

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/K10/3

<u>Applicant</u>	: Good Focus Holdings Limited represented by Ove Arup & Partners Hong Kong Limited
<u>Site</u>	: 128 Carpenter Road, Kowloon City, Kowloon (New Kowloon Inland Lot No. (NKIL) 6056)
<u>Site Area</u>	: 5,921m ² (about)
<u>Lease</u>	: Restricted to non-industrial (excluding residential, hotel and godown) purposes with a requirement for provision of 449 public car parking spaces with restrictions on gross floor area (GFA) and building height (BH)
<u>Plan</u>	: Draft Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/25
<u>Zoning</u>	: “Other Specified Uses” (“OU”) annotated “Commercial Development with Public Vehicle Park” [Maximum GFA of 47,858m ² and building height restriction (BHR) of 36mPD]
<u>Proposed Amendment</u>	: To rezone the application site from “OU” annotated “Commercial Development with Public Vehicle Park” to “Residential (Group A) 4” (“R(A)4”) [Maximum domestic plot ratio (PR) of 7.5 and total PR of 9.0 for a building which is partly domestic and partly non-domestic, and BHR of 100mPD]

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**) from “OU” annotated “Commercial Development with Public Vehicle Park” to “R(A)4” to facilitate a private residential development with retail facilities and a public vehicle park (PVP) subject to a maximum domestic plot ratio (PR) of 7.5 and total PR of 9.0 for a building which is partly domestic and partly

non-domestic, and a building height restriction (BHR) of 100mPD. The proposed schedule of use for the “R(A)4” zone and the Explanatory Statement (ES) submitted by the applicant is at **Appendix II**. The Site was the subject of a previous s12A planning application, with same development parameters and zoning designation but without proposal for interim public car park arrangement, that was not agreed by the Metro Planning Committee (the Committee) as explained in paragraph 5.1 below.

- 1.2 According to the indicative scheme submitted by the applicant, the proposed development comprises two residential towers of 22 residential floors over one level of residents’ clubhouse, three levels of retail podium and five basement levels of car parking facilities. The proposed development, with a domestic GFA of 44,407.5m² and non-domestic GFA of 8,881.5m², would provide 850 residential units, shop and services and eating place, a PVP providing 400 private car and 49 goods vehicle parking spaces, and ancillary car parking facilities. The applicant proposes to specify in the Notes that the underground private/public vehicle park is to be exempted from GFA calculation (**Appendix II**). Under the indicative scheme, the proposed development provides the following design measures: (1) a 4.45m-wide setback along the western boundary of the Site abutting an unnamed lane (extending north of Fuk Lo Tsun Road) up to 15m above street level to enhance the walking environment as well as wind penetration along the road (**Drawings Z-3 to Z-5a and Z-7**); (2) an internal public corridor of not less than 6m wide on G/F connecting Carpenter Road and the Carpenter Road Park (**Drawing Z-3**); (3) a 15m-wide building separation between the two towers above G/F¹ to facilitate wind and visual penetration (**Drawings Z-4 to Z-7**); (4) a 9.5m-wide setback from the eastern boundary, which included an internal driveway with a width of not less than 7.3m (**Drawings Z-3 and Z-5a**); (5) a 30m-wide building separation at 3/F (**Drawing Z-5a**); and (6) a varying northern façade and green terraces at 1/F and 2/F facing Carpenter Road Park with setback ranging from 1m to 3m from the site boundary to enhance the interface of the scheme with Carpenter Road Park (**Drawings Z-9 and Z-10**). The drawings of the indicative scheme provided by the applicant are at **Drawings Z-1 to Z-7**. The applicant proposes that the above design measures (except item (5)) be set out in the ES of the OZP. In addition, the applicant also proposes to include the provision of 449 PVP in the redevelopment and provision of PVP during demolition and construction periods as far as technically feasible in the ES (**Appendix II**).

- 1.3 The major development parameters of the indicative development scheme provided by the applicant are as follows:

Site Area (about)	5,921m ²
Maximum GFA	
- Domestic	Not more than 44,407.5m ²
- Non-domestic	Not more than 8,881.5m ²

¹ The indicative scheme shows there are covered walkways, atrium and footbridges at 1/F to 3/F within the building separation area.

PR - Domestic - Non-domestic	Not more than 7.5 Not more than 1.5	
No. of Block (Composite)	2 (residential blocks on top of retail podium and basement carpark)	
Maximum building height (BH) at Main Roof	100mPD	
No. of Storeys - Residential floors - Lobby/Clubhouse - Retail Podium - Basement Carpark	Total: 31 (excluding transfer plate) 22 1 3 5	
No. of Flats	850	
Parking Facilities - Private Car - Goods Vehicle - Motorcycle - Loading/Unloading (L/UL) Spaces	<u>Ancillary Parking</u> 184 - 14 5 for heavy goods vehicle (HGV); 5 for light goods vehicle (LGV)	<u>Public Parking</u> 400 49 - -
Private Open Space	Not less than 2,380m ²	

