

# TOWN PLANNING BOARD

**TPB Paper No. 10525  
For Consideration by the  
Town Planning Board on 15.3.2019**

**DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/31  
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/K3/31-R1 TO R283  
AND COMMENTS NO. TPB/R/S/K3/31-C1 TO C17**

**DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/31  
 CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/K3/31-R1 TO R283  
 AND COMMENTS NO. TPB/R/S/K3/31-C1 TO C17**

<b>Subject of Representations (Amendment Item)</b>	<b>Representers (No. TPB/R/S/K3/31-)</b>	<b>Commenters (No. TPB/R/S/K3/31-)</b>
<p><b><u>Item A1</u></b>            Revision of the building height restrictions (BHRs) for the “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 from 120mPD to 130mPD</p> <p><b><u>Item A2</u></b>            Revision of the BHRs for the other “C” zones on the two sides of Nathan Road from 100mPD to 110mPD</p> <p><b><u>Item A3</u></b>            Revision of the BHR for the “C(1)” zone at the junction of Tai Kok Tsui Road and Cherry Street from 60mPD to 110mPD</p> <p><b><u>Item B1</u></b>            Revision of the BHRs for the “Other Specified Uses” annotated “Business” (“OU(B)”) zones abutting Maple Street and Walnut Street from 80mPD to 110mPD</p> <p><b><u>Item B2</u></b>            Revision of the BHRs for the “OU(B)” zones abutting Tong Mi Road and at the junction of Tai Kok Tsui Road and Ivy Street from 100mPD to 110mPD</p> <p><b><u>Item B3</u></b>            Rezoning of a site sandwiched</p>	<p><b>TOTAL: 283</b></p> <p><b><u>Support/ Partly Support (2)</u></b></p> <p><b><u>Items A1 to A3, B1 to B3, C1 to C4 and D (1)</u></b>  <b>R1*</b>: The Real Estate Developers Association of Hong Kong (REDA)</p> <p><b><u>Item D (1)</u></b>  <b>R2*</b>: Yau Tsim Mong District Council (YTMDC)</p> <p><i>(*R1 and R2 also raised objection to various items, i.e. R1 partly opposes A1 to A3 and B1 to B3; and R2 opposes A1 to A3, B1 to B3 and C1 to C4, and partly opposes D)</i></p> <p><b><u>Oppose (281)</u></b></p> <p><b><u>All Items (1)</u></b>  <b>R3</b>: Individual</p> <p><b><u>Items A1, A2, C1, C2 and D (1)</u></b>  <b>R5</b>: WONG Kin-san, YTMDC Member and WONG Shu-ming, YTMDC Vice-chairperson</p> <p><b><u>Items B3, C1 and C3 (2)</u></b>  <b>R6 and R7</b>: Individuals</p>	<p><b>TOTAL: 17</b></p> <p><b><u>Support R1 (1)</u></b>  <b>C1</b>: Individual</p> <p><b><u>Support R1 and Oppose R2, R3, R6 and R7 (1)</u></b>  <b>C2</b>: Lindenford Limited (Lindenford)</p> <p><b><u>Not agree with R4 and R6 (1)</u></b>  <b>C3</b>: Individual</p> <p><b><u>Not agree with R4 (1)</u></b>  <b>C4</b>: Individual</p> <p><b><u>Not agree with R5 (2)</u></b>  <b>C5 and C6</b>: Temple University Alumni Association Hong Kong Chapter and Individual</p> <p><b><u>Not agree with R15 (2)</u></b>  <b>C7 and C8</b>: Individuals</p> <p><b><u>Not agree with R95 (1)</u></b>  <b>C9</b>: Individual</p> <p><b><u>Not agree with R206 (2)</u></b>  <b>C10</b>: Fa Yuen Street Hawker Association</p> <p><b>C11</b>: Individual</p> <p><b><u>Not agree with R219 (2)</u></b>  <b>C12 and C13</b>: Individuals</p>

Subject of Representations (Amendment Item)	Representers (No. TPB/R/S/K3/31-)	Commenters (No. TPB/R/S/K3/31-)
<p>between Sham Mong Road and Kok Cheung Street from “OU(B)1” to “OU(B)” and revision of the BHRs from 20mPD and 60mPD to 110mPD</p> <p><b><u>Item C1</u></b> Revision of the BHRs for the “Residential (Group A)” (“R(A)”) and “Residential (Group E)” (“R(E)”) zones from 80mPD to 100mPD</p> <p><b><u>Item C2</u></b> Rezoning of areas on the western side of Kok Cheung Street and on the southern side of Flower Market Road from “R(A)3” to “R(A)” and revision of the BHRs from 60mPD to 100mPD</p> <p><b><u>Item C3</u></b> Rezoning of a site at the junction of Kok Cheung Street and Fuk Chak Street from “R(E)1” to “R(E)” and revision of the BHR from 60mPD to 100mPD</p> <p><b><u>Item C4</u></b> Rezoning of a site at the junction of Soy Street and Shanghai Street from “R(A)4” to “R(A)3” and revision of the BHR from 80mPD to 100mPD</p> <p><b><u>Item D</u></b> Rezoning of a site at the junction of Sai Yee Street and Argyle Street from “Government, Institution or Community” (“G/IC”), “OU” annotated “Multi-storey Car/Lorry Park” and “OU” annotated “Railway Station Development” to “C(4)” with the stipulation of sub-areas on the Plan and development restrictions on the Notes of the Plan</p>	<p><b><u>Item D (277)</u></b> <b>R4<sup>1</sup>, R10 to R282:</b> Individuals</p> <p><b>R8:</b> Democracy Groundwork</p> <p><b>R9:</b> Community March</p> <p><b>R283:</b> Green Sense</p>	<p><b><u>Not agree with R220 (1)</u></b> <b>C14:</b> Individual</p> <p><b><u>Not agree with R3 (1)</u></b> <b>C15:</b> Creative Youth Club</p> <p><b><u>Providing Views on the Representations (2)</u></b> <b>C16:</b> Individual (<i>Also as R3</i>)</p> <p><b>C17:</b> TST Residents Concern Group</p>

Note: The names of all representers and commenters are attached at **Annex V(b)**. Soft copy of their submissions is sent to the Town Planning Board (the Board/TPB) Members via electronic means/CD-Rom at **Annex VI**

<sup>1</sup> While **R4** indicates opposition to Item A1 in its representation, the objection reason is in fact related to Item D instead of Item A1. It is considered that the **R4** opposes to Item D instead of Item A1.

(for TPB Members only); and is also available for public inspection at the TPB's website at [https://www.info.gov.hk/tpb/en/Website\\_S\\_K3\\_31\\_ENG.html](https://www.info.gov.hk/tpb/en/Website_S_K3_31_ENG.html). A set of hard copy is deposited at the TPB Secretariat for Members' inspection and the Planning Enquiry Counters of Planning Department in North Point and Sha Tin for public inspection.

## 1. Introduction

- 1.1 On 13.7.2018, the draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/31 (**Annex I**) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**.
- 1.2 During the two-month exhibition period, a total of 283 representations were received. On 9.10.2018, the representations were published for three weeks for public comments. A total of 17 comments were received.
- 1.3 On 28.12.2018, the Board agreed to consider the representations (**R1 to R283**) and comments (**C1 to C17**) collectively in one group. This paper is to provide the Board with information for consideration of the representations and comments. A summary of the grounds of representations and comments and their proposals, and responses of the Planning Department (PlanD) to the representations and comments as well as their proposals is at **Annex V(a)**. The representers and commenters have been invited to attend the meeting in accordance with section 6(B)3 of the Ordinance.

## 2. Background

- 2.1 The previous amendments incorporated into the then Mong Kok OZP No. S/K3/28 were subject to two Judicial Reviews (JRs) lodged by the REDA (previous R9) and Lindenford (previous R8)<sup>2</sup>. In response to the Court's rulings on the JR lodged by REDA<sup>3</sup>, a review of the development restrictions including the BHRs and requirements of non-building areas (NBA), building gaps (BG) and setbacks (SB) taking into account the permissible development intensity, implications of the Sustainable Building Design Guidelines (SBDG), and planning and design aspects was conducted for all "C", "R(A)", "R(E)", "OU", "Comprehensive Development Area" ("CDA") and "G/IC" zones on the Mong

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<sup>2</sup> REDA has submitted a representation (**R1**) while Lindenford has submitted a comment (**C2**) in respect of the draft Mong Kok OZP No. S/K3/31. The major grounds and/or proposals of their representation (**R1**) and comment (**C2**) are listed out in paragraphs 4.2.1 to 4.2.4 and paragraph 5.1(b) below respectively.

<sup>3</sup> For REDA's JR, the Court of First Instance (CFI) handed down its judgment on 3.2.2015 allowing the JR, and ordered that the Board's decisions on REDA's representations in respect of the four concerned OZPs, i.e. Wan Chai, Ngau Tau Kok & Kowloon Bay, Mong Kok and Yau Ma Tei OZPs, be quashed and that the decisions be remitted to the Board for reconsideration. With reference to the Court of Appeal's judgment on the appeals arising from the JRs lodged by the Hysan Group Companies, the CFI ruled that the Board did not take into account the potential combined effect of the SBDG and the restrictions under the above-mentioned four draft OZPs on the development potentials of the sites. The other rulings against the Board were related to procedural unfairness, taking minor relaxation into account in rejecting the representations, and breach of Tameside duty in respect of the air ventilation and BH profile issues. Both the Board and REDA lodged appeals against CFI's judgment. The Court subsequently allowed the disposal of the appeals on 12.4.2018 by consent of the parties.

