

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K3/598

- Applicant** : East Classic Development Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Kowloon Inland Lot (KIL) No. 11273, Junction of (J/O) Sai Yee Street and Argyle Street, Mong Kok, Kowloon
- Site Area** : About 11,537m²
- Lease** : KIL No. 11273 (the Lot)
(a) for non-industrial (excluding residential, godown and petrol filling station) purposes with a total gross floor area (GFA) not exceeding 141,600m²
(b) include conditions relating but not limited to provision of public open space (POS), government accommodations (GAs), public vehicle park (PVP), covered footbridges, elevated landscape walkways, and parking and loading and unloading (L/UL) requirements
- Plan** : Draft Mong Kok (MK) Outline Zoning Plan (OZP) No. S/K3/37
[currently in force]

Approved MK OZP No. S/K3/36
[in force at the time of submission. The zoning and development restrictions for the site remain unchanged on the current OZP]
- Zoning** : “Commercial (4)” (“C(4)”)
(a) maximum GFA of 141,600m², of which a total GFA of not less than 4,940m², shall be provided for Government, institution and community (GIC) facilities including a community hall (CH) and social welfare facilities (SWFs)¹
(b) maximum building height (BH) of 320 metres above the Hong Kong Principal Datum (mPD) (including roof-top structures) and 40mPD (including roof-top structures) for sub-area (a) and sub-area (c) respectively; and for sub-area (b), a building gap on which the maximum BH is 23mPD shall be provided

¹ The maximum GFA of 141,600m² shall include GFA for GIC facilities, PTI, L/UL facilities for cross-boundary coaches and public car parking. Underground car parking may be exempted from GFA calculation in accordance with PNAP APP-2 requirements administered by the Building Authority.

- (c) a public transport interchange (PTI), L/UL facilities for cross-boundary (X-B) coaches and not less than 130 PVP spaces shall be provided
- (d) POS of not less than 6,550m², of which not less than 3,200m² is at-grade close to J/O Argyle Street and Sai Yee Street, shall be provided
- (e) a layout plan (LP) shall be submitted for the approval of the Town Planning Board (the Board)

Application : Submission of LP and proposed minor relaxation of BH restrictions in sub-areas (b) and (c) for permitted ‘Eating Place’, ‘Shop and Services’, ‘Office’, ‘Place of Entertainment’, ‘Place of Recreation, Sports or Culture’, ‘Private Club’, ‘School’, ‘Educational Institution’, ‘Public Transport Terminus or Station’, ‘Public Vehicle Park (excluding container vehicle)’ and ‘Social Welfare Facility’ uses

1. Background

- 1.1 The application site (the Site) is zoned “C(4)” under the draft MK OZP No. S/K3/37, which is sub-divided into sub-areas (a) to (c) with different BH restrictions (BHRs) (**Plan A-1**). It was previously occupied mainly by a Water Supplies Department (WSD) Compound and a Food and Environmental Hygiene Department (FEHD) offices-cum-vehicle depot. In order to examine the development potential of the Site, the ‘Planning and Design Study on the Redevelopment of Government Sites at Sai Yee Street and MK East Station – Feasibility Study’ (the Study) commissioned by the Planning Department (PlanD) recommended the Site for commercial development with provision of open space and/or GIC facilities², as well as enhancements to the public realm and public transport facilities in the area. Subsequent to the completion of the Study in June 2018, the MK OZP incorporated with the relevant amendments to take forward the Study recommendations was approved by the Chief Executive in Council (CE in C) in October 2019, and the Site was then sold to the applicant by way of public tender in March 2023.
- 1.2 During the Study process, the community and major stakeholders including the Board, the Yau Tsim Mong District Council, the Area Committee, the adjoining Hong Kong & Kowloon Chiu Chow Public Association Secondary School (HKKCCPAS) and the trade of PLBs and X-B coaches³ were actively engaged. Among other things, three design options of the proposed development with plot ratio of 12, i.e. Scheme A with three high-rise towers with the uniform height of 145mPD, Scheme B with two high-rise towers of 165mPD and 230mPD respectively and a low-rise block for GIC facilities and Scheme C with a single

² The Site, being surrounded by roads and railway, is subject to noise impact arising from road traffic, rail and the existing PTI, as well as air quality impact from traffic emission. Taking advantage of its location within a transport hub and the vibrant character of Mong Kok, commercial use was recommended for the Site to enhance the identity of Mong Kok and maximise its development potential.

