

## **Appendix 4:**

# **Response to Public Comments**

**Section 16 Planning Application for Proposed Minor Relaxation of Domestic Plot Ratio and Building Height Restrictions for the Permitted Residential Development with Commercial / Retail uses of the URA Ma Tau Wai Road/ Lok Shan Road Development Project (KC-020), and Proposed Public Vehicle Park (Planning Application No. A/K10/280)**

**Responses to Public Comments**

| Para.                                                       | Summary of Public Comments                                                                                                                                                                                                                                                                                                                   | URA's Responses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Relevant to Public Comment No. |
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| <b>Concerns on the Non-Scheme-Based Submission Approach</b> |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |
| 1.                                                          | The applicant explicitly states that the indicative proposal "does not form part of the application" and the notional design and indicative parameters are "solely for illustration purpose and for conducting necessary technical assessments". The design of the future development will not be bounded by the notional design" submitted. | <p>Please note that the Application Site is zoned "R(A)" under the OZP. There is no change of the zoning of the Application Site under the subject S16 Planning Application. Under the Schedule of Use of the subject "R(A)" zone under the OZP, residential development ("Flat" use), with commercial/ retail uses on the lowest three floors, are always permitted uses as of right. The "R(A)" zone only controls the maximum domestic plot ratio (DPR), maximum total plot ratio (PR), and maximum building height restriction (BHR), while minor relaxation of such may be considered by the Town Planning Board (TPB). The control under the "R(A)" zone provides the necessary design flexibility without control on the specific form and layout of the future development, which is considered necessary to facilitate project implementation.</p> <p>The non-scheme-based approach under the subject S16 Planning Application which seek minor relaxation of DPR to 8.0 (total PR remain unchanged as 9.0) and BHR to 140mPD, follows the same spirit as the control provided under the subject "R(A)" zone which provides the necessary design flexibility for project implementation during detailed design stage, while ensuring the future development remains strictly bounded by the maximum permissible parameters approved by TPB.</p> <p>This submission approach is vital for the Urban Renewal Authority (URA) to deliver wider planning gains for the district under district-based urban renewal approach. The design flexibility allowed in the non-scheme-based approach can facilitate a more site-specific detailed design at implementation, to ensure that KC-020 can be holistically planned</p> | 1                              |

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| Para. | Summary of Public Comments | URA's Responses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Relevant to Public Comment No. |
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|       |                            | <p>and implement with the adjoining URA Kau Pui Lung Road / Chi Kiang Street Development Scheme (CBS-2:KC) to optimize overall planning gains to the community.</p> <p>Notwithstanding the intention for a combined development, the future development will strictly comply with the maximum permissible development parameters approved by TPB under the subject S16 Planning Application, which the URA undertakes that the portion of the future combined development within the Application Site would not exceed maximum permissible DPR of 8.0 and total PR of 9.0.</p> <p>As the URA may implement projects via joint-venture (JV) partnerships or self-development, retaining design flexibility at the planning stage allows the future development to dynamically optimize the architectural layout during the detailed design stage to respond to site-specific constraints and market needs. While the URA, as a public body, will actively work with its JV partners to safeguard and optimize the overall urban design quality under a district-based approach.</p> |                                |