- 1.4 According to the landscape proposal submitted by the applicant (**Appendix Ib**), there is no existing tree within the site and not less than 2,380m² of private open space will be provided within the proposed development, including at-grade landscape area, landscaping on terraced podium, landscaped atrium on 2/F (for visitors and residents), and podium garden on 3/F (for residents) (**Drawings Z-12 to Z-18**).
- 1.5 To maintain a temporary public car park during demolition and construction stages, the applicant proposes to provide not less than 60 public car parking spaces seamlessly by a 3-stage redevelopment programme (estimated to be a total of about 6 years). It is proposed to divide the existing building into two portions (eastern and western portions) (**Drawings Z-19 to Z-25**). During Stage 1 (duration of about 7 months), while the existing 400 nos. of private car parking spaces on 5/F and R/F will be retained, alterations and additions (A&A) works will be carried out to enable a self-contained public carpark at B3/F at the western portion. During Stage 2 (duration of about 2 years and 4 months), a temporary public car park with 60 nos. of spaces will be provided at B3/F of western portion, while the entire eastern portion will be demolished, and redevelopment of the eastern portion (including permanent car parking provision in basement levels) will commence. During Stage 3 (duration of about 3 years and 1 month), not less than 60 nos. of public car park spaces will be provided at

B3/F in the eastern portion, and the existing building in the western portion will be demolished and redeveloped.

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

- (a) Letter from the applicant with application form (**Appendix I**) received on 6.5.2020
- (b) Supplementary planning statement (**Appendix Ia**)
- (c) 1st Further Information (FI) vide letter received on 1.6.2020 providing indicative architectural drawings and technical assessments including Visual Impact Assessment (VIA), Traffic Impact Assessment (TIA), Sewerage Impact Assessment (SIA), Noise Impact Assessment (NIA), Landscape Proposal and Air Ventilation Assessment (AVA)[1st FI]
[Not exempted from publication and recounting requirements.] (**Appendix Ib**)
- (d) 2nd FI received on 17.7.2020 providing responses to departmental comments and supplementary information for the AVA [2nd FI] (**Appendix Ic**)
- (e) 3rd FI dated 13.8.2020 providing responses to public and departmental comments and supplementary information for Interim Car Park Study [3rd FI] (**Appendix Id**)

2. **Justifications from the Applicant**

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

Optimizing the Use of Land for Housing

- (a) The Site is situated within a high-density residential neighbourhood well served by Government, institution and community (GIC) facilities, existing infrastructures and established transport networks, the proposed amendment could optimize the use of the Site providing about 850 flats, retaining commercial uses on the lower floors and reprovisioning the PVP. The living quality of the community would be enhanced.
- (b) The Site will be transformed from a pure commercial site into a residential site with commercial elements to alleviate the housing shortage. This is in line with the Government's policies in providing housing supply, and it is a timely replenishment of private residential flats to the market in the area when three private residential sites are changed into subsidized housing sites in Kai Tak area.

The rezoning proposal will contribute to housing provision and provide planning merits (e.g. linking people from Carpenter Road to the park, wind and visual penetration and integration with Carpenter Road Park), hence to establish a desirable precedent for similar developments.

- (c) In response to the public comments that Kowloon City Plaza is the only gathering place or indoor cultural/performance venue in Kowloon City, the applicant indicated that Kowloon City Plaza had all along been operating as a shopping centre on commercial basis and there are no designated Government, institution or community uses or community hall use within the existing development.

Proposed Development Intensity

- (d) The Site is in close proximity to residential sites zoned “R(A)” with BHRs of 100mPD, 120mPD and 140mPD (**Plan Z-1**). The proposed BHR of 100mPD for the proposed “R(A)4” zone was referenced to the BHR of the surrounding “R(A)2”² zone to the south of the Site.
- (e) As compared to the existing development with PR of 8.08, the proposed amendment only represents an increase of PR by 0.92, but offers a pleasant transformation of the built form from a ‘shoe-box’ to a permeable and interesting built form allowing pleasant connectivity and walking experience to and from the Carpenter Road Park.

Parking and Traffic Aspects

- (f) Traffic queues are commonly observed at the entrance of Kowloon City Plaza, blocking the eastbound traffic along Carpenter Road and the junction of Carpenter Road/Lion Rock Road. To avoid vehicle queue tailing back onto external roads, sufficient vehicle waiting spaces (approximately 16 nos.) from ticket gate control at B2/F up to G/F are proposed within the Site and traffic wardens will be deployed to manage traffic to the PVP.
- (g) Under the indicative scheme, all the existing PVP parking spaces (e.g. 400 private car parking spaces and 49 goods vehicle parking spaces) will be re-provided, additional parking spaces will also be provided for the new retail and residential portions according to the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG).
- (h) The current application addresses the temporary public car parking arrangement during the interim period. The applicant proposes to provide not less than 60 public car parking spaces seamlessly during the entire interim period. The redevelopment programme proposes to demolish the existing structure in 3 stages to maintain the provision of these public car parking spaces throughout the whole redevelopment. The applicant proposed provision of temporary public

² The “R(A)2” zone is subject to BHR of 80mPD as stipulated on the OZP, while sites with an area of 400m² or more are subject to BHR of 100mPD as stipulated in the Notes.

car park as far as technical feasible in the ES of the OZP.