³ Other major stakeholders include Queen Elizabeth School, Fa Yuen Street Hawker Association, Tung Choi Street (Ladies Market) Merchants & Hawkers Association, MK Kai-Fong Association Limited, MTR Corporation Limited and KCRC.

high-rise tower of about 350mPD with two low-rise block for GIC and retail facilities, were formulated for public consultation. In gist, most of the comments supported the commercial use of the Site as it could enhance the commercial activities and vibrancy of the area, and preferred Scheme C for the reasons that it would offer the largest amount of POS for public enjoyment, better air ventilation and visual permeability, even though the single high-rise tower would breach the ridgelines as viewed from some vantage points. The Study findings, recommended development scheme (RDS) and Planning and Design Brief (PDB)⁴ were reported to the Board on 23.2.2018⁵.

- 1.3 To take forward the Study recommendations, and to facilitate implementation of the redevelopment proposal, the Site was rezoned from “G/IC”, “Other Specified Uses” (“OU”) annotated “Multi-storey Car/Lorry Park” and “OU(Railway Station Development)” to “C(4)” in July 2018. On 15.3.2019, after giving consideration to the representations and comments, the Board decided to incorporate the submission of a LP for the Board’s approval in the Notes of the “C(4)” zone to partially meet some representations so that the Board would be able to consider the overall design of the proposed development vis-à-vis the planning intention. The LP requirement is to ensure an integrated and compatible layout for the development at the Site with reference to the PDB before development proceeds.
- 1.4 According to the Notes of the OZP, the LP should include the following information for the Board consideration:
 - (a) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings (including structures) to be erected on the Site;
 - (b) the proposed total GFA for various uses and facilities;
 - (c) the details and extent of GIC facilities, parking, L/UL and public transport facilities, and open space to be provided within the Site;
 - (d) the alignment, widths and levels of any footbridges, elevated walkways and roads proposed to be constructed within the Site;
 - (e) the landscape and urban design proposals within the Site;
 - (f) programmes of development in detail; and
 - (g) such other information as may be required by the Board.

⁴ The PDB for the “C(4)” site was endorsed by the MPC of the Board on 23.2.2018. It sets out the broad planning principles and development requirements to facilitate the preparation of the LP for the Site. The PDB is available at https://www.pland.gov.hk/pland_en/resources/others_pdf/Sai_Yee_Street_Sale_Site-Planning_and_Design_Brief_Finalised.pdf

⁵ The relevant TPB paper and minutes can be viewed at http://www.info.gov.hk/tpb/en/papers/TPB/1165-tpb_10394.pdf and http://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1165tpb_e.pdf (paragraphs 45- respectively).

2. The Proposal

- 2.1 The proposed commercial cum GIC and POS development on the Site includes mainly a commercial/office tower (Commercial Tower) and a GIC block (GIC Block), both over a common podium including a shopping mall with basement mainly for transport facilities, as well as a major POS abutting J/O Argyle Street and Sai Yee Street (**Drawings A-1 and A-16**). To proceed with the proposal, planning permission for a LP for the development, and minor relaxation of BHRs on sub-areas (b) and (c) is sought in accordance with the Notes of the OZP. While all the proposed uses are Column 1 uses, which are always permitted under the “C(4)” zone, the architectural design and floor layout/use of the Commercial Tower and shopping mall, except the public facilities, will be determined by the applicant separately at the detailed design stage.
- 2.2 The Site is bounded by Sai Yee Street to the west, Argyle Street to the south, Luen Wan Street to the east, and HKKCCPASS to the north (**Plan A-2**). Preparation works for the proposed development are being carried out (**Plans A-3 and A-4**). There is an Old and Valuable Tree (OVT) (T1) and two trees bearing OVT characters (T2 and T3)⁶ located in the southern portion of the Site which will be preserved in-situ as detailed in paragraph 2.9 below (**Plan A-2**).
- 2.3 Under the proposed scheme, the Commercial Tower has a BH of 320mPD (including roof-top structures) in compliance with the BHR of sub-area (a) (**Drawings A-1 and A-17**). The GIC Block located within sub-area (c) is capped mainly at 40mPD (including roof-top structures), except a small scale lift shaft and stair hood (about 12% of the roof area) with a BH of 46mPD, which has slightly exceeded the BHR by 6m (or 15%), for the provision of barrier-free access to the rooftop POS in compliance with the corresponding requirement under the Building (Planning) Regulation (B(P)R) (**Drawings A-9 and A-17**). On sub-area (b)⁷, while the 3-storey podium with a BH of 23mPD has observed its BHR (**Drawings A-5 and A-17**), the covered footbridge, namely Community Bridge, with roof level ranging from 34.9mPD to 37.5mPD and its associated staircase linked to the rooftop POS on GIC Block are proposed with a view to connecting the CH on 5/F of GIC Block at 30.4mPD and the Integrated Children and Youth Services Centre (ICYSC) and a landscaped area on 5/F of Commercial Tower at 33mPD (**Drawings A-7, A-8 and A-17**).
- 2.4 The total GFA of the proposed development is 141,600m², comprising a GFA of about 127,594m² for commercial use, not less than 4,940m² for GIC use and about 9,066m² for transport facilities (including PTI for public light bus (PLB PTI) on G/F and X-B coach L/UL spaces and PVP spaces, etc. in the 6-level basement). A proposed at-grade POS of not less than 3,200m² abutting J/O Argyle Street and Sai Yee Street is proposed with a small 2-storey footbridge supporting structure (18mPD) with retail use abutting Argyle Street (**Drawings A-2, A-3 and A-17**). Other POS provisions are located on 1/F, 3/F (podium roof) and 6/F (rooftop of GIC Block) (**Drawings A-3, A-5 and A-9**). A public viewing deck (PVD) is proposed on the rooftop of Commercial Tower for public enjoyment free of charge (**Drawing A-11**). Details of POSs and PVD are set out in paragraphs 2.7 and 2.8 below. The GIC and POS provisions as well as transport facilities as detailed in