Kok OZP No. S/K3/30.

- 2.2 The JR lodged by Lindenford was against the Board's decision on Lindenford's representation (previous R8) in respect of the BHR and BG requirement imposed on an "OU(B)1" site located to the west of Kok Cheung Street (i.e. the Skyway House) (Item B3 on **Plan H-1**) on the then Mong Kok OZP No. S/K3/28. The JR was dismissed by the CFI on 5.9.2012 and Lindenford lodged an appeal on 28.9.2012. As mentioned in paragraph 2.1 above, a review of the development restrictions on the Mong Kok Area (the Area), including the concerned "OU(B)1" site, was undertaken. The Mong Kok OZP incorporating amendments, which among others, include those related to the review of the development restrictions, was gazetted on 13.7.2018. Subsequently, the Board and Lindenford have reached an agreement to dispose of the appeal. On 19.2.2019, the Court handed down an order for the disposal under the terms jointly proposed by Lindenford and the Board<sup>4</sup>.
- 2.3 On the other hand, 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) was completed in early 2018. The findings and recommendations of the SYS Study (**Drawings H-1 to H-6**) were reported to the Board on 23.2.2018 (**Annex VII**). To take forward the redevelopment proposal, the SYS Site was proposed to be rezoned for commercial use with provision of government, institution and community (GIC) facilities, public open space (POS) and public transport facilities (Item D on **Plan H-1**). Relevant technical assessments conducted have confirmed the technical feasibility of the proposal.
- 2.4 Apart from the above, the requirement for the provision of GIC facilities at the Soy Street Site (Item C4 on **Plan H-1**) was amended to reflect the latest planning intention of the site. Other technical amendments were also made.
- 2.5 On 22.6.2018, the Board considered the proposed amendments to the draft Mong Kok OZP No. S/K3/30 and agreed that the proposed amendments are suitable for public inspection under section 7 of the Ordinance. The relevant TPB Paper No. 10422 is available at the TPB's website at [https://www.info.gov.hk/tpb/en/papers/TPB/1177-tpb\\_10422.pdf](https://www.info.gov.hk/tpb/en/papers/TPB/1177-tpb_10422.pdf) and the minutes of the respective TPB meeting are at **Annex III**. Accordingly, the OZP renumbered to S/K3/31 was gazetted on 13.7.2018.

### **3. Consultation with the Yau Tsim Mong District Council**

The current amendments incorporated into the draft Mong Kong OZP No. S/K3/31 were presented to the YTMDC on 12.7.2018. In gist, YTMDC members enquired about the approach in proposing all such amendment items under the current round of OZP amendments and the interface of the OZP amendments with other on-going planning

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<sup>4</sup> The terms proposed by both parties include that the appeal be allowed and the Board's decision on Lindenford's representation (previous R8) be quashed. The grounds conceded by the Board are related to (1) the alleged failure of the Board to discharge its duty to inquire; (2) the Board's reliance on the minor relaxation stipulated under the OZP as one of the reasons for rejecting Lindenford's representation; and (3) procedural matter arising from the absence of some Members during the hearing of Lindenford's representation. Pursuant to the terms, the Board will not be required to reconsider R8 to the OZP No. S/K3/28.

studies. Some members raised concerns on the relaxation of BHRs mainly on the grounds of possible adverse impacts on pedestrian and traffic flows, air ventilation, visual quality, preservation of ridgelines and reception of television signals. On the SYS Site, while some supportive views were expressed, members were also mainly concerned about the provision of public parking facilities, visual quality and compatibility with the surrounding environment. Some views were also expressed on the requirement for the provision of GIC facilities at the Soy Street Site. PlanD's responses to the concerns raised by the YTMDC were recorded in the minutes of the YTMDC meeting at **Annex IV**. The YTMDC also subsequently submitted a representation (**R2**) attaching the YTMDC meeting minutes of 12.7.2018 to the Board conveying the views expressed by YTMDC members at that meeting. Besides, two YTMDC members (Mr Wong Kin-san (DC Member) and Ms Wong Shu-ming (DC Vice-chairperson)) also submitted a representation (**R5**) to the Board.

#### 4. The Representations

##### 4.1 Subject of Representations (Plans H-2 and H-2a)

4.1.1 There are a total of 283 representations. Out of which, two representations contain both supportive and opposing views. **R1** submitted by REDA supports Items C1 to C4 and D. It also partly supports and partly opposes Items A1 to A3 and B1 to B3 and considers that the BHRs should be further relaxed. In addition, **R1** maintains its opposing views on Items A, D and L as shown on the Plan and items (a), (d) and (e) to the Notes of the then Mong Kok OZP No. S/K3/28 mainly in relation to the BHRs for "C" and "OU(B)" zones and the NBA, BG and SB requirements as raised under previous R9. **R2** submitted the minutes of the YTMDC meeting of 12.7.2018 which contain some supportive views to Item D and also opposing views to Items A1 to A3, B1 to B3, C1 to C4 and D.

4.1.2 The remaining 281 representations (**R3** to **R283**) are opposing representations. One opposes all Items (**R3**), one opposes Items A1, A2, C1, C2 and D (**R5**), two oppose Items B3, C1 and C3 (**R6** and **R7**), and 277 oppose Item D only (**R4** and **R8** to **R283**). These opposing representations are submitted by two YTMDC members (Mr Wong Kin-san (DC Member) and Ms Wong Shu-ming (DC Vice-chairperson)) (**R5**), three concern groups/green groups (namely Democracy Groundwork (**R8**), Community March (**R9**) and Green Sense (**R283**)) and individuals. 271 representations (**R10** to **R280**) are submitted in the form of a standard letter with similar objecting reasons to Item D.

4.1.3 A summary of the representations and PlanD's responses, in consultation with relevant government bureaux and departments, is at **Annex V(a)**.

##### 4.2 Relaxation of BHRs

###### Supportive/Partly Supportive Representation on the Relaxation of BHRs

4.2.1 **R1** supports the relaxation of BHRs of "R(A)" and "R(E)" zones under

Items C1 to C4. **R1** also partly supports the relaxation of BHRs of “C”, “C(1)” and “OU(B)” zones under Items A1 to A3 and B1 to B3 but considers the BHR relaxation insufficient. It thus proposes further relaxation of the BHRs for “C” and “OU(B)” zones as detailed in paragraph 4.2.3 below.

4.2.2 The major grounds for further relaxation of the BHRs of **R1** are summarised below:

*The Approach in Reviewing the BHRs*

- (a) The general height profile for Mong Kok should balance a number of considerations and take into account the adequate BH to accommodate gross floor area (GFA) with concession allowed, visual relief, interesting skyline, preserving the views from major viewpoints and balancing the impact on private property rights.
- (b) Appropriate planning controls which provide flexibility and incentives are vital to the redevelopment and regeneration of the old dense urban area. However, the current BHRs are generally still too low for the Area.
- (c) The Government has not undertaken a land use/urban design review for the entire Area.

*Assumptions in Deriving the BHRs*

- (d) The floor-to-floor height (FTFH) assumptions for working out the BHRs are not keeping with the latest practice and unable to allow for top quality development as well as a mix of commercial uses in commercial development. FTFH nowadays for “C” and “OU(B)” developments are 5m for podium floors and 4.5m for typical floors. The top quality commercial development may even require a FTFH of 6m for the ground floor. A mix of office, retail and service activities is common in many commercial buildings and design flexibility should be given for future commercial buildings. A ‘Ginza-style’ development providing retail/dining/entertainment floor space is another possibility, which will generally require a FTFH higher than that of office floors.
- (e) The BHRs have not taken into account that the plot ratio (PR) of some existing buildings is higher than that stipulated on the OZP. In such cases, the BHRs would not be able to accommodate all the entitled GFA and the development rights would be affected.

*Urban Design, Visual and Air Ventilation*

- (f) The BHRs should be set with the objectives to create a good physical urban environment with buildings of reasonable internal space, as well as providing space at lower/pedestrian levels to improve air ventilation and openness; and to provide opportunities to incorporate

design features that would contribute to the overall built environment. The overall BH profile of the planning area in relation to the wider context is also important. However, there is no clear BH concept in the current OZP.

- (g) The Area is located in the inner area which is screened by very tall buildings along the coastal area. Many existing buildings are already intruding into the 20% 'building free zone' or protruding the ridgelines. It is doubtful whether the consideration on preservation of ridgelines is so important.
- (h) A BHR of 150mPD at the transport nodes (i.e. the Mong Kok and Prince Edward Stations) and slightly more relaxed BHRs at other "C" and "OU(B)" zones will unlikely affect the views of the panoramic townscape from the two strategic viewing points (i.e. Sun Yat Sen Memorial Park and Central Pier No. 7) as they will be largely screened by other tall buildings.
- (i) The revised BHRs in some cases are still considered to be too restrictive as there is insufficient flexibility for innovative and quality building design.
- (j) The largely imposed BHRs of 100mPD and 110mPD are undesirable from urban design and air ventilation perspectives. As there are only small variations in BHRs, the building profile would be flat and monotonous. Moreover, such BHRs could not facilitate downwash to street level and therefore are not beneficial to air ventilation in the Area.