Retail Facilities

- (i) The committed major shopping malls in Kowloon City and the Kai Tak Development Area (KTDA), including about 8,000m² non-domestic Gross Floor area (GFA) in the Urban Renewal Authority (URA) Kai Tak Road/Sa Po Road Development Scheme and about 153,000m² retail GFA in KTDA, could accommodate the residents' and shoppers' needs. The existing shopping mall is underutilized with 8,881.5m² active retail GFA. Reprovisioning of about 8,881.5m² retail GFA on site is considered adequate in continuous provision of services to the community.

Planning Merits and No Adverse Technical Impacts

- (j) Various technical assessments (i.e. VIA, TIA, SIA, NIA, landscape proposal and AVA) were conducted, and all concerned departments have no adverse comment on the application from technical aspects. The development parameters under the current application are identical to the previous application No. Y/K10/3 and the indicative scheme is largely unchanged.
- (k) The redevelopment would transform the existing 'shoe-box-like' shopping mall to a green and iconic building design with wind and visual penetration. The Site will retain its function as a PVP with commercial facilities, and there will also be planning merits to the community, such as 15m-wide building separation above G/F and between two residential towers, 30m building separation at 3/F, and a setback of 4.45m along the western boundary of the Site up to 15m to ensure wind and visual penetration. The 4.45m-wide setback at the west along the existing lane would also enhance the walking environment. Moreover, an internal north-south public corridor of not less than 6m on G/F is proposed at the development, and the retail facilities along the corridor would replicate and extend the Kowloon City's "street-shop" culture and enhance the pedestrian linkage between the hustle and bustle street in the south and open space in the north. In addition, the applicant has introduced a new measure to enhance the interface of the proposed development with Carpenter Road Park by providing a varying façade with setbacks ranging from 1m to 3m from the northern site boundary and provision of green terraces at 1/F and 2/F (**Drawings Z-9 and Z-10**).

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. **Background**

A Planned Multi-storey Vehicle Park since Early 1980's

Original Zoning under OZP

- 4.1 Since 1978, the Site had been zoned "Government, Institution or Community" ("G/IC") on the Wang Tau Hom & Tung Tau OZP No. LK 8/23A. In 1987, the Site, among others, was excised from the Wang Tau Hom & Tung Tau Planning Scheme Area and zoned "G/IC" on the Ma Tau Kok OZP No. S/K10/3 for a proposed multi-storey car park (with commercial uses), and according to the Notes of the OZP at that time, the proposed multi-storey vehicle park was permitted as of right, but commercial uses require planning permission from the Town Planning Board (the Board).

Outline Development Plan (ODP)

- 4.2 Prior to 1981, the Site was reserved for a joint-user Government Building on the Wang Tau Hom & Tung Tau ODP. In 1982, the Site was designated to include about 750 car parking spaces, government offices and other community facilities on the draft Wang Tau Hom & Tung Tau ODP No. LK 8/19G. Since 1992 till now, the Site is designated as "OU (multi-storey carpark to include commercial uses)" on the ODP.

Approved Planning Application

- 4.3 In 1988, a planning application (No. A/K10/71) was submitted by the District Lands Officer/Kowloon West of the then Buildings and Lands Department, to seek planning permission for the development of a multi-storey vehicle park with non-industrial (excluding residential, hotel and godown but including theatre/cinema) uses at the Site. According to the Notes of the OZP at that time, planning permission from the Board was required for commercial uses. The proposed inclusion of non-industrial uses at the Site was to address the strong request of the then Kowloon City District Board on the need for commercial uses in the neighbourhood, and relevant government departments had no objection to the application. On 10.6.1988, the application was approved by the Board.

Development of Kowloon City Plaza

- 4.4 The Site was sold by public auction in 1989 and the land sale condition required the provision of a minimum of 23,300m² non-industrial GFA (excluding residential, hotel and godown), inclusive of a 500-space multi-storey carpark (including parking spaces for 400 private cars and 100 lorries)³. In 1993, the 7-storey (over three basement levels) Kowloon City Plaza (about 34.8mPD) with

³ In 2012, the lease condition on car park provision was modified to 449 licensed motor vehicles and among them not less than 49 parking spaces shall be used for goods vehicles.

a total GFA of 47,857.741m² for multi-storey carpark and commercial uses including shops, restaurants and cinema was completed.

Rezoned from “G/IC” to “OU” annotated “Commercial Development with Public Vehicle Park” and Imposition of BHR

- 4.5 To better reflect the existing uses, the Site was rezoned to the current “OU” annotated “Commercial Development with Public Vehicle Park” zoning in 2003. The zoning restricted the development intensity to that of the existing development, i.e. GFA of 47,858m² (equivalent to PR of 8.08).
- 4.6 In 2008, BHRs were stipulated on various zones in the OZP. A BHR of 36mPD was stipulated on the “OU” zone covering the Site to keep the existing development bulk intact in order to provide visual and spatial relief to the built-up urban context.