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| Para. | Summary of Public Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | URA's Responses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Relevant to Public Comment No. |
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| 2.    | This approach is incompatible with sound planning decision-making. The Board is asked to approve increased development intensity based on technical assessments conducted against a "hypothetical scheme" to which the applicant has no obligation to adhere. The technical studies may bear little resemblance to the actual future development.                                                                                                                                                    | <p>Please be clarified that the submitted technical assessments (TAs) are not based on a 'hypothetical scheme', but are comprehensive studies conducted based on a notional design to demonstrate the technical feasibility of the maximum development parameters sought under the subject S16 application (i.e., with a maximum DPR of 8.0, total PR of 9.0 and BHR of 140mPD).</p> <p>The TAs could sufficiently prove that no insurmountable technical impacts will arise under the maximum permissible parameters, and their findings remain fully valid for any future development designed within the approved parameters under the subject S16 Planning Application, as detailed below:</p> <ul style="list-style-type: none"> <li>• Traffic Impact Assessment (TIA): The TIA was conducted mainly based on the estimated number of flats derived from the maximum permissible DPR and domestic GFA, providing an estimation for car parking provisions and junction capacity, any future changes to the building form will not affect the TIA results.</li> </ul> | 1                              |
| 3.    | This creates an "untenable situation in which the Board grants expanded development entitlements without any assurance that the impacts of the eventual built form will fall within the parameters assessed." The public is "deprived of the ability to make meaningful comment" on a scheme that "may never materialise." Ultimately, the application "seeks approval for an envelope of rights rather than a development proposal," which is not the intended purpose of the Section 16 mechanism. | <ul style="list-style-type: none"> <li>• Visual Impact Assessment (VIA): The VIA assessed the proposed BHR of 140mPD, since the overall development bulk is strictly capped by a total PR of 9.0, anticipated changes in building mass is limited. Any future development designed within the maximum permissible parameters will not affect the VIA results.</li> <li>• Air Quality Impact Assessment (AQIA): The AQIA was conducted mainly based on a building block with BHR of 140mPD with selected representative Air Sensitive Receivers (ASRs) located along the</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1                              |

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|       |                            | <p>Application Site boundary which any changes to the building block layout will not affect the AQIA results.</p> <ul style="list-style-type: none"> <li>Noise Impact Assessment (NIA) (submitted under Environmental Assessment (EA)): The NIA was conducted base on the notional layout representing the maximum permissible development intensity (DPR of 8.0, total PR of 9.0, and BHR of 140mPD). While the final block layout remains subject to detailed design, the NIA could demonstrate that the proposed maximum parameters will not induce insurmountable noise impacts. Detailed architectural layouts and specific noise mitigation measures will be finalized during the detailed design stage, compliance of noise standard could be further monitored by the EPD and relevant departments during the subsequent Land Grant and GBP submission stages.</li> <li>Waste Management Study (WMS) (submitted under the EA): The WMS estimated the construction waste mainly based on the required demolition area and Application Site area; the building form will not affect the WMS results.</li> <li>Water Supply Impact Assessment (WSIA) (submitted under the EA) and Sewerage Impact Assessment (SIA) (submitted under DSIA) – These assessments are conducted mainly based on the estimated number of flats and the maximum permissible PR/GFA. Any future changes in the building form will not affect these assessment results.</li> </ul> |                                |

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| Para.                                                                                     | Summary of Public Comments                                                                                                                                                                                                                                                              | URA's Responses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Relevant to Public Comment No. |
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|                                                                                           |                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>Drainage Impact Assessment (DIA) (submitted under the DSIA): The DIA was conducted mainly based on the future paved to unpaved area. Any future changes to the building form will not affect the DIA results.</li> <li>Quantitative Risk Assessment (QRA): The QRA assessed the risk impact based on estimated population and the fixed physical distance between the Application Site and the existing LPG Compound. Future changes in the building form will not affect the QRA results.</li> </ul> <p>In any event, subsequent to approval of the subject S16 Planning Application, the relevant mitigation measures identified in the TAs will be implemented during detailed design/ implementation stage.</p> |                                |
| 4.                                                                                        | The Board is urged to consider whether it is appropriate to approve a relaxation of development restrictions in the absence of any binding commitment by planning condition or otherwise to ensure future development will not exceed the impacts assessed under the indicative scheme. | <p>The S16 Planning Application can optimise the development potential of the site and provide wider planning gains to the community. The technical assessments has also demonstrated that the subject S16 Planning Application would not generate any adverse technical and environmental impacts.</p> <p>Nevertheless, subject to approval of the subject S16 Planning Application and if any approval conditions that TPB may impose, the future development will strictly adhere to the approved maximum permissible development parameters for the Application Site and any approval conditions to be incorporated by TPB.</p>                                                                                                                        | 1,2                            |
| <b>Concerns on the Justifications for Minor Relaxation of Building Height Restriction</b> |                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                |
| 5.                                                                                        | The primary justification for the proposed 20mPD height increase is to "align                                                                                                                                                                                                           | As stated in the submission, the S16 Planning Application aims to materialize the holistic planning and implementation of the Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                              |