#### *NBA, BG and SB Requirements*

- (k) The review on development controls ignored the undue constraints that might impose on the design of future redevelopment. The NBA, BG and SB requirements would result in taking away private land without compensation and deter redevelopment of the old urban area. Such requirements are imposed for air paths, rather than for road widening which can be covered by other relevant ordinances such as Buildings Ordinance and the Roads (Works Use and Compensation) Ordinance. No provision under the Notes or the Explanatory Statement of the OZP indicating that the private land taken away for the NBA, BG and SB requirements may be considered for bonus GFA in accordance with the normal practice.

#### *Proposals from Supportive Representation on the Relaxation of BHRs*

4.2.3 The proposals from the supportive representation (**R1**) (**Plan H-4**) are listed below:

- (a) Relax the BHRs for "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 from 130mPD



to 150mPD.

- (b) Relax the BHRs for other “C” zones on the two sides of Nathan Road and “OU(B)” zones from 110mPD to 130mPD.

4.2.4 The following proposals in the previous R9 in respect of the then Mong Kok OZP No. S/K3/28 are also included in **R1** and are listed below:

- (a) Delete all NBA, BG and SB requirements imposed on private land and incorporate a minor relaxation clause for BHRs and NBA/BG/SB requirements, which should be considered on ‘individual merits’ instead of ‘under exceptional circumstances’.
- (b) Incorporate a standard clause allowing for permitted PR to be exceeded as defined in section 22(1) or (2) of the Building (Planning) Regulation (B(P)R) which allows for additional GFA for the area dedicated for public passage in the Notes of the OZP for all relevant development zones.
- (c) Incorporate a relaxation or incentive scheme for sites with an area not less than 1,500m<sup>2</sup> in “C” zone on the OZP, similar to that adopted by the Board for the Tsim Sha Tsui OZP<sup>5</sup> so that relaxation of BHRs may be considered by the Board on application under section 16 of the Ordinance.

#### Opposing Representations on Relaxation of BHRs

4.2.5 **R2** and **R3** oppose the relaxation of BHRs of “R(A)”, “R(E)”, “C” and “OU(B)” zones under Items A1 to A3, B1 to B3 and C1 to C4; **R5** opposes the relaxation of BHRs of “C”, “R(A)” and “R(E)” zones under Items A1, A2, C1 and C2; and **R6** and **R7** opposes the relaxation of BHRs of “R(A)”, “R(E)” and “OU(B)” zones, in particular areas to the west of Tai Kok Tsui Road, under Items B3, C1 and C3.

4.2.6 The major grounds for the opposing representations on the relaxation of BHRs are summarised below:

#### *Traffic and Transport*

- (a) The relaxation of BHRs will increase the population of the Area and aggravate pressure on the existing traffic and transport conditions. Adverse impacts on pedestrian and vehicular traffic are anticipated (**R2** and **R5**). Future developments with the relaxed BHRs would increase the level of noise pollution from vehicles due to echo effect of walled-buildings (**R3**).

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<sup>5</sup> Tsim Sha Tsui is a high-rise commercial node recognised in the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines (HKPSG) and provision is given for relaxation of BHR on application under section 16 of the Ordinance for sites with an area not less than 1,800m<sup>2</sup> on individual merits.

*Urban Design, Visual and Air Ventilation*

- (b) With the relaxed BHRs, the developments will breach the ridgelines. The further developments would not be compatible with the surrounding environment. Relaxing the BHRs with the PRs remained unchanged would encourage buildings to be built vertically rather than horizontally, which is not desirable (**R2**).
- (c) The relaxed BHRs would bring about adverse impacts on air ventilation (**R3**).
- (d) There should be a stepped profile in the Tai Kok Tsui area. The relaxed BHRs would cause air ventilation and overshadowing problems to the neighbourhood (**R6** and **R7**).

*Implementation of the SBDG*

- (e) The removal of NBA requirement on the OZP is supported by the claim that the SBDG requirements can provide additional setback to improve air ventilation. However, there is no guarantee on such provision if the future developers forgo lease modifications or land exchanges (**R3**).

*Impact on Receiving Television Signals*

- (f) With the relaxed BHRs, the high-rise buildings would affect the low-rise buildings in receiving television signals (**R2**).

*Proposals from Opposing Representation on the Relaxation of BHRs*

4.2.7 The proposals from the opposing representations on the relaxation of BHRs (**Plan H-5**) are listed below:

- (a) Maintain the BHRs of 20mPD and 60mPD (or 80mPD for sites with an area of 400m<sup>2</sup> or more) for the site sandwiched between Sham Mong Road and Kok Cheung Street covered by Item B3 (**R6** and **R7**).
- (b) Maintain the BHR of 80mPD (or 100mPD for sites with an area of 400m<sup>2</sup> or more) for the areas to the west of Tai Kok Tsui Road covered by Item C1 (**R6** and **R7**).
- (c) Maintain the BHR of 60mPD (or 80mPD for sites with an area of 400m<sup>2</sup> or more) for the areas covered by Item C3 (**R6** and **R7**).

4.3 The SYS Site

*Supportive/Partly Supportive Representations on the SYS Site*

4.3.1 **R1** supports rezoning of the SYS Site under Item D which is located adjacent to the Mong Kok East Station. The proposed commercial use is well justified as Mong Kok is a bustling district of commercial, shopping

and entertainment node for locals and tourists. The new landmark development can allow for more POS, better air ventilation and visual permeability, limit overshadowing on the streetscape and reduce wall effect.

- 4.3.2 **R2** partly supports rezoning of the SYS Site under Item D as the redevelopment of the SYS Site would be beneficial to the community by complying with the 20% green coverage requirement and providing various public facilities including at-grade POS of not less than 3,200m<sup>2</sup>, a public transport interchange (PTI), loading/unloading facilities for cross-boundary (X-B) coaches, a community hall and social welfare facilities. Any further delay in its implementation would undermine public accountability and historical responsibility.

*Opposing Representations on the SYS Site*

- 4.3.3 **R2** submitted the minutes of the YTMDC meeting of 12.7.2018 on which some DC members express opposing views to the SYS Site, and **R3 to R5** and **R8 to R283** oppose the SYS Site under Item D. The major grounds for the opposing representations on the SYS Site are summarised below:

*The SYS Study - Land Use Proposal and Public Consultation*

- (a) There is no justification for the proposed commercial use (**R5**). The proposed development with mainly commercial use but limited GIC facilities is unreasonable and unacceptable (**R8 to R280**).
- (b) The podium should not only accommodate a shopping mall but also GIC facilities for the benefits of the public (**R4 and R282**). The SYS Site should mainly provide GIC facilities including park, medical facilities, sports ground, community centre, residential care home for the elderly, nursery centre (**R4, R8 to R280 and R282**), performance venue (**R193**) and car park (**R216**).
- (c) The only appropriate development at the SYS Site would be low-rise GIC facilities with underground car park (**R3**). Besides, the SYS Site should provide more greening/park areas (**R180 to R188**) or temporary housing or public housing (**R218 to R224**).
- (d) During the public consultation process, the public was given no choice as Option 3 (i.e. the current proposal) is the proposal with the least adverse impacts as compared to the other two. This is not the most preferred option to the public. It was only agreed by the local community and the YTMDC that the SYS Site would be used for a PTI but not a large scale commercial development with a skyscraper (**R5**).
- (e) The public consultation conducted in 2016 was flawed and lacked representativeness (**R8 to R280**).

*Provision of Open Space*

- (f) Since there is a shortfall in the provision of local open space in the Area, the SYS Site should be used to address this problem. The proposed POS on the KCRC deck to the east of Luen Wan Street would not be realised. Even with some potted plants, it would only be a landscaped deck as no trees and vegetation can be grown there (**R3**).
- (g) The current proposal deviates from the public aspirations for a green hub and public gathering place at the site. Instead the rezoning of the site would lead to a loss of POS and greening areas (**R5**).

*Traffic and Transport*

- (h) Mong Kok is a popular place for tourists, with very busy pedestrian and traffic flows. The proposed development will attract even more tourists and traffic flows, lead to increasing living costs, create nuisance to the local residents (**R8 to R280**) and bring about adverse impact on pedestrian and vehicular traffic (**R5, R281 and 283**).
- (i) The proposed car parking spaces at the site could not address the demand for public parking spaces in the district (**R2**).

*Urban Design, Visual and Air Ventilation*

- (j) The proposed development will breach the ridgelines and bring about overshadowing problem to the adjoining developments (**R2 and R3**). It will also deprive the only ventilation corridor in the Area (**R3**). As a result, it would generate adverse impacts on visual quality (**R5**) and air ventilation (**R5 and R8 to R280**).
- (k) The podium design and layout are undesirable and terrace design for the podium should be introduced. The setback along Sai Yee Street is too narrow, resulting in a feeling of oppression and air ventilation problem. Such setback at Sai Yee Street should be increased. Moreover, the high-rise commercial tower abutting Mong Kok Road would create wall effect, and should be relocated near Argyle Street (**R4**).

*Proposal from Opposing Representation on the SYS Site*

4.3.4 **R282 (Plan H-6)** proposes to reduce the BH of the SYS Site to not more than 10 storeys.