5. Previous Application

- 5.1 Under the current “OU” zoning, the same applicant applied for proposed amendments at the Site in 2018 (Application No. Y/K10/2) with the same development parameters and zoning designation. On 29.11.2019, the Committee considered the application No. Y/K10/2 and generally had no in-principle objection to the proposed residential cum commercial and PVP uses and development intensity for the proposed development on the Site. However, Members had general concern about the traffic condition in Kowloon City and considered that practical interim measures to address demand for public parking spaces during the demolition and construction stages (i.e. interim period) without aggravating the illegal parking problem in the area should be provided. The Committee decided not to agree to the application for the reason that it was pre-mature to rezone the Site that was planned and implemented as a PVP with commercial uses to serve the local neighbourhood, but no practical measures was provided to address the demand for public parking spaces during the demolition and construction stages that would aggravate the illegal parking in Kowloon City.
- 5.2 When the Site was zoned “G/IC” prior to 2003, there were two s.16 planning applications. Application No. A/K10/71 was outlined in paragraph 4.3 above. Another application (No. A/K10/184), submitted by the current applicant, for redeveloping part⁴ of the Kowloon City Plaza into a 39-storey hotel development (including 3 levels of basement) was rejected by the Board upon review on 10.3.2000 mainly on the grounds that the traffic impact assessment was inadequate to demonstrate that the proposed development would not have adverse impact, the application was not in compliance with the Town Planning Board Guidelines for Development/Redevelopment within “G/IC” zone in that it was predominantly for non-GIC uses; and the proposed development shall be

⁴ The western portion of the existing development will be replaced by a hotel tower while the eastern portion will remain in-situ with two additional floors of car parks on top.

more appropriately considered in the context of a rezoning request with the support of necessary impact assessments.

6. **Similar Application**

The Site is the only site zoned “OU” annotated “Commercial Development with Public Vehicle Park” zone on the OZP and there is no similar application.

7. **The Site and Its Surrounding Areas** (Plans Z-1 and Z-2 and photos on Plans Z-4 to Z-5)

7.1 The Site:

- (a) is occupied by an existing shopping mall⁵ cum public car park (named Kowloon City Plaza) with three levels of basement, seven levels above ground and a rooftop for car parking facilities. The building height of the development is 34.8mPD, and according to the first approved building plan/occupation permit, the total GFA is 47,857.741m² with car parking facilities, shops, restaurants and cinema etc.;
- (b) provides 400 nos. of parking spaces for private car, 49 nos. of parking spaces for goods vehicle and 36 nos. of L/UL bays for HGVs. The major existing floor uses (observed on site on 15.5.2020) are as follows:

R/F	Car parking facilities
5/F	Car parking facilities, shop and services (minor portion)
4/F	Shop and services, eating places
3/F	Supermarket, department store
2/F	Department store
1/F	Shop and services, eating places, place of entertainment
UG/F	Shop and services, eating places
LG/F	Shop and services, eating places
B1/F	Shop and services, eating places
B2/F	Lorry parking/L/UL facilities
B3/F	Lorry parking/L/UL facilities

- (c) is abutting and accessible via Carpenter Road, which connects to Junction Road in the west and leading to various local roads in Kowloon City. The existing vehicular access is on Carpenter Road, and the Site is also accessible by pedestrians through Carpenter Road Park.

7.2 The surrounding areas have the following characteristics:

⁵ There was no information on the existing retail GFA in the general building plan, but as observed on site, seven floors (i.e. B1/F to 4/F; retail GFA per floor from around 4,600m² to 5,500m²) of the existing development are mainly for shop and services/eating place/place of entertainment uses.

- (a) to the immediate north and east is the large area of open space including Carpenter Road Park and Kowloon Walled City Park; and at northwestern fringe of the residential area of Kowloon City;
- (b) to the immediate west across an unnamed lane is the 4-storey Holy Family Canossa School zoned “G/IC”, and a site zoned “R(A)2”⁶ under construction which is subject to a maximum domestic PR of 7.5 or total PR of 9 and maximum BH of 100mPD. The latter has no direct frontage on the park;
- (c) across Carpenter Road to the south is primarily a residential area zoned “R(A)2” dominated with low and medium-rise residential developments with ground floor shop uses, and sporadically with new high-rise residential developments. These “R(A)2” zones are subject to BHR of 80mPD or 100mPD (for sites larger than 400m²); and
- (d) to the farther east within Kowloon City, the Urban Renewal Authority (URA) commenced the Kai Tak Road/Sa Po Road Development Scheme on 22.2.2019 (**Plan Z-1**). The proposed development is primarily for residential use with commercial components and is subject to a maximum domestic PR of 7.5 or total PR of 9 and maximum BH of 120mPD. According to the notional scheme, about 8,000m² non-domestic GFA (e.g. retail) will be provided. Moreover, there will be an underground PVP accommodating about 300 private car parking spaces, a sunken plaza of 1,000m² and GIC facilities of not less than 800m² GFA. On 3.6.2020, the Board considered the representations and comments in respect of the draft Kai Tak Road/Sa Po Road Development Scheme Plan (DSP) No. S/K10/URA1/1 and considered that the DSP should not be amended to meet the representations. The development is targeted for completion in 2030/31.

8. Planning Intention

The “OU” annotated “Commercial Development with Public Vehicle Park” zone is intended primarily for the existing commercial development with PVP, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.