⁶ All three trees preserved are Ficus microcarpa.

⁷ According to the Explanatory Statement of the OZP, for sub-area (b), a 30m-wide building gap where no building/structure shall exceed a maximum BH of 23mPD shall be provided.

paragraphs 2.5 and 2.6 below to meet the OZP requirements are shown on the LP. All the GIC facilities will be provided as GAs for the use by concerned Government departments. Under PDB and the Conditions of Sale (C/S) of the Site, the applicant is also requested to provide, manage and maintain two elevated covered landscaped walkways connecting to the proposed POS on the station deck of MTR MK East Station (Station Deck POS) (currently occupied by the carpark of Mong Kok Government Offices (MKGO) (**Drawing A-5**) which are also shown on the LP. The LP, floor plans, section plans, Landscape Master Plan (LMP), green coverage plans, pedestrian circulation plans and photomontages of the proposed development are shown in **Drawings A-1 to A-42**.

- 2.5 The proposed uses, GFA, BH (except that of the Community Bridge in sub-area (b) and GIC Block in sub-area (c)), and provision of POS, GIC and transport facilities are in line with the OZP restrictions and generally meet the PDB requirements. A brief comparison of the major development parameters of the proposed scheme and requirements under the OZP and the PDB are set out in the following table. A detailed comparison table is at **Appendix II**.

Major Development Parameters (#denotes OZP requirement)	OZP/PDB (#denotes OZP requirement)	Proposed LP (No. A/K3/598)
Proposed Uses	Commercial, POS, GIC facilities (incl. CH, Day Care Centre for the Elderly (DE), Neighbourhood Elderly Centre (NEC), Integrated Community Centre for Mental Wellness (ICCMW) and ICYSC), PLB PTI, X-B coach L/UL bays and PVP spaces	Provided as required
GFA <ul style="list-style-type: none"> • Total GFA[#] <ul style="list-style-type: none"> ➢ Commercial/ retail ➢ GIC[#] <ul style="list-style-type: none"> - SWFs - CH[#] ➢ Transport Facilities 	<ul style="list-style-type: none"> • Maximum 141,600m² [#] <ul style="list-style-type: none"> ➢ Not specified ➢ Minimum 4,940m² [#] <ul style="list-style-type: none"> - Not less than 3,680m² - Not less than 1,260m² ➢ Not specified 	<ul style="list-style-type: none"> • Not more than 141,600m² <ul style="list-style-type: none"> ➢ About 127,594m² ➢ Not less than 4,940m² <ul style="list-style-type: none"> - Not less than 3,680m² - Not less than 1,260m² ➢ About 9,066m²
Maximum Building Height (mPD) <ul style="list-style-type: none"> • Sub-area (a)[#] • Sub-area (b)[#] • Sub-area (c)[#] 	<ul style="list-style-type: none"> • 320mPD (incl. roof-top structures) [#] • 23mPD (incl. roof-top structures) [#] • 40mPD (incl. roof-top structures) [#] 	<ul style="list-style-type: none"> • Complied with • Complied with, except the covered footbridge (roof level of about 34.9mPD-37.5mPD connecting SWFs on 5/F of GIC Block at 30.4mPD and 5/F of Commercial Tower at 33mPD) • 46mPD (incl. roof-top structures) (i.e. +6m/+15%)