4.4 The Soy Street Site

4.4.1 **R2** opposes the amendment to the requirement for the GIC facilities at the Soy Street Site under Item C4 (**Plan H-2**) with the following major ground:

The community hall originally proposed at the site should not be relinquished for the provision of social welfare facilities as the former can be used by the general public while the latter will be subject to the service providers.

#### 4.5 Procedural Matters

4.5.1 **R1** (REDA) had made a representation (previous R9) against the amendments to the then Mong Kok OZP No. S/K3/28, which was not upheld by the Board on 29.4.2011. REDA filed a JR against the Board's decision. On 3.2.2015, the CFI allowed the JR and ordered that the Board's decisions of the four concerned OZPs be quashed and that the decisions be remitted to the Board for reconsideration<sup>3</sup>. **R1** considers that some of the grounds of its previous representation (i.e. previous R9) were not responded to in the current round of OZP amendments and made the following main points:

- (a) Not all the issues raised in the previous representation (previous R9) have been considered and REDA had not been invited to participate in the Board's consideration of the OZP amendments<sup>6</sup>. There was no formal rehearing of previous R9 as required in the Court's Orders. Besides, the OZP amendments do not cover all of the matters to which objection was made in the original representation of previous R9. If the Board takes the views that only those issues which have been accepted for the OZP amendments are relevant to this representation process, REDA is of the view that the direction of the CFI has not been complied with.
- (b) As a pragmatic option, REDA has included in this representation those amendment items on the then Mong Kok OZP No. S/K3/28 which have not been fully responded on the draft Mong Kong OZP No. S/K3/31. Those amendment items are mainly related to the BHRs for "C" and "OU(B)" zones and the NBA, BG and SB requirements under Items A, D and L as shown on the Plan and items (a), (d) and (e) to the Notes of the then Mong Kok OZP No. S/K3/28. Should the representation related to the then Mong Kok OZP No. S/K3/28 be not accepted in this representation process, REDA requests that a separate rehearing of previous R9 be held before any decision is made in relation to the amendments shown on the draft Mong Kok OZP No. S/K3/31.

#### 4.6 Other Comments

- 4.6.1 **R2** considers that all the amendment items should not be bundled under the current round of OZP amendments as YTMDC members cannot indicate support or opposition to individual items.
- 4.6.2 **R2** raises concerns that the current OZP amendments may not be in line with other on-going planning studies concerning the Area, e.g. Urban

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<sup>6</sup> The issues raised in the previous R9 are summarised in **Annex IX**.

Renewal Authority's (URA) 'District Study for Yau Ma Tei and Mong Kok' (the Yau Mong Study) and the study under the Task Force on Land Supply.

## 5. Comments on Representations

5.1 A total of 17 comments have been received, and the major grounds raised are summarised at **Annex V(a)**. A gist of the comments is as follows (**Plans H-2 and H-2a**):

- (a) **C1** is submitted by an individual who supports R1 including the slightly more relaxed BHRs as it would enable more flexible building design and allow more space at lower levels, thereby improving the pedestrian environment.
- (b) **C2** is submitted by Lindenford who supports R1 on the grounds that the relaxed BHRs could reflect the need for zoning flexibility to allow for quality developments and the provision of innovative design to achieve community objectives such as improved air ventilation. **C2** also opposes R2, R3, R6 and R7 on the grounds that the unnecessarily restrictive BHRs will only serve to promote squat buildings where the already permissible GFA is squeezed within the permitted height limits. It would result in higher site coverage (SC), maximised podiums and no flexibility for building design.
- (c) **C3** is submitted by an individual who supports the relaxation of BHRs and the SYS Site, and provides disagreeing views to R4 and R6. In gist, the commenter disagrees with R4 on the grounds that the SYS Site could create more high quality commercial spaces in the Area with provision of greenery areas and POS. Besides, ventilation corridor and other community facilities will also be provided within the site. In respect of R6, the commenter is of the view that the relaxed BHRs provide a simple and practical way to solve the problem of land shortage in Hong Kong. Also, the air ventilation issues could be addressed during the building design stage.
- (d) **C4** to **C15** are submitted by the Temple University Alumni Association Hong Kong Chapter (**C5**), the Fa Yuen Street Hawker Association (**C10**), the Creative Youth Club (**C15**) and nine private individuals (**C4**, **C6** to **C9** and **C11** to **C14**) who mainly support the rezoning of the SYS Site and/or the relaxation of BHRs and provide disagreeing views and/or comments on various representations in respect of the SYS Site. The major grounds of comments for **C4** to **C15** are at **Annex V(a)**.
- (e) **C16** (*also as R3*) and **C17** are submitted by an individual and the TST Residents Concern Group providing views on the representations. In gist, **C16** comments that walkability, open spaces and building mass are the main issues of the Area whilst **C17** comments that the proposed amendments will lead to traffic congestion and the SYS redevelopment would take up the only breathing space in the Area.

## 6. Planning Considerations and Assessment

### 6.1 The Representation Sites and Its Surrounding Areas

#### The OZP Area

6.1.1 The Area (**Annex I**), about 147 hectares, is located in the inner part of Kowloon Peninsula and bounded by Boundary Street to the north, the MTR East Rail Line to the east, Dundas Street to the south and Ferry Street and Sham Mong Road to the west. It is one of the oldest urban areas in the territory with predominantly residential use. Many residential buildings in the Area are low to medium-rise. Intermixed with these buildings are more recent high-rise developments mainly for mixed commercial/residential uses. With the improved accessibility brought by the MTR lines, commercial developments, in the form of office buildings with shops on the lower floors, have taken place along Nathan Road and in areas in close proximity to MTR stations including the Mong Kok and Prince Edward Stations. Existing industrial buildings can be found in Tai Kok Tsui at the western part of the Area, which are zoned “OU(B)” and “R(E)” so as to provide areas for general business uses and to facilitate phasing out of the existing industrial uses through redevelopment. Moreover, open spaces and low-rise GIC developments can also be found across different parts of the Area which can serve as spatial and visual relief and facilitate air ventilation for the benefit of the Area.

6.1.2 The location plans and aerial photo showing the amendments incorporated in the draft Mong Kok OZP No. S/K3/31 and the sites subject to representations and/or comments are at **Plans H-1 to H-2a**. The existing BH profile of the Area is also shown in **Plan H-3**.

### 6.2 The Representation Sites

6.2.1 All Amendment Items (**Plan H-1**) are subject to adverse representations. A brief account of the representation sites is as follows:

6.2.2 *Items A1 and A2 – The “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 other “C” zones on the two sides of Nathan Road*

The areas are located on the two sides of Nathan Road and enjoy the best accessibility with easy access to various public transport nodes, in particular the Mong Kok and Prince Edward Stations. A mix of commercial, including offices, hotels and shopping centres, and residential developments could be found. The BHRs for the “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 were relaxed from 120mPD to 130mPD under Item A1, while the BHRs for the other “C” zones on the two sides of Nathan Road were relaxed from 100mPD to 110mPD under Item A2.

6.2.3 **Item A3** – *The “C(1)” zone at the junction of Tai Kok Tsui Road and Cherry Street*

The representation site is located at the junction of Tai Kok Tsui Road and Cherry Street in the western part of the Area. It covers an existing commercial development (i.e. New Kowloon Plaza) completed in 1990 which provides the needed retail services and parking spaces to the local community. The BHR was relaxed from 60mPD to 110mPD.

6.2.4 **Items B1 and B2** – *The “OU(B)” zones abutting Maple Street and Walnut Street, and the “OU(B)” zones abutting Tong Mi Road and at the junction of Tai Kok Tsui Road and Ivy Street*

The areas are located at the western part of the Area with a number of older industrial establishments ranging from 5 to 20 storeys. Moreover, there are also a number of relatively new developments, including the Dorsett Mongkok, Hong Kong at the “OU(B)” zone at the junction of Tai Kok Tsui Road and Ivy Street. The BHRs for the “OU(B)” zones abutting Maple Street and Walnut Street were relaxed from 80mPD to 110mPD under Item B1, while the BHRs for the “OU(B)” zones abutting Tong Mi Road and at the junction of Tai Kok Tsui Road and Ivy Street were relaxed from 100mPD to 110mPD under Item B2.

6.2.5 **Item B3** – *The “OU(B)” zone sandwiched between Sham Mong Road and Kok Cheung Street*

The representation site is located at the western fringe of the Area. It is currently occupied by a 15-storey commercial/office building (i.e. The Skyway House) completed in 1983 with a petrol filling station at G/F, with a site area of about 2,670m<sup>2</sup>. The BHR was relaxed from 20mPD and 60mPD (or 80mPD for sites with an area of 400m<sup>2</sup> or more) to 110mPD under Item B3.

6.2.6 **Item C1** – *The “R(A)” and “R(E)” zones of the Area*

The “R(A)” zones are located across the Area. It is intermixed with low to medium-rise tenement buildings and more recent high-rise residential developments. Commercial/retail uses could also commonly found on the lowest three floors of the “R(A)” zones. The “R(E)” zones are located at the western part of the Area with existing older industrial establishments of 11 to 20 storeys. The BHRs were relaxed from 80mPD (or 100mPD for sites with an area of 400m<sup>2</sup> or more) to 100mPD under Item C1.