9. Comments from Relevant Government Bureau/Departments

9.1 The following Government departments have been consulted and their views on

⁶ This site, with site area of 847.5m², was zoned “R(A)” since 1987. Prior to its “R(A)” zone, it was zoned “Commercial/Residential” (“C/R”). A set of general building plans for a composite commercial/residential development thereof was approved by the Building Authority on 17.6.2019. Residential development is allowed under its lease.

the application are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) The Site falls within NKIL 6056, which is restricted to non-industrial (excluding residential, hotel and godown) purposes with a requirement for provision of 449 public car parking spaces.
- (b) The proposed residential-cum-commercial development at the Site is in conflict with the lease conditions. Should the planning application be approved by the Board, the applicant is required to apply to LandsD for a lease modification to give effect to the proposal. However, there is no guarantee that the lease modification would be approved and if the applicant is eventually approved by LandsD in the capacity as the landlord at its discretion, it will be subject to such terms and conditions, including payment of any administrative fee and premium, considered appropriate by LandsD.

Traffic Aspect

9.1.2 Comments of the Commissioner for Transport (C for T):

He has no objection to the application provided that:

- (a) the applicant, developer or owner is responsible for the management, operation and maintenance of the PVP;
- (b) parking vacancy information system should be provided in the PVP;
- (c) to create an enjoyable walking environment, the applicant is encouraged to provide building canopies, including over public footpath(s) and/or right-of-way(s); and include the subject of pedestrian planning in development studies and planning applications, where applicable (paragraphs 5.6.11 and 5.9.2 of Chapter 8 of HKPSG respectively refer); and
- (d) the applicant, developer or owner shall provide, manage, operate and maintain temporary PVP during construction stage.

Building Matters

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

- (a) He has no in-principle objection to the proposed phasing scheme and A&A works subject to the compliance with the Buildings Ordinance (BO). He noted that only basic information for the proposed phasing scheme is provided in the submission and it is subject to further refinement when its details are firmed up. In this connection, detailed comments on the proposed phasing scheme and A&A works under the BO can only be formulated at the plan approval stage under the building regime.
- (b) Any rectangular horizontal plane of prescribed window of domestic flat projecting over the Carpenter Road Park would not be regarded as compliance with Building (Planning) Regulations 30 & 31.
- (c) The covered internal public corridor on G/F, big voids on 1/F to 4/F are GFA accountable.

Environmental Aspect

9.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) Based on the information received, he considers that with the implementation of the recommended mitigation measures (e.g. architectural fins, solid parapet walls, acoustic balconies, acoustic windows, etc.) and meeting the buffer distance for air quality as stipulated in the HKPSG (i.e. 5m from Carpenter Road, which is a local distributor, and with no chimney found within 200m of the Site), insurmountable environmental impacts (air quality, noise and sewerage) are not anticipated.
- (b) To ensure that the proposed development will be designed and built in accordance with the recommendations of the NIA and SIA, and that no adverse noise and sewerage impact will arise from the development, special conditions should be stipulated under the lease to require the developer to submit an updated NIA and SIA, and implement the design and mitigation measures, if required, recommended therein.
- (c) The applicant is advised on the followings:
 - (i) to observe and fulfil the relevant air quality requirements as stipulated in the Practice Note for professional Person (ProPECC) PN 2/96 “Control of Air Pollution in Car Parks”, e.g. exhaust air should be discharged to the atmosphere in such a manner and at such a location as not to cause a nuisance to occupants in the building or of neighbouring buildings, or to the public, etc.;

- (ii) to minimise the generation of Construction and Demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
 - (iii) to observe the relevant requirements under the Air Pollution Control Ordinance and Waste Disposal Ordinance for asbestos control prior to demolition of the existing buildings.
- (d) The 5m buffer distance is available based on the indicative scheme and the chimney survey conducted by the applicant in March 2018. In case the future development proposal cannot fulfil the buffer distance requirements for vehicular and chimney emissions stipulated under the HKPSG, the future developer should be required to carry out a quantitative Air Quality Impact Assessment (AQIA) to demonstrate the environmental acceptability of the proposed development in respect of air quality as well as to identify appropriate mitigation measures, if necessary.

Urban Design, Landscape and Air Ventilation

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

Urban Design and Visual

- (a) The Site is located at the southwestern fringe of an extensive “Open Space” (“O”) zone made up of Kowloon Walled City Park and Carpenter Road Park. A small lot to the immediate west of the Site is a planned high-rise residential development with a BHR of 100mPD (**Plan Z-2**). The grid pattern street blocks to the south of the Site across Carpenter Road is currently characterised by low-rise residential tenement blocks with some high-rise “in-fill” blocks. They are generally zoned “R(A)2” and intended for high density residential development with a two-tier BHR of 80mPD and 100mPD (for site with an area of 400m² or above). Given the above and as illustrated in the VIA and planning statement (**Drawings Z-8 to Z-11**), the proposed development may not be incompatible with the existing or planned character of the area, and it would unlikely induce adverse effect on the visual character of the surrounding townscape.
- (b) The current indicative scheme has retained the same design measures as that under the previous application, including: (1) 4.45m-wide building’s low zone setback along the lane at the

western boundary; (2) internal public corridor on G/F of not less than 6m-wide connecting Carpenter Road and Carpenter Road Park; and (3) 15m-wide building separation between residential blocks. Besides, the applicant has further proposed special façade treatment at the building's low zone along the northern boundary of the Site to enhance the interface with the Carpenter Road Park. The above measures may promote pedestrian connectivity, visual interest and building permeability. It is noted that the applicant has proposed to incorporate the requirements of the aforementioned design measures in the ES of the OZP, instead of under the Remarks in the Notes under the previous application.