Major Development Parameters (#denotes OZP requirement)	OZP/PDB (#denotes OZP requirement)	Proposed LP (No. A/K3/598)
Pedestrian Connection	<ul style="list-style-type: none"> Two elevated landscaped walkways (min. width of 15m) across Luen Wan Street to station deck A footbridge linking existing MK Road Footbridge A footbridge across Argyle Street to MK area south of the Site 	<ul style="list-style-type: none"> Provided on 3/F Provided on 1/F Provided on 1/F Abovementioned additional covered footbridge on 5/F between GIC Block and Commercial Tower
POS and PVD <ul style="list-style-type: none"> POS within the Site[#] <ul style="list-style-type: none"> At-grade POS close to J/O Argyle Street and Sai Yee Street[#] POS at station deck PVD 	<ul style="list-style-type: none"> Minimum 6,550m^{2#} <ul style="list-style-type: none"> Not less than 3,200m^{2#} Not less than 3,200m² To be provided on the rooftop of the tallest building 	<ul style="list-style-type: none"> Complied with Complied with Provided on rooftop of Commercial Tower (not counted for POS calculation)
Landscape and Trees <ul style="list-style-type: none"> Green Coverage OVT and two mature trees 	<ul style="list-style-type: none"> Not less than 20% To be preserved in-situ and integrated with the at-grade POS 	<ul style="list-style-type: none"> Complied with Complied with No basement structure within Tree Protection Zones (TPZs) of the OVT and two mature trees
Transport Facilities <ul style="list-style-type: none"> PTI[#] X-B Coaches L/UL Facilities[#] 	<ul style="list-style-type: none"> At least 53 PLB bays to be provided at G/F with a public toilet not less than 100m² in GFA At least 20 coach spaces to be provided at basement with a public toilet and air-conditioned waiting area 	<ul style="list-style-type: none"> Complied with/53 PLB bays provided Complied with/20 coach spaces provided
Car Parking, L/UL and Lay-bys PVP[#] <ul style="list-style-type: none"> Total <ul style="list-style-type: none"> Private cars 	<ul style="list-style-type: none"> 130 spaces[#] <ul style="list-style-type: none"> 120 spaces 	<ul style="list-style-type: none"> Provided on B3/F

Major Development Parameters (#denotes OZP requirement)	OZP/PDB (#denotes OZP requirement)	Proposed LP (No. A/K3/598)
➤ Commercial vehicles <u>Other facilities</u>	➤ 10 spaces Including ancillary parking and L/UL facilities, details of which set out in Appendix II	● Provided on B1/F Details set out in Appendix II

2.6 The main uses by floor of the proposed development are summarised as follows (**Drawings A-2 to A-15**):

Floor	Main Uses	
	Common Podium and Basement	
B1/F to B6/F	Carpark for commercial and GIC uses, PVP and L/UL bays for commercial, X-B coaches and GIC uses	
G/F	PLB PTI, retail, GIC entrance lobby and POS (Ficus Plaza)	
1/F	Retail, GIC lobby, covered footbridge (with a width of about 8.5m) to Mong Kok Road footbridge, landscape bridge (with a width of about 4.5m) connecting the proposed covered footbridge to Hak Po Street outside the Site	
2/F	Retail, office lobby, DE and laybys for DE and retail facilities	
3/F	POSS (Community Garden and Urban Gallery), laybys for office and two elevated landscape walkways (each with a minimum width of 15m) to MTR MK East Station and Station Deck POS (Bio-Park)	
	GIC Block	Commercial Tower
3/F	NEC and retail	Retail and office lobby
3M/F	ICCMW	Office lobby and E&M
5/F	CH and staircase extension to rooftop POS	ICYSC, covered landscaped area and escalators directly to 3/F
	Community bridge connecting Commercial Tower and GIC Block (with a width of about 4.5m)	
5M/F	CH and staircase extension to rooftop POS	Lift lobby to PVD and retail
6/F	Lift lobby and POS (Fitness Terrace)	E&M
7/F – 53/F	-	Office
R/F		PVD, retail and landscaped area