6.2.7 **Items C2 and C3** – *The “R(A)” zones on the western side of Kok Cheung Street and on the southern side of the Flower Market Road, and the “R(E)” zones at the junction of Kok Cheung Street and Fuk Chak Street*

The “R(A)” zones on the southern side of the Flower Market Road comprises mainly private residential developments with shops at ground floor mainly for wholesaling/retailing of fresh flowers. For the “R(A)”



and “R(E)” zones on the western side of Kok Cheung Street, they are mainly to reflect the existing residential use of the Area, and to encourage the phasing out of existing industrial activities in Kok Cheung Street area. The BHRs of the “R(A)” zones on the western side of Kok Cheung Street and on the southern side of Flower Market Road were relaxed from 60mPD (or 80mPD for site with an area of 400m<sup>2</sup> or more) to 100mPD under Item C2, while the BHRs of the “R(E)” zones at the junction of Kok Cheung Street and Fuk Chak Street were relaxed from 60mPD (or 80mPD for sites with an area of 400m<sup>2</sup> or more) to 100mPD under Item C3.

6.2.8 **Item C4** – *The “R(A)” zone at the junction of Soy Street and Shanghai Street*

The Soy Street Site, with an area of about 626m<sup>2</sup>, was previously rezoned from “G/IC” to “R(A)4” for private residential development, with the requirement as specified in the Notes of the OZP to provide a community hall to be accommodated in the lower floors of the building and with a GFA of not less than 937m<sup>2</sup>. As agreed among government bureaux/departments (including the Home Affairs Department), it is considered appropriate to accommodate social welfare facilities at the subject site as a standard community hall has been proposed at the SYS Site. In this regard, the BHR of the subject site was relaxed from 80mPD (or 100mPD for sites with an area of 400m<sup>2</sup> or more) to 100mPD under Item C4. Besides, a requirement for provision of GIC facilities with a GFA of not less than 937m<sup>2</sup> is incorporated into the Notes of the OZP for this site.

6.2.9 **Item D** – *The “C(4)” zone at the junction of Sai Yee Street and Argyle Street*

In order to take on board the findings of the SYS Study and to facilitate implementation of the redevelopment proposal as mentioned in paragraph 2.3 above, the site was rezoned from “G/IC”, “OU(Multi-storey Car/Lorry Park)” and “OU(Railway Station Development)” with a maximum BH of 6 storeys/71mPD to “C(4)” with a maximum GFA<sup>7</sup> of 141,600m<sup>2</sup> and a maximum BH of 320mPD (including roof-top structures) and 40mPD (including roof-top structures) for the central/southern part and the northern part of the site respectively under Item D. A 30m-wide BG above 23mPD to align with Mong Kok Road is also designated. A minimum area of 6,550m<sup>2</sup> of POS<sup>8</sup>, of which not less than 3,200m<sup>2</sup> should be at-grade, is to be provided within the site. Besides, a minimum GFA of 4,940m<sup>2</sup> should be provided for GIC facilities including a community hall and social welfare facilities. A public light bus (PLB) PTI, loading/unloading facilities for X-B coaches and 130 public car parking spaces should also be provided within the site.

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<sup>7</sup> A maximum GFA instead of PR is imposed on the site as the site area/boundary may be subject to change considering that details of the proposed road widening works will be finalised when the road scheme is gazetted.

<sup>8</sup> In addition to the minimum POS requirement of 6,550m<sup>2</sup> within the site, not less than 3,200m<sup>2</sup> POS should also be provided on the southern part of the KCRC deck to the east of the SYS Site.

### 6.3 Planning Intention

6.3.1 The planning intention of the zones which are the subjects of representations and comments are as follows:

- (a) “C” – primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as district and local shopping centres.
- (b) “OU(B)” – primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new ‘business’ buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings.
- (c) “R(A)” – primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- (d) “R(E)” – primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. While existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

### 6.4 Responses to Representations on BHRs

6.4.1 The supportive views of **R1** are noted.

6.4.2 For the grounds and proposals of **R1** as detailed in paragraphs 4.2.1 to 4.2.4 above, PlanD, in consultation with relevant government bureaux/departments, has the following responses:

#### *The Approach in Reviewing the BHRs*

- (a) The key objective of BH control is to provide better planning control in guiding developments to avoid excessive tall and out-of-context development which would adversely affect the quality of the living environment including air ventilation. In light of the Court’s rulings on the JRs in relation to the Mong Kok OZP, a review of the BHRs and development restrictions on the Mong Kok OZP was conducted. The amendments incorporated into the current draft OZP have duly taken into account all relevant planning considerations, the SBDG requirements, urban design guidelines, Air Ventilation Assessment (AVA) (Expert Evaluation) undertaken in 2018 (AVA 2018), land use zonings, permitted development intensity and private development rights, as well as the public aspirations for a better living environment. The current BHRs for the representation sites are

considered appropriate and have already allowed design flexibility for incorporation of SBDG requirements including greenery and/or design features on ground and at podium levels to improve both living and pedestrian environment.

Assumptions in Deriving the BHRs

- (b) The assumptions adopted for the review of the BHRs on the Mong Kok OZP were provided in Annexes E1, E2a and E2b of TPB Paper No. 10422. According to the findings of the assessment, a BHR of 110mPD is able to accommodate the permissible PR under the Mong Kok OZP for commercial developments with 25% GFA concessions. Since the BHRs are able to allow all sites irrespective of the site class to accommodate the permissible PR as stipulated on the OZP, some sites depending on the site class are able to adopt a higher FTFH (e.g. higher FTFH is possible for some typical floors for Class B and Class C sites and for the sites with the SBDG building setback requirement). Different assumptions including FTFH are entirely a design choice to be made by the project proponent, having taken into account all the relevant factors including the development restrictions on the OZP.
- (c) In formulating the relaxed BHRs, it has been assessed that upon incorporation of the restrictions, development sites are provided with flexibility to accommodate the SBDG requirements and would be able to accommodate the PR as permitted under the OZP. The BHRs adopted are based on reasonable assumptions, having regard to the development intensity permissible under the OZP. For redevelopment of individual sites up to the existing PR which exceeds the stated PR under the OZP, the permitted development intensity can still be achieved through the adoption of design approach and/or lower FTFH in such individual cases. In this regard, it is considered not justified for a blanket further relaxation of the BHRs.

Urban Design, Visual and Air Ventilation

- (d) Visual appraisal has been conducted as part of the BH review for the current OZP (Annex G of TPB Paper No. 10422) and the broad urban design principles set out in the Urban Design Guidelines under the HKPSG have been taken into account. These include compatibility of the BH profile with surroundings and preserving the views to ridgelines/mountain backdrops from the strategic vantage points. It is unlikely that the change in BHRs will cause significant effect on the established Mong Kok townscape and its surroundings comprising mainly compact and mixed high-rise developments of varying BHs and forms as illustrated in the photomontages of the visual appraisal, taking into account the redevelopment propensity and site classification/considerations (**Plans H-8 to H-8g**).
- (e) Moreover, the relaxed BHRs would allow design flexibility for future developments in meeting the SBDG which is intended to improve

building permeability and visual amenity for a better pedestrian environment. The proposed BHR relaxation would be a matter of trade-off amongst urban design considerations in the dense urban core like Mong Kok. Besides, subject to the use, size, configuration and classification of individual sites and building design considerations, redevelopments may not necessarily be built up to the maximum BH limit. Thus, this would contribute to varieties in BH and outlook over the Area.

- (f) As mentioned in the AVA 2018, the differences in BHRs in particular 110mPD and 130mPD along Nathan Road could create downwash effect. However, in such high-density urban settings, it is not appropriate to rely solely on downwash effect for improving air ventilation at pedestrian level. Other measures, including NBA, BG and SB requirements imposed on the OZP and the implementation of SBDG, could also improve the pedestrian level wind environment and the permeability especially in the low zone.

NBA, BG and SB Requirements

- (g) According to the AVA 2018, district-wide air ventilation measures such as NBA, BG and SB requirements which orient and complement with the existing grid patterns of streets and air paths are regarded as good features for air ventilation in the Area and are therefore necessary to be retained (**Plans H-7 to H-7f**).
- (h) The provision of NBA, BG and SB requirements on the OZP would not take away the private land from development. The concerned area can still be included in the site area for PR/GFA calculation purpose. With regard to the provision of bonus GFA for the NBA/BG/SB requirements in the Notes of the OZP, any claim for bonus GFA could be processed following the established mechanism under the Buildings Ordinance. Assessments with reasonable assumptions have also been carried out to demonstrate that the relaxed BHRs could accommodate the permissible development intensity, taking into account the NBA, BG and SB requirements as stipulated under the OZP. The relaxed BHRs allow design flexibility in the shape and form of the buildings. Besides, the BG and SB requirements are also generally in line with the SC restrictions as stipulated in the First Schedule of the B(P)R.
- (i) In fact, after considering the findings of the AVA 2018, the BG at 20mPD aligned with Ka Shin Street previously imposed at a site currently zoned "OU(B)" to the west of Kok Cheung Street on the then Mong Kok OZP has been deleted on the ground that it would impose severe development constraints on the design of the future development of the site in that the tower footprint will be dictated by the BG. Other than this, the other NBA, BG and SB are required to be retained.

