development should be duly acknowledged by the applicant. The applicant is advised to incorporate appropriate measures in the proposed development to mitigate the impacts concerned. Alternatively, the applicant may propose mitigation measures at KTFM subject to prior agreement of AFCD, FMO, EPD and other relevant authorities together with the provision of the required capital and recurrent costs. Please also note that public access to the KTFM is generally restricted and waterfront in the KTFM will not be opened to the public owing to considerations on market operation, public safety and the security of the KTFM. To avoid public access to KTFM from the adjacent promenade, the project proponent/developer should undertake to provide appropriate measures, such as providing/maintaining an effective barrier between KTFM and the promenade, to ensure safety of tourists and security of users and properties of KTFM.
- (g) to note the comments of the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing of Harbourfront Commission that the separation between the PWP and the development should be carefully articulated in detailed design stage to allow visual permeability to the harbourfront.