Air Ventilation

- (c) The applicant has submitted an AVA Initial Study (AVA IS) report dated 30.10.2018 (AVA IS Report 2018) to support the current application. In addition, a response-to-comment table and AVA supplementary information at **Appendix Ib** was submitted to take into account the latest changes in building morphology within the surrounding area. In the qualitative assessment in the supplementary information, the applicant has explained that the updated committed/planned developments would not create significant influences and impacts on the pedestrian wind environment around the Site. Thus, the findings of the AVA IS Report 2018 are considered still valid in support the current application.
- (d) In the AVA IS Report 2018, an AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out. Two scenarios, i.e. the Baseline Scheme (an OZP-compliant scheme) and the Proposed Scheme, have been studied. As set out in the AVA IS report, mitigation measures including (1) 4.45m-wide setback from the western boundary for 15m-high above pedestrian level (**Drawings Z-3 and Z-5a**); (2) 15m-wide building separation above G/F between Tower 1 and Tower 2 (**Drawing Z-7**); (3) 9.5m-wide reduction of building footprint from eastern boundary at G/F (**Drawing Z-5a**); (4) 30m-wide building separation at 3/F between Tower 1 and Tower 2 (**Drawing Z-5a**), have been incorporated in the proposed scheme with the aim to address the potential adverse air ventilation impact induced by the proposal on the surrounding areas.
- (e) According to the simulation results, the proposed scheme would have better pedestrian wind environment in term of site velocity ratio (VR) and local VR under both annual and summer condition when compared with the Baseline Scheme.
- (f) Considering the above, it is not anticipated that the proposal with mitigation measures described above would generate significant

adverse air ventilation impact on the overall pedestrian wind environment as compared with the Baseline Scheme.

Landscape

- (g) In consideration that various landscape treatments and planting are proposed along the building edges at different levels of the development to enhance the landscape and visual quality, he has no objection on the proposed rezoning from landscape planning point of view.

Fire Safety

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

No objection in-principle to the application subject to fire service installations and water supplies for fire fighting being provided to the satisfaction of his Department. Emergency vehicle access (EVA) shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administrated by BD. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

Local Views

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

- (a) He has no comment on the application and note that PlanD has notified the interested Kowloon City District Council (KCDC) members and the Owners' Committees/Mutual Aid Committees/Management Committees of buildings near the Site on the planning application and that notified parties have been invited to make comments to the Board. The Board should take into account all the comments gathered in the decision making process. Should the application be eventually approved, the applicant should take appropriate measures to address the residents' concerns.

KCDC Meeting

- (b) The item of "Further Strong Opposition to the Plan to Demolish Kowloon City Plaza for Construction of 31-storey Luxurious Residential Buildings (Y/K10/3)" (KCDC Paper No. 68/20 at **Appendix III**) was discussed at the KCDC meeting held on 11.6.2020. According to the discussion paper, the opposing reasons include Kowloon City Plaza is a landmark with locals' collective memories, is the only shopping mall and indoor cultural/performance venue in the area, and demolishing the

Kowloon City Plaza for redevelopment of two high rise developments would induce adverse traffic impacts. The meeting agreed that the views in the discussion paper are also the comments of KCDC.

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

- (a) Director of the Leisure and Cultural Services Department (DLCS);
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD);
- (d) Chief Engineer/Mainland South, Drainage Services Department (CE/Mainland, DSD);
- (e) Commissioner of Police; and
- (f) Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD).

10. Public Comments Received During Statutory Publication Period

10.1 The application and the subsequent FI were published for public inspection on 20.5.2020 and 5.6.2020. During the two statutory public inspection periods, a total of 321 comments, including 33 (10 comments in 1 standard proforma) supporting the application (samples at **Appendix IVa**), 288 (251 comments in 5 standard proformas) opposing to the application (samples at **Appendix IVb**) including two proformas enclosing a total of 150 nos. of signatures (**Appendix IVc**).

10.2 The supportive comments are mainly from members of the public including business operators in the area. The opposing comments were from the KCDC member of the Lung Tong constituency, trades/organisations operating in Kowloon City and individuals. A full set of the public comments is deposited at the meeting for Members' inspection.

Supportive (33 comments) (Appendix IVa)

10.3 The major supportive comments/reasons are summarized as follows:

- (a) the proposed development would improve the aging environment. Kowloon City should be an energetic community; and
- (b) this application involves proposal of temporary car parking arrangement to provide seamless provision of public car park at the interim period and proposal to enhance the interface of the development with Carpenter Road Park.

Opposing (288 comments) (Appendix IVb)

10.4 The major opposing views of the public comments are summarized as follows:

- (a) the proposal would induce adverse traffic, air ventilation, visual and sunlight penetration impacts to the surrounding areas. The tall building is too high and will block the views, wind and air ventilation. There will be noise and air pollution during demolition and construction stages;
- (b) the number of car parking spaces is not sufficient in the area and the parking problem will be worsened;
- (c) Kowloon City Plaza is an iconic landmark and contains local characteristics, demolishing the only well-established shopping mall in the district is a loss of retail facilities and the only community gathering place in Kowloon City; as there are many shoppers at Kowloon City Plaza for shopping, eating and entertainment, the developer should meet local's need; and
- (d) the redevelopment will not bring any positive impact.