Proposals from Supportive Representation on Relaxation of BHRs

- (j) There is no strong justification to further relax the BHRs as there is no corresponding technical assessment to support the proposal and the potential impacts arising from the further relaxation of BHRs cannot be ascertained. On the contrary, it has been demonstrated by relevant technical assessments including the Assessment on BH for Commercial Buildings, AVA 2018 and Visual Appraisal that a BHR of 130mPD for “C” zones adjoining the Mong Kok and Prince Edward Stations and 110mPD for other “C” zones, “C(1)” zone and “OU(B)” zones are able to accommodate both the SBDG requirements and the development intensity as permitted on the OZP.
- (k) For the deletion of NBA, BG and SB requirements, our responses under paragraphs 6.4.2(g) to (i) above are relevant. There is no need to rely on the minor relaxation clause for BHRs and NBA/BG/SB requirements to achieve the maximum development intensity allowed under the OZP. Besides, regarding the proposal to amend the Notes and Explanatory Statement of the OZP to allow consideration of minor relaxation of NBA, BG and SB requirements on ‘individual merits’ instead of ‘under exceptional circumstances’, the latter wording is needed to give a clear message of the firm planning intention for the requirements and that the requirements could only be relaxed with very strong justifications and under exceptional circumstances.
- (l) In general, proposals involving dedication of land for public passage and surrender of land for street widening would be entitled to bonus GFA under B(P)R, and any such claim would be duly considered by the Building Authority in accordance with the normal practice. The standard clause allowing for the permitted PR to be exceeded as defined in section 22(1) or (2) of the B(P)R has already been stipulated for all development zones with PR control in the Notes of the OZP, including the “C”, “CDA”, “R(A)”, “R(E)”, “OU(Funeral Parlour)” and “OU(B)” zones.
- (m) For the proposal in relation to the relaxation scheme, the Area is an old urban area predominantly residential with commercial uses mainly concentrated along Nathan Road. The Area is very different in character from Tsim Sha Tsui which is a high-rise commercial node recognised in the Urban Design Guidelines under the HKPSG and the provision for such relaxation based on site area should be treated as an exception rather than a rule. It is therefore considered not appropriate to adopt the approach of the Tsim Sha Tsui OZP to the Mong Kok OZP.

6.4.3 For the grounds and proposals of opposing representations to the relaxation of BHRs of the representations **R2**, **R3** and **R5** to **R7** as detailed in paragraphs 4.2.5 and 4.2.6 above, PlanD, in consultation with relevant government bureaux/departments, has the following responses:

Traffic and Transport

- (a) As the revision to the BHRs does not involve any increase in the PR and/or GFA for all sites on the OZP, the Commissioner for Transport considers that an increase in traffic and pedestrian flows is not envisaged (**R2** and **R5**).
- (b) According to the Director of Environmental Protection, the Area is located in a reverberant environment. As such, the relaxed BHRs would unlikely bring about significant traffic noise impact due to echo effect of walled-buildings in the Area (**R3**).

Urban Design, Visual and Air Ventilation

- (c) Visual appraisal has been conducted as part of the BH review for the current OZP (Annex G of TPB Paper No. 10422) and the broad urban design principles set out in the Urban Design Guidelines under the HKPSG have been taken into account. These include compatibility of the BH profile with surroundings and preserving the views to ridgelines/mountain backdrops from the strategic vantage points. It is unlikely that the change in BHRs will cause significant effect on the established Mong Kok townscape and its surroundings comprising mainly compact and mixed high-rise developments of varying BHs and forms as illustrated in the photomontages of the visual appraisal (**Plans H-8 to H-8g**) (**R2, R6** and **R7**).
- (d) Moreover, the relaxed BHRs would allow design flexibility for future developments in meeting the SBDG which is intended to improve building permeability and visual amenity for a better pedestrian environment. The proposed BHRs relaxation would be a matter of trade-off amongst urban design considerations in the dense urban core like Mong Kok. Variations in lot size and development scale as well as differences in design styles and consideration would also contribute to varieties in BH and outlook over the Area (**R2, R6** and **R7**).
- (e) According to the AVA 2018, in general, the relaxed BHRs are unlikely to have any significant difference<sup>9</sup> in air ventilation aspects when compared to the previous BHRs. Moreover, it should be noted that in compact high-rise building areas, the increase in BH may cease to be the key factor affecting air ventilation at pedestrian level. Other measures such as NBA, BG and SB requirements imposed on the OZP and the implementation of SBDG could also improve the pedestrian wind environment especially in the low zone (**R3, R6** and **R7**).
- (f) With the relaxed BHRs, any development is still required to comply with other relevant legislation and government requirements, e.g. the

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<sup>9</sup> For the newly approved building plans in the past 5 years, about half of them have site areas of 400m<sup>2</sup> or more. In this connection, an assumption that the proportion of sites with areas larger than 400m<sup>2</sup> is 50% and greater has been adopted in assessing the potential impacts of the revised BHRs on air ventilation in the Area.

Buildings Ordinance in respect of the natural lighting and ventilation requirements (**R6** and **R7**).

Implementation of the SBDG

- (g) The SBDG was first promulgated by the Buildings Department in 2011 through Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and APP-152 in response to various changes to design requirements and building features. Practice notes and guidelines would be issued by the Building Authority as and when necessary to reflect changing circumstances (**R3**).
- (h) Although the SBDG is not a statutory requirement, it is one of the prerequisites for granting GFA concessions for greening/amenity features and non-mandatory/non-essential plant rooms and services. Moreover, the SBDG requirements will be included where appropriate in the lease conditions of new land sale sites or lease modification/land exchange. By making reference to the newly approved buildings plans in the past 5 years, there is an increasing potential for implementation of the SBDG in particular the building separation requirements. Hence, the wind environment of the pedestrian level will be improved due to the benefits brought by better building permeability. This echoes the representers' views that SBDG requirements would improve air ventilation in the locality. In light of the above, the amendments incorporated into the current Mong Kok OZP, which have duly considered the relevant considerations including the SBDG requirements, will help achieve good building design and a sustainable environment for the Area (**R3**).
- (i) As a matter of fact, except the BG at 20mPD aligned with Ka Shin Street which is located near the central part of a site, all the NBA, BG and SB have been retained in accordance with the findings of the AVA 2018. For the deletion of the BG at Ka Shin Street (Item B3), a balance has been struck between the public aspirations for a better living environment and the constraints imposed on the design flexibility of the future development at the site (**R3**).

Impact on Receiving Television Signals

- (j) According to the Director-General of Communications, the overall television reception of the Area is fair. That said, the reception signals of some low-rise buildings, such as old buildings in the Tai Kok Tsui area, may be affected by high-rise buildings in the vicinity. Based on the past experience, these affected buildings can adopt different technical methods, including adjusting the position and orientation of the antenna and installing appropriate television booster to improve the television reception. In addition, the affected buildings may also install public antennas on the roof floor with suitable television booster and splitter which can help improve

television reception for residents of the entire building (**R2**).

Proposals from Opposing Representations on Relaxation of BHRs

- (k) Regarding **R6** and **R7**'s proposals of maintaining the BHRs in the areas to the west of Tai Kok Tsui Road as shown on the previous OZP, it should also be noted that the amendments incorporated into the current draft OZP have duly taken into account all relevant planning considerations, the SBDG requirements, various urban design guidelines, AVA 2018, land use zonings, permitted development intensity and private development rights, as well as the public aspirations for a better living environment. The current BHRs for the representation sites are considered appropriate and have already allowed design flexibility for incorporation of the SBDG requirements including greenery and/or design features on ground and at podium levels to improve both living and pedestrian environment (**R6** and **R7**).

6.5 Responses to Representations on the SYS Site

6.5.1 The supportive views of **R1** and **R2** are noted.

6.5.2 The grounds and proposals of the opposing representations on the SYS Site (**R2** to **R5** and **R8** to **R283**) are detailed in paragraphs 4.3.3 and 4.3.4 above. PlanD, in consultation with the relevant government bureaux/departments, has the following responses:

The SYS Study – Land Use Proposal and Public Consultation

- (a) The SYS Study was commissioned by the PlanD, with a view to examining the development potential of the SYS Site for comprehensive development and making recommendations to enhance public realm and public transport facilities of the Area. Public consultation was conducted from March 2016 to June 2016. YTMDC, the local community and other major stakeholders were consulted and the comments received were taken into account in finalising the recommendations of the SYS Study, as appropriate (**Drawings H-1** to **H-6**). It was recommended that the site is suitable for commercial uses (with office/hotel/retail mix) with the provision of POS, GIC and public transport facilities. In order to address the concerns of the YTMDC and the general public, the maximum BH of the SYS Site was lowered by 30m from 350mPD to 320mPD and the total number of public parking spaces to be provided was increased from 80 to 130 and more loading/unloading facilities would be provided to accommodate existing on-street X-B coaches stopping points, in addition to those along Sai Yee Street. Subsequently, support from the YTMDC on the recommendations of the SYS Study was gained in November 2017 before the Study findings were reported to the Board on 23.2.2018 (**Annex VII**). The Study was completed in early 2018 (**R5** and **R8** to **R280**).