POS Provisions and PVD

2.7 The proposed scheme includes not less than 6,550m² POS, of which not less than 3,200m² POS is at-grade abutting J/O Argyle Street and Sai Yee Street (**Drawings A-2 and A-22**). The remaining POSs (about 3,350m²) are located on 1/F (151m²), 3/F (2,437m²) and the rooftop of GIC Block (762m²) (**Drawings A-3, A-5, A-9, A-23 and A-24**). In addition, a POS of not less than 3,200m² is located at the station deck outside the Site as required under PDB and C/S (**Drawings A-5 and A-23**). All POS at different levels are integrated with each other by way of barrier-free and all-weathered pedestrian connections such as covered elevated landscape walkways and pedestrian paths, escalators, lifts and staircases (**Drawings A-39 to A-43**), and will be opened from 7 a.m. to 10 p.m. tentatively subject to change for operational needs. All POSs within the Site will be designed, constructed, managed and maintained by the applicant, while the Station Deck POS will be designed, constructed, managed, and maintained by the applicant until being

redelivered to the Government. The overall design concept of the proposed POSs is detailed in paragraph 3.2 below.

- 2.8 The proposed PVD on the rooftop of Commercial Tower will be provided for public enjoyment free of charge as required under PDB and C/S (**Drawings A-11 and A-25**). Its opening hours will align with the future opening hours of commercial/retail portion.

Landscape and Tree Preservation

- 2.9 As revealed by the applicant's tree preservation proposal, 22 existing trees are found within the Site, including an OVT (T1) and two mature trees (T2 and T3), and 11 trees outside the Site, including two OVTs (T4 and T5) (**Drawing A-19**). Among the 33 trees in total, T1 to T3 will be preserved in-situ and integrated with the at-grade POS (**Drawings A-20 and A-22**), and no building structure will be constructed on and below the ground level within their TPZs (**Drawings A-12 to A-16**). T4 and T5 outside the Site will also be retained in-situ (**Drawing A-20**). The 28 existing trees in poor conditions/without high amenity value, including 19 trees within the Site, are proposed to be felled (**Drawings A-19**). A total of 56 new trees of standard to heavy size will be planted within the Site for compensation in a planting ratio of 1:2 in quantity, resulting in a net increase of 28 new trees (**Drawing A-20**). Moreover, 32 new trees will be provided at Station Deck POS (**Drawing A-20**).
- 2.10 An overall site coverage of greenery of not less than 20% for the whole Site, i.e. 2,308m², will be provided in accordance with the Sustainable Building Design Guidelines (SBDG) requirements (**Drawings A-27 to A-29**). Vertical greening has been proposed on the building façade facing Sai Yee Street and Fife Street to enhance the overall landscape quality at pedestrian level (**Drawings A-26, A-32 and A-36**).

Pedestrian Connectivity

- 2.11 The overall pedestrian connectivity which will be accessible by the general public could be broadly divided into (i) connections with surrounding areas; (ii) circulation among GIC facilities; and (iii) linkages of POSs. 24-hour passageways are proposed at the at-grade POS, 1/F retail space connecting the existing MK Road Footbridge and proposed covered Hak Po Street Footbridge, 2/F retail space and 3/F retail space connecting to the two elevated landscape walkways and further to the MTR MK East Station, all linking up vertically through lifts and escalators at various locations (**Drawings A-38 to A-42**). Details of the pedestrian connectivity are as follows:
- (i) The at-grade pedestrian accesses to/from the Site are available via Sai Yee Street, Argyle Street and Luen Wan Street (**Drawings A-39 and A-40**), and the footpaths along Sai Yee Street, Argyle Street and Luen Wan Street abutting the Site will be widened in accordance with the requirements by relevant Government departments (**Drawing A-37**). Two new footbridges are proposed on 1/F, including a short covered footbridge connecting with MK Road Footbridge (currently connected to Nathan Road area, including MTR MK Station) to the west of the Site and a covered landscape bridge to the south connecting with the proposed Hak Po Street Footbridge across

Argyle Street (**Drawings A-3 and A-39**). Two covered elevated landscaped walkways (with minimum width of 15m) across Luen Wan Street are proposed on 3/F linking the 3/F POS with Station Deck POS, and further connect to MTR MK East Station and its PTI (**Drawings A-5 and A-42**). The pedestrian linkages on different levels within the proposed development will be connected by escalators and lifts (**Drawing A-38**).