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|       | <p>the height controls" of the Application Site and CBS-2:KC. This is intended to "extinguish the physical gap of 20mPD difference created by the project boundaries" and ultimately provide "greater design flexibility in building block layout and disposition under the same BHR of the two projects."</p> | <p>(KC-020) and the adjoining CBS-2:KC under a district-based urban renewal approach to optimize planning gains. The minor relaxation of the BHR from 120mPD to 140mPD in order to align the KC-020 and the CBS-2:KC with the same development parameters would bring substantial benefits in design flexibility for a cohesive combined development, facilitating the subsequent preparation of unified land grant(s) for the two projects and phased implementation.</p> <p>By aligning the BHR and DPR between the two projects, there will be no segregation by the site boundaries between two projects, therefore the building design and open space network can be more flexibly located across the two sites for better walkability and connectivity. It also allows the podia and at-grade spaces of both sites to be planned and designed holistically. For instance, integrated podium design spanning across both sites could optimize internal circulation and efficiency, and footbridges/linkages to connect the retail/commercial podia maybe included to further enhance the physical linkage across the two sites.</p> <p>Besides, the at-grade pedestrian avenue / event plaza and POS of CBS-2:KC could be holistically designed with KC-020 to form an integrated open space and pedestrian network linking the east and west, i.e. from the Lok Man Sun Chuen residential cluster at the western side of Kau Pui Lung Road to the POS and GIC clusters at the eastern side of Ma Tau Wai Road, via the spatial connection and podia at the future combined site of KC-020 and CBS-2:KC, and the existing pedestrian-crossing facilities at Ma Tau Wai Road.</p> |                                |

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| <b>Para.</b> | <b>Summary of Public Comments</b>                                                                                                                                                                                                                                                                                                                                                | <b>URA's Responses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Relevant to Public Comment No.</b> |
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| 6.           | If a unified height profile was always intended, it should have been pursued through a Development Scheme Plan amendment subject to full public participation. Therefore, using an S.16 application retrospectively to harmonise heights is problematic as it effectively overrides the original planning decisions without subjecting the change to the same level of scrutiny. | <p>Please be clarified that a Development Scheme Plan (DSP) amendment is not relevant to the Project (KC-020). The KC-020 Project was commenced as a development project in accordance to s.26 of URAO and was authorized by SDEV without amendment in August 2025, thus the Project is governed by the permissible uses and development parameters of the subject R(A) zone under the Ma Tau Kok Outline Zoning Plan (OZP), but not a DSP.</p> <p>The subject S16 Planning Application to seek minor relaxation of DPR and BHR of the Project was submitted in accordance to the minor relaxation clause stated under the statutory Notes of the OZP, which allows TPB to consider minor relaxations of PR/ BH/ GFA based on individual merits to provide necessary flexibility for project implementation.</p> <p>As a background information, the adjoining CBS-2:KC commenced in May 2020 was one of the Pilot Projects for redevelopment of buildings under the Civil Servants' Co-operative Building Society (CBS) Scheme in response to the Government's policy mentioned in the 2018 and 2019 Policy Addresses.</p> | 1                                     |
| 7.           | The applicant justifies the height increase by citing a potential future need for above-ground car parks; despite acknowledging they are not currently in the notional design. This amounts to seeking approval for an element that has not been                                                                                                                                 | Please be clarified that while the adoption of above-ground carpark design during the detailed design stage in accordance to PNAP APP-2 will only be confirmed in detailed design stage, the proposed permissible development parameters (i.e. DPR of 8.0, total PR of 9.0, and BHR of 140mPD) under the subject S16 Planning Application, as well as the submitted TAs, have fully accounted for the potential adoption of the above-ground carpark.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1                                     |