- (b) A balance has been struck to optimise the land use and development intensity for a comprehensive commercial development with open space and public facilities at the SYS Site as permitted under the current OZP. The needs to provide various public facilities (including a PLB PTI, public car parking spaces, various GIC facilities and POS) and space for road/footpath widening works around the SYS Site (**Drawing H-4**), as well as to optimise scarce land resources have been taken into account in the proposed development (**R3 to R5, R8 to R280 and R282**).
- (c) According to the 'Review of Land Requirement for Grade A Offices, Business and Industrial Uses' issued by PlanD in 2017, it is estimated that there will be shortage of GFA for Grade A offices of about 480,000m<sup>2</sup> in the Central Business District (CBD) area but surplus of about 550,000m<sup>2</sup> in the non-CBD area in 2023. However, although there is surplus in the provision of Grade A office space in the non-CBD area, most of the new supply will be concentrated in the new developments in Kai Tak, Kowloon Bay and Kwun Tong, and in the medium and long term in Tung Chung, Hung Shui Kiu as well as the potential redevelopment of industrial land. Mong Kok, as a traditional commercial and shopping area in the territory, has no new supply of land for commercial development. The SYS Site could allow provision of new Grade A office space in the core Kowloon area (**R5 and R8 to R280**).
- (d) The SYS Site is located near a busy PTI hub, commercial development would be more compatible and could further enhance the vibrancy of the Area (**R5 and R8 to R280**).
- (e) In addition to the commercial use, various GIC facilities (GFA of 4,940m<sup>2</sup>) will be provided at the SYS Site to address local concerns and meet the local community needs, including 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 (**R3 to R5, R8 to R280 and R282**).
- (f) Given the traffic noise as well as the adverse air quality impact generated from the nearby roads, PTI and the open-air railway line as well as the heavy pedestrian flow around the transport hub, commercial development is preferred to residential development at the SYS Site (**R218 to R224**).
- (g) During the public consultation period, a local consultation was conducted via the Yau Tsim Mong District Office of the Home Affairs Department by sending out a total of 227 consultation documents to all the 68 residential buildings within 100m from the SYS Site, Area Committee Members, YTMDC Members, schools and local organisations. Upon the end of the local consultation, a total of 51 replies were received. About 76% of the replies received are in support of the proposed development scheme with a high-rise office

block near the central portion of the SYS Site to maximise its provision of POS for public enjoyment, better air ventilation and visual permeability, though the single high-rise tower would breach the ridgelines as viewed from some vantage points (**R5** and **R8** to **R280**).

- (h) During the consultations with the local community and the YTMDC, most of the comments supported the proposed commercial use of the SYS Site as it could enhance the commercial activities and vibrancy of the area. A balance has been struck between the provision of POS, GIC and public transport facilities as well as the proposed commercial development (**R5** and **R8** to **R280**).

#### Provision of Open Space

- (i) For the planned provision of POS, while there is a shortfall of about 8 ha of local open space and 10 ha of district open space in the OZP area, there is a surplus of about 2 ha of local open space and 41 ha of district open space in the wider Yau Tsim Mong district (the provision of open space and major community facilities in the Area are at **Annex VIII**). To help alleviate the inadequate provision within the OZP area, a POS of about 9,750m<sup>2</sup> (including 6,550m<sup>2</sup> within the SYS Site of which 3,200m<sup>2</sup> should be provided at-grade, and 3,200m<sup>2</sup> on the southern part of the adjacent KCRC deck) has already been proposed in relation to the SYS Site (**Drawings H-1** and **H-3**). Opportunity for providing more open space can also be seized when other redevelopment projects proceed (**R3** and **R5**).
- (j) The future developer is responsible for design, construction and maintenance of the POS (including the one on the southern part of the adjacent KCRC deck) subject to the agreement of the Government and the requirements including management plan as specified in the lease (**R3** and **R5**).

#### Traffic and Transport

- (k) The SYS Site provides 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 to the SYS Site, provision of loading/unloading facilities in the development and incorporation of traffic management and improvement schemes with a view to improving the congested traffic situation in the wider area. For pedestrian connectivity, a comprehensive and user-friendly multi-level pedestrian network with new link bridges/footbridges connecting the SYS Site to the adjacent areas and facilities is also proposed (**Drawing H-5**) (**R5**, **R8** to **R281** and **R283**).
- (l) The setback incorporated in the SYS Site for road and footpath widening will enhance the vehicular and pedestrian flows of the Area and improve the pedestrian safety along the roads abutting the SYS Site. Specifically, the southbound carriageway of Sai Yee Street is

proposed to be widened from two lanes to three lanes and the approaching lanes at the junction of Argyle Street will also be widened. For Argyle Street, the width of the eastbound carriageway is proposed to be widened and the existing left-turn flare lane to Luen Wan Street is proposed to be extended to a standard lane for left-turn movement. For Luen Wan Street, the section between the proposed ingress/egress of the SYS Site and Argyle Street is proposed to be widened from one-way dual lanes to three lanes with two northbound lanes and one southbound lane. The corresponding sections of footpath of Sai Yee Street and Argyle Street are proposed to be widened to 4.5m while that of Luen Wan Street to 3.5m (**Drawing H-4**) (**R5, R8 to R281 and R283**).

- (m) The proposed development will provide 130 public car parking spaces including 10 for coaches/medium and heavy goods vehicles. In total, about 500 ancillary car parking spaces will be provided in the development. It is considered a good mix and balance of land uses (**R2**).

Urban Design, Visual and Air Ventilation

- (n) The maximum BH of 320mPD (including rooftop structures) imposed on the SYS Site allows a smaller building footprint for the proposed development to provide more POS at pedestrian accessible levels (**Drawing H-2**). It also allows better visual quality and air ventilation, in particular at pedestrian levels (**R2 to R5 and R8 to R280**).
- (o) It is mentioned in the Urban Design Guidelines of the HKPSG that a 20% 'building free zone' should be allowed for to protect the ridgeline views, while flexibility may be considered on individual merits and for special landmark buildings to give punctuation effects at suitable locations, which is well applicable to the SYS Site which is located at a transport hub next to the Mong Kok East Station with PTI and in close proximity to the Mong Kok and Prince Edward Stations (**Drawing H-6**). The proposed landmark building design will enhance Mong Kok's identity and add/maintain vibrancy of the Mong Kok area. The BH profile imposed on this site has been carefully considered to minimise impact on the surrounding environment, including the effect of overshadowing on the nearby development, such as on the Hong Kong and Kowloon Chiu Chow Public Association School where the BHR imposed on the area immediately south of the school is 40mPD (**Drawing H-3**) (**R2 to R5**).
- (p) On air ventilation, an AVA under the SYS Study has been carried out to compare the existing condition with the proposed development under the SYS Study. The results show that there is generally slightly better wind environment on the surrounding areas under both annual and summer conditions due to the proposed development (**R3 to R5 and R8 to R280**).

- (q) Several important design features were identified in the AVA under the SYS Study for air ventilation performance. The design features include:
- a height profile with a high-rise building in the central part and lower BH in the northern and southern parts of the SYS Site to introduce downwash wind to the lower level (**Drawings H-1 and H-2**); and
  - a BG with a width of 30m above 23mPD on top of the podium aligning with Mong Kok Road and a BG with a width of 20m on top of the podium aligning with Fife Street (**Drawings H-1 and H-3**). The two BGs allow the annual north-easterly and easterly wind to penetrate through the SYS Site and reach the downwind built-up area (**R3 to R5 and R8 to R280**).
- (r) The effectiveness of the above-mentioned design features have been reconfirmed in the AVA 2018. The BH concept and the 30m-wide BG requirement as mentioned in paragraph 6.5.2(q) above have been incorporated into the OZP (**R3 to R5 and R8 to R280**).
- (s) More detailed wind enhancement features are also incorporated in the planning and design brief to ensure that the SYS Site would not cause any significant impact to the surrounding pedestrian wind environment (**R3 to R5 and R8 to R280**).
- (t) Further setback at Sai Yee Street will lower the development potential of the SYS Site. In addition, Grade A office development requires a relatively large size of site area. Further setback at the SYS Site may have significant impact on the viability of Grade A office development in view of its elongated shape and the need to provide a large amount of POS (of 6,550m<sup>2</sup> within the SYS Site including 3,200m<sup>2</sup> at-grade), GIC facilities (of 4,940m<sup>2</sup>) and transport facilities (of 15,450m<sup>2</sup>), accounting for about 14% of its total GFA (**R4**).

*Proposal from Opposing Representation on the SYS Site*

- (u) Regarding **R282**'s proposal, there is no strong justification to lower the BH of the SYS Site to not more than 10 storeys. It also cannot achieve better utilisation of land resources. Moreover, broad technical assessments have been conducted and demonstrated that the proposed development at the SYS Site is technically feasible without any insurmountable problems on relevant aspects.

## 6.6 The Soy Street Site

- 6.6.1 The grounds of the opposing representation on the Soy Street Site (**R2**) are detailed in paragraph 4.4.1 above. PlanD, in consultation with the relevant government bureaux/departments, has the following responses:

The relinquishment of the community hall for the provision of social welfare facilities at the Soy Street Site (**Plan H-2**) has been agreed by concerned bureaux/departments, taking into account that a standard community hall has been proposed at the SYS Site. At present, there are two community halls/community centres in the Yau Tsim Mong district (namely Henry G Leong Community Centre and Mong Kok Community Centre). Apart from the proposed community hall at the SYS Site, a site at Hoi Ting Road, which has been reserved for an indoor recreation centre, will also include a community hall. In view of the above, it is considered appropriate to accommodate social welfare facilities at the Soy Street Site to serve the local community from land use optimisation perspective.