11. Planning Considerations and Assessments

11.1 The application is for rezoning of the Site from OU" annotated "Commercial Development with Public Vehicle Park" to "R(A)4" subject to maximum PR of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, and a maximum BHR of 100mPD. The applicant also proposes to specify in the Notes that underground parking is to be disregarded from GFA calculation. As shown in the indicative scheme submitted by the applicant, a development comprising two 22-storey residential towers over a podium with residents' clubhouse and retail uses and 5 basement levels of car parking facilities is proposed. The applicant proposes to include the design features as detailed in paragraph 1.2 above, PVP of not less than 449 public car parking spaces, as well as provision of not less than 60 numbers of public car parking spaces during demolition and construction periods as far as technically feasible in the ES. The applicant's proposed Notes and ES for the "R(A)4" zone is in **Appendix II**.

11.2 When considering the previous application in November 2019, Members generally had no in-principle objection to the proposed rezoning for a residential cum commercial and PVP development on the Site and the proposed development intensity that was in line with the "R(A)2" zone on the OZP. However, the Committee decided not to agree to the application and considered it pre-mature to rezone the Site that was planned and implemented as a PVP with commercial uses to serve the local neighbourhood, but no practical measures was provided to address the demand for public parking spaces during the demolition and construction stages that would aggravate the illegal parking in

Kowloon City. The applicant has provided an interim public car parking proposal in this application as detailed in paragraph 1.5 above.

Land Use Planning

- 11.3 Under its previous “G/IC” zoning prior to 2003, the Site was designated for a multi-storey vehicle park to alleviate the acute shortage of parking facilities in the area. In 1988, before the site was sold by public auction in 1989, a planning application (No. A/K10/71) was approved by the Board for inclusion of commercial uses (excluding residential, hotel and godown but including theatre/cinema) in the multi-storey vehicle park at the Site. In 2003, to better reflect the existing uses, the Site was rezoned to the current “OU” annotated “Commercial Development with Public Vehicle Park” zoning. The zoning restricted the development intensity to that of the existing development, i.e. GFA of 47,858m² (equivalent to PR of 8.08). In 2008, a BHR of 36mPD reflecting the existing BH was stipulated on the “OU” zone.

Public Carpark Provision

- 11.4 The Site was sold by auction in 1989, with a specific land sale condition for provision of a PVP with 500 spaces (later modified to 449 spaces in 2012). The Site was planned and implemented as a PVP and local shopping centre to serve the immediate neighbourhood since 1993. To cater for the parking demand, the applicant proposed the same number of PVP as the existing (i.e. 449) upon redevelopment. C for T has no comment on the traffic impact and proposed permanent PVP provision in the proposed rezoning.
- 11.5 For the temporary arrangement of providing PVP during the demolition and construction stages, the applicant has conducted parking demand studies and proposed to provide not less than 60 nos. of temporary public car parking spaces to ensure seamless provision in the interim period. C for T has no adverse comment in this regard. Basic information for the proposed phasing scheme was provided in this submission and it is subject to further refinement. CBS/K of BD has no in-principle objection to the proposed phasing scheme and A&A works subject to the compliance with the BO.
- 11.6 The requirement for provision of a PVP on the site should be specified in the Notes, rather than in the ES as proposed by the applicant. The applicant’s proposal to include an exemption clause for underground parking in the Notes is considered unnecessary as it is subject to consideration by the buildings regime. The provision of interim car park should be clearly stated in the ES, rather than the applicant’s proposal that interim car park to be provided only ‘as far as technically feasible’.

Retail

- 11.7 Locals have concerns on reduction of retail spaces at the Site and the loss of the only local shopping centre as well as a loss of venue for holding community gatherings in Kowloon City. In the indicative scheme, the applicant proposed a

retail GFA of 8,881.5m² in the development with 850 flats. With about 8,000m² non-domestic GFA at the URA's Kai Tak Road/Sa Po Road project (tentative completion 2030/31) (**Plan Z-1**) and about 153,000m² retail GFA in the KTDA (earliest completion in 2022) (**Plan Z-3**), the applicant opined that the existing shopping mall at the Site is underutilized and estimated that 8,881.5m² retail GFA is considered adequate in continuous provision of services to the community.

- 11.8 There are existing and committed major shopping malls in the locality and the closest one is Lok Fu Place (about 800m north of Kowloon City Plaza) (**Plan Z-3**). According to the notional scheme at URA's Kai Tak Road/Sa Po Road Development Scheme in the eastern fringe of Kowloon City (tentative completion 2030/31), about 8,000m² non-domestic GFA (including retail and eating place) will be provided (**Plan Z-1**). There will be a pedestrian subway (tentative completion in 2025) connecting Kowloon City and the northwestern part of KTDA with the planned underground shopping street. The committed developments with commercial facilities in the KTDA amount to about 153,000m² retail GFA (earliest completion in 2022) (**Plan Z-3**). Nevertheless, the planned retail uses at a further distance would be completed in a few years' time and may cause short term inconvenience to local residents.