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| Para.                                                             | Summary of Public Comments                                                                                                                                                                                                      | URA's Responses                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Relevant to Public Comment No. |
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|                                                                   | designed, assessed, or committed to.                                                                                                                                                                                            | Meanwhile, the proposed minor relaxation of the BHR under the subject S16 Planning Application is not solely for accommodating aboveground carparks, but also as stated in the "Planning Merits and Justification" in Section 4 of the Planning Statement that: for aligning the building height control to provide the essential design flexibility needed to materialize a holistic planning for combined development with CBS-2:KC, overcoming existing site constraints with a compact net site area and elongated configuration and to deliver key planning gains that enhance the walkability and accessibility of the area.                                                                                                                                                                                                                                                                                                                                                                                                                      |                                |
| <b>Concerns on the Justifications of Commercial Marketability</b> |                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |
| 8.                                                                | Applicant's justification that the relaxation enhances the marketability and attractiveness of the project by providing flexibility to meet the market situation are purely commercial matters but not planning considerations. | <p>Please be clarified URA's concern on 'marketability' refers to the project's overall implementability and suitability to the market needs, with timely and successful delivery of planning gains to the community through implementation of the Project. Specific to the subject S16 Planning Application, aligning the development controls of the Application Site with those of the adjoining CBS-2:KC is technically essential to materialize a holistic, "district-based" combined development across the two sites, as it enhances development flexibility, enabling a more cohesive layout that is vital to overcoming individual site constraints, optimizing pedestrian connectivity, enhancing built environment, and achieving a well-integrated urban design that benefits the wider neighborhood.</p> <p>Upon the subject S.16 planning approval, the Project will proceed with detailed design and subsequent GBP submissions for relevant government departments' approval, a concrete scheme layout can only be developed at the</p> | 1                              |

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| <b>Para.</b> | <b>Summary of Public Comments</b>                                                                                                                                                                                                                                                                                                   | <b>URA's Responses</b>                                                                                                                                                                                                                                                                                                                                                                                         | <b>Relevant to Public Comment No.</b> |
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|              |                                                                                                                                                                                                                                                                                                                                     | detailed design stage/ GBP submission stage for implementation.                                                                                                                                                                                                                                                                                                                                                |                                       |
| 9.           | The statutory planning system exists to serve the public interest through the orderly use of land, the protection of amenity, and the provision of community facilities. Development parameters are set based on visual impact, air ventilation, traffic, and urban design—not the financial performance of any individual project. | Please refer to responses for Pt. 8 above.                                                                                                                                                                                                                                                                                                                                                                     | 1                                     |
| 10.          | Optimizing commercial flexibility suggests a conflation of the URA's public mandate with its commercial interests as a developer. The URA's self-financing model does not entitle it to special planning concessions. Project marketability is a matter for commercial judgment, not planning merit.                                | In addition to response to Pt. 8 above, the subject S16 application is to seek for minor relaxation with the planning justifications and merits as stated in the Planning Statement and is subject to the consideration and approval by the TPB. There is no special planning concessions for the URA.                                                                                                         | 1                                     |
| 11.          | Reliance on the Financial Secretary's 2025-26 Budget Speech (suspension of commercial land sales) does not constitute site-specific planning justification. General government policy statements do not                                                                                                                             | As a public body to deliver urban renewal works, the URA aims to prudently review the market needs in delivering redevelopment projects to suit the market and the community needs. In view of the high vacancy rates and ample supply of commercial properties and demand for housing supply in recent years, the URA submitted the S16 application to seek for minor relaxation of the DPR, so as to enhance | 1                                     |