## 6.7 Procedural Matters

- 6.7.1 In light of the Court's ruling on the JR in relation to the OZP, a review of the development restrictions including the BHRs and the requirements on NBA, BG and SB on the OZP was conducted. The amendments incorporated into the current draft Mong Kok OZP has duly taken into account all relevant planning considerations, the SBDG requirements, urban design guidelines, the AVA 2018 and the permitted development intensity under the OZP. The grounds and proposals of the previous R9 opposing representation submitted by REDA on the amendment items to the then Mong Kok OZP No. S/K3/28 and PlanD's responses in consultation with relevant government bureaux/departments are at Annex H2 of TPB Paper No. 10422 in the current round of OZP amendments which is also attached at **Annex IX** of this paper for reference. As soon as the Board agreed that the proposed amendments to the OZP were suitable for exhibition under the Ordinance on 22.6.2018, REDA was informed on 13.7.2018 about the Board's decision and invited to submit representations and comments in respect of the proposed amendments upon gazettal on 13.7.2018. During the statutory plan exhibition period, REDA had submitted representation (**R1**) which has included those amendment items that they had objected to under the previous R9 in respect of the then Mong Kok OZP No. S/K3/28 but REDA considered these amendment items had not yet been addressed under the current draft Mong Kok OZP No. S/K3/31.
- 6.7.2 All items raised by REDA have been included in this paper for consideration by the Board, such that the Board can duly reconsider the previous R9 submitted by REDA in respect of the then Mong Kok OZP No. S/K3/28 in the context of the current representation **R1**. As mentioned in paragraph 6.7.1 above, the grounds and proposals of the previous R9 opposing representation submitted by REDA on the amendment items to the then Mong Kok OZP No. S/K3/28 have been duly addressed. PlanD's responses to the proposals which are included in the previous R9 in respect of the then Mong Kok OZP No. S/K3/28 are also provided in paragraphs 6.4.2(j) to (m) above. Should the Board consider that any amendments to the current draft Mong Kok OZP No. S/K3/31 are necessary after consideration of representations including **R1**, it will gazette those amendments under the Ordinance, as appropriate.

## 6.8 Responses to Other Comments

6.8.1 For the other comments made by **R2** on the OZP amendments, PlanD has the following responses:

- (a) The OZP amendments were published for public inspection in accordance with the provision of the Ordinance. During the statutory publication period, any person may make representation to the Board in respect of any of the amendments. After receiving the representations and comments on the representations, the Board will invite all representers and commenters to attend a representation hearing. The Board will take into account all relevant considerations before making a decision on individual amendment items.
- (b) Regarding the interface of the OZP amendments with other on-going planning studies, the Yau Mong Study was commissioned by the URA in April 2017 for completion in 24 months. In the meantime, there is no concrete proposal yet. Should there be any proposal requiring amendments to the OZP, the relevant stakeholders including the YTMDC will be consulted. For the study under the Task Force on Land Supply, there is no major proposal affecting the Area. In any case, any new proposals arising from the above studies would need to be implemented in accordance with the statutory planning procedures, as appropriate.

## 6.9 Responses to Grounds and Views of Comments

6.9.1 The supportive views of **C1(part)** and **C2** to **C15** on the relaxation of BHRs and/or SYS Site are noted.

6.9.2 The grounds of comments asking for further relaxation of the BHRs (**C1(part)**) and opposing/raising concerns on the rezoning of the SYS Site (**C16** and **C17**) are largely similar to those raised in the representations. The responses to the representations in paragraphs 6.4 and 6.5 above are relevant. The major grounds of comments and PlanD's responses are at **Annex V(a)**.

## 7. Consultation

7.1 The following government bureaux/departments have been consulted and their comments have been incorporated in the above paragraphs and **Annex V(a)** where appropriate:

- (a) Secretary for Transport and Housing;
- (b) Secretary for Development;
- (c) Executive Secretary (Antiquities and Monuments), Development Bureau;
- (d) Chief Building Surveyor/Kowloon, Buildings Department;
- (e) Chief Architect/Central Management Division 2, Architectural Services Department;
- (f) Chief Highways Engineer/Kowloon, Highways Department;

- (g) Chief Engineer/Railway Development 2-2, Railways Development Office, Highways Department;
- (h) Chief Engineer/Mainland South, Drainage Services Department;
- (i) Chief Engineer/Construction, Water Supplies Department;
- (j) Chief Engineer/Kowloon, Water Supplies Department;
- (k) Chief Engineer/South(2), Civil Engineering and Development Department;
- (l) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (m) Chief Town Planner/Housing, Offices and Land Supply, Planning Department;
- (n) Commissioner of Police;
- (o) Commissioner for Transport;
- (p) District Lands Officer/Kowloon West, Lands Department;
- (q) District Officer (Yau Tsim Mong), Home Affairs Department;
- (r) Director of Environmental Protection;
- (s) Director of Fire Services;
- (t) Director of Electrical and Mechanical Services;
- (u) Director of Leisure and Cultural Services;
- (v) Director of Agriculture, Fisheries and Conservation;
- (w) Director of Food and Environmental Hygiene;
- (x) Director of Social Welfare;
- (y) Director of Health; and
- (z) Director-General of Communications

## 8. **Planning Department's Views**

- 8.1 The supportive views of **R1** and **R2** are noted.
- 8.2 Based on the assessment in paragraph 6 above, PlanD does not support the remaining part of representations **R1** and **R2** as well as representations **R3** to **R283** and considers that the OZP should not be amended to meet the representations for the following reasons:

### Relaxation of BHRs

- (a) the amendments to the OZP including relaxation of the BHRs and the revision to the 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 SBDG requirements and a proper balance between public interest and private development right (**R1** to **R3** and **R5** to **R7**);
- (b) the BHR of 130mPD for “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 “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, BG and 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 PR to be exceeded as defined in section 22(1) or (2) of the B(P)R 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 and R5 to R7**);
- (g) the BHRs of 100mPD for the “R(A)” and “R(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 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 GIC facilities, POS 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 GIC facilities of 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 social welfare facilities are suitable to be accommodated in the site to serve the local community (**R2**).

- 8.3 Other than the amendments proposed in the draft Mong Kok OZP No. S/K3/31, PlanD does not support 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) above and **Annexes V(a)** and **IX** of this paper.

## **9. Decision Sought**

The Board is invited to give consideration to the representations and comments and decide whether to propose/not to propose any amendment to the Plan to meet/partially meet the representations.

## **10. Attachments**

<b>Annex I</b>	Draft Mong Kok OZP No. S/K3/31 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the Draft Mong Kok Outline Zoning Plan No. S/K3/30
<b>Annex III</b>	Minutes of 1177 <sup>th</sup> TPB Meeting held on 22.6.2018 (Extracted)
<b>Annex IV</b>	Minutes of Yau Tsim Mong District Council Meeting held on 12.7.2018 (Extracted)
<b>Annex V(a)</b>	Summary Table of Representations and Comments
<b>Annex V(b)</b>	List of Representations (R1 to R283) and Comments (C1 to C17)
<b>Annex VI</b>	CD-Rom of Representations and Comments ( <i>for TPB Members only</i> )
<b>Annex VII</b>	Minutes of 1165 <sup>th</sup> TPB Meeting held on 23.2.2018 (Extracted)
<b>Annex VIII</b>	Provision of Open Space and Major Community Facilities in Mong Kok Area
<b>Annex IX</b>	Summary of Previous Representation R9 in respect of the Draft Mong Kok OZP No. S/K3/28 and Responses
<b>Drawing H-1</b>	Block Layout of the Recommended Development Scheme for the Sai Yee Street Study
<b>Drawing H-2</b>	Section Plan of the Recommended Development Scheme for the Sai Yee Street Study
<b>Drawing H-3</b>	Indicative Illustration of the Recommended Development Scheme for the Sai Yee Street Study
<b>Drawing H-4</b>	Proposed Road/Footpath Widening Associated with the Sai Yee Street Study
<b>Drawing H-5</b>	Proposed Pedestrian Connections and Proposed Footbridge Links for the Sai Yee Street Study
<b>Drawing H-6</b>	Illustrations showing Visual Impact of the Recommended Development Scheme to the Ridgeline from Two Strategic Viewing Points for the Sai Yee Street Study
<b>Plan H-1</b>	Amendments incorporated in Draft Mong Kok Outline Zoning Plan No. S/K3/31
<b>Plan H-2</b>	Location Plan of Representations and Comments

<b>Plan H-2a</b>	Aerial Photo showing location of Representations and Comments
<b>Plan H-3</b>	Existing Building Height Profile in the Mong Kok Area
<b>Plan H-4</b>	Site Plan of R1's Proposals
<b>Plan H-5</b>	Site Plan of R6 and R7's Proposals
<b>Plan H-6</b>	Site Plan of R282's Proposal
<b>Plan H-7 to H-7f</b>	Location Plan and Site Plans of the Current Non-Building Area, Building Gaps and Setback Requirements in the Mong Kok Area
<b>Plan H-8 to H-8g</b>	Viewing Points of Photomontages and Photomontages of Building Height Profile (Based on Site Classification)

**PLANNING DEPARTMENT  
MARCH 2019**