Housing and Development Intensity

- 11.9 As stated in the Policy Address 2019, housing is the toughest livelihood issue facing Hong Kong society. Rezoning the Site to include residential uses would increase the housing supply, and residential use is considered not incompatible in land use terms with the surrounding areas. The proposed PR and BH are in line with that permissible under "R(A)2" zone covering the Kowloon City area. The applicant has submitted concerned technical assessments to demonstrate that the proposed development would not cause any insurmountable problems on traffic, environmental, sewerage, drainage and water supplies aspects and concerned Government departments have no adverse comment on the application from those technical and infrastructural aspects. The proposal would better utilize the land in providing more housing on the Site, maintaining the same number of PVP and providing a local shopping facility, albeit of smaller scale. It is considered in line with the Government housing policy and not incompatible with the permissible BHR of 80mPD or 100mPD of the "R(A)2" zone in the vicinity.

Urban Design/Visual and Air Ventilation

- 11.10 The Site is immediately abutting a large area of open space (i.e. Carpenter Road Park and Kowloon Walled City Park), and to its west is a 4-storey school (subject to BHR of 8 storeys) (**Plans Z-2 and Z-4**). The proposed high-rise development may not significantly affect the character of the townscape, and the applicant has proposed several design measures and air ventilation mitigation measures (paragraph 1.2 refers) to promote pedestrian connectivity, visual interest and building permeability. CTP/UD&L of PlanD has no adverse comment on the proposed development.

- 11.11 The applicant proposed that the design measures and mitigation measures for air ventilation purposes be stated in the ES, rather than in the Notes as proposed in the previous application. To ensure that the proposed development would take forward the proposed design and air ventilation measures adopted in the technical assessment to support this application, there is a need to include some salient design requirements (such as setback and public access) in the Notes.

Others

- 11.12 Other concerned departments, including DLO/KE of LandsD, DEP, DSD, D of FS and CTP/UD&L of PlanD have no adverse comments on the application on land administrative, environmental, fire safety and landscape aspects.

Implementation

- 11.13 The applicant proposed to include various design measures specific to the indicative scheme in the ES of the OZP for the proposed "R(A)4" zone as mentioned in paragraph 1.2. The design measures proposed by the applicant and provision of public car parking both in the interim and final stage of redevelopment to the satisfaction of C for T may be stated in the Notes, ES and/or included as lease conditions and subject to agreement at lease modification stage. If the Board agrees to rezone the Site to "R(A)4", appropriate revision to the applicant's proposed Notes and ES of the OZP in **Appendix II**, including those outlined in the above paragraphs, would be recommended to reflect salient concerns of Board and relevant government departments when the proposed amendment is submitted to the Board for consideration.

Public Comments

- 11.14 A total of 321 public comments were received, with majority opposing to the application as set out in paragraphs 10.3 and 10.4 above. Regarding the concerns of the locals that demolition of Kowloon City Plaza will result in loss of the only venue in Kowloon City for holding community gatherings, it may be noted that Tung Tau Community Centre and Kai Tak Community Hall are located about 500m and 900m from Kowloon City Plaza respectively. The supporting comments are noted. Regarding the reasons for objecting the application, the above assessments and comments from concerned government departments in paragraph 9 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10, the Planning Department has no in-principle objection to the application and recommends the Committee to partially agree to the application by rezoning the Site to an appropriate sub-zone of "R(A)" with a maximum domestic PR of 7.5 and total PR of 9.0 for

a building which is partly domestic and non-domestic, and a maximum BH of 100mPD, or the PR/BH of the existing building, whichever is greater.

- 12.2 Should the Committee decide to agree or partially agree to the subject application, PlanD would work out the zoning boundaries and the development parameters and restrictions to be set out in the Notes and the ES for the Committee's agreement prior to gazetting under the Town Planning Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' consideration:

The site is planned and implemented as a public vehicle park with commercial uses to serve the local neighbourhood. The applicant has not demonstrated that the provision of interim parking arrangement is feasible. Without practical measures to address demand for public parking spaces during demolition and construction stages, it will aggravate illegal parking in Kowloon City. It is pre-mature to rezone the site as proposed by the applicant.

13 Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14 Attachments

Appendix I	Applicant's Letter and Application form received on 6.5.2020
Appendix Ia	Supplementary planning statement
Appendix Ib	FI received on 1.6.2020
Appendix Ic	FI received on 17.7.2020
Appendix Id	FI received on 13.8.2020
Appendix II	A set of Notes and ES for "R(A)4" zone proposed by the applicant
Appendix III	KCDC Paper No. 68/20
Appendices IVa to IVc	Samples of public comments
Drawing Z-1	Block plan
Drawings Z-2 to Z-7	Floor plans and schematic section
Drawing Z-8	Photomontages
Drawings Z-9 and Z-10	Interface of the development and Carpenter Road Park
Drawing Z-11	Viewpoint from Quarry Bay Park
Drawings Z-12 to Z-18	Floor plans and section of landscape proposal
Drawings Z-19 to Z-25	3-stage programme to provide temporary carpark

Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Nearby Major Shopping Malls
Plans Z-4 to Z-5	Site Photos

**PLANNING DEPARTMENT
AUGUST 2020**