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|                                                        | override the need to demonstrate appropriateness for a particular site.                                                                                                                                                                                                                                                       | development flexibility for providing more flat supply to meet the market needs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                |
| <b>Urban Design, Open Space &amp; Living Standards</b> |                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |
| 12.                                                    | <p>Wall Effect &amp; Loss of Street Ventilation</p> <p>The proposed long rectangular podium with 100% site coverage creates a "wall effect" exterminating the back alley that provided street-level ventilation. There is concern the URA will eliminate basement parking to save costs under new government initiatives.</p> | <p>Please note that while the B(P)R permit a site coverage of up to 100% for non-domestic podiums not exceeding 15m in height, the URA will actively seek to optimize the urban design to avoid any potential "wall effect". Through a combined development of the Project with the adjoining CBS-2:KC, the Project will provide an at-grade pedestrian connection to connect with CBS-2:KC. This at-grade pedestrian connection, alongside with the appropriately designed circulation and intervening spaces, would break up the podium mass and prevents any potential wall effect, and at the same time enhance spatial and pedestrian connectivity.</p> <p>The potential adoption of an above-ground carpark is one of the sustainable building measures as promulgated by the Government as published in the PNAP APP-2. It aims to promote the provision of aboveground carpark in development projects by permitting GFA exemptions for up to two storeys of above-ground carpark.</p> <p>The feasibility of above-ground carpark will also be holistically evaluated against urban design, technical feasibility, and internal circulation efficiency to ensure an optimized layout.</p> | 2                              |
| 13.                                                    | There is no internal open space provided for residents, forcing them to burden already                                                                                                                                                                                                                                        | Given the KC-020 project has acute site layout and tiny project area of only about 1,566 sq.m., the Project is highly constrained in providing additional GFA for GIC uses solely.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2                              |

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|       | overcrowded public facilities (e.g., the To Kwa Wan Station playground). Furthermore, no community services are provided.                                                                 | <p>Nevertheless, the Project will be holistically planned and implemented with the adjoining CBS-2:KC as a combined development to optimise planning gains to the community. As already committed in the CBS-2:KC, not less than 4,500 sq.m. of GIC facilities, 2,400 sq.m. of at-grade pedestrian avenue/ event plaza and 400 sq.m. of at-grade Public Open Space (POS) will be provided within the CBS-2:KC to serve the community's need.</p> <p>Apart from the above POS and GIC provision under the combined development, the Project will provide sufficient private open space for the Project's future residents in accordance with HKPSG requirements of 1 sq.m. per person.</p> |                                |
| 14.   | Unit sizes are shrinking from 51 sq.m to 45 sq.m. URA abandoned the mandate of improving living conditions.                                                                               | Please note that the average flat size of about 45 sq.m. (equivalent to about 484 sq.ft.) could meet the minimum flat size requirement of not less than 26 sq.m. in saleable area as stipulated by the Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                              |
| 15.   | The URA is urged to stop building units under 400 sq.ft to give citizens back dignity, suggesting higher plot ratios or fewer units instead                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 3                              |
| 16.   | The development should reference designs from Taiwan or Japan to provide slightly larger balcony spaces required for practical daily chores, such as hanging laundry and drying blankets. | Specific architectural design details (e.g. balcony spaces) fall outside the scope of the current S16 Planning Application, as they will only be formulated during the detailed design / GBP submissions stages subsequent to approval of the subject S16 Planning Application. The future design will comply with relevant building ordinances and regulations to formulate a design that balance technical                                                                                                                                                                                                                                                                              | 3                              |

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| <b>Para.</b> | <b>Summary of Public Comments</b> | <b>URA's Responses</b>                                                                                                                          | <b>Relevant to Public Comment No.</b> |
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|              |                                   | feasibility, quality urban design, and the provision of highly functional, comfortable living spaces for the future residents of the community. |                                       |