- (ii) Vertical connections through escalators and lifts are proposed within GIC Block to facilitate barrier-free accesses for all GIC facilities at different levels (**Drawings A-38 to A-43**). The GIC Block is directly accessible via a lift lobby on G/F abutting Sai Yee Street and the entrance on 3/F fronting the POS, which further connects to the Station Deck POS, MK East Station and PTI via the two proposed covered elevated landscape walkways (**Drawings A-2, A-5, A-39 and A-42**). The covered Community Bridge is proposed to connect ICYSC on 5/F of Commercial Tower and CH on 5/F of GIC Block (**Drawings A-7, A-17 and A-43**). An express escalator from 3/F to 5/F is provided within the Commercial Tower to facilitate convenient access to the GIC facilities on 5/F from MK East Station and PTI via the proposed covered elevated landscape walkways on 3/F (**Drawings A-42 and A-43**).
- (iii) The at-grade POS is directly accessible via Sai Yee Street, Argyle Street and Luen Wan Street while the 1/F POS, 3/F POSs and Station Deck POS are connected to the surrounding areas through the proposed footbridges/walkways as mentioned above (**Drawings A-39, A-40 and A-42**). All these POSs and the rooftop POS of GIC Block are accessible and connected by barrier-free and all-weathered pedestrian connections by covered pedestrian paths, escalators, lifts and staircases. The proposed PVD on the rooftop of Commercial Tower is accessible via dedicated lifts from 5M/F (**Drawings A-8 and A-38**).

Vehicular Accesses (**Drawing A-37**)

- 2.12 The proposed scheme includes four sets of vehicular ingress/egress, two via Sai Yee Street and two via Luen Wan Street. On Sai Yee Street, the northern access will be used exclusively for X-B coaches and service vehicles while the southern access with separate ingress/egress arrangement will be designated for PLB PTI on G/F. On Luen Wan Street, the northern access will provide direct access for the rehabilitation bus to DE on 2/F, and also serve the pick-up/drop-off of retail and office uses on 2/F and 3/F. The southern access will serve as an ingress/egress for car parking and PVP.

Other Urban Design and Air Ventilation Aspects

- 2.13 The proposed development has adopted a cascading design of podium on G/F to 2/F providing a multi-tiered outdoor terraces with landscape features for public enjoyment at lower levels (**Drawings A-22 and A-23**). The Commercial Tower is setback away from the south, east and west above the podium at 23mPD with building recesses of about 2.5m up to 10.5m from 3/F up to 8/F (**Drawings A-17 and A-18**).

- 2.14 According to PDB, sensitive layout and design is required to maintain a vista of open sky and the Kadoorie Hill from the pedestrian level of Fife Street. Besides, a building gap with a width of 20m on top of the podium aligning with Fife Street is required for air ventilation. While the proposed Commercial Tower and the podium will affect the concerned vista and building gap, the applicant has proposed the aforesaid building recesses of the southern façade at 3/F to 8/F of Commercial Tower and landscape treatment in the form of vertical greening at 1/F to 8/F facing Fife Street to alleviate the visual impact arising from the proposed development (**Drawings A-17, A-26, A-35 and A-36**). Air ventilation assessment (AVA) and Visual Appraisal (VA) have been conducted to demonstrate that the proposal would not cause adverse visual and air ventilation impacts (Appendices G and H of **Appendix Ia**).

Implementation Programme

- 2.15 According to the applicant, the proposed development within the Site, as well as the Station Deck POS, two covered elevated landscape walkways and proposed Hak Po Street Footbridge will be completed in 2029 in accordance with the requirements as stipulated under C/S.
- 2.16 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 4.3.2024 (**Appendix I**)
 - (b) Planning Statement with technical assessments received on 4.3.2024 (**Appendix Ia**)
 - (c) Further Information (FI) received on 3.4.2024[@] (**Appendix Ib**)
 - (d) FI received on 11.4.2024[@] (**Appendix Ic**)
- Remarks: @ accepted and exempted from publication and recounting requirements*

3. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices I to Ic**. They can be summarised as follows:

Reinforce Mong Kok's Identity as a Lively Commercial Hub

- 3.1 The Site is located at the heart of MK with easy access to MTR Station and other public transport services. The proposed development will create a new landmark and focal point which acts as a 'Green Heart' in MK with provision of shopping, entertainment, offices and GIC facilities for local communities and tourists (**Drawing A-30**).

Provision of POS, PVD, Preservation of OVTs and Landscaping

- 3.2 In response to the community's aspirations, various POSs with different themes and functions are proposed at multi-levels to promote wellness for different groups of users and create a sense of community. The at-grade POS (i.e. 'Ficus Plaza') embraces the presence of the OVT and mature trees, and serves as an entrance plaza to the Site as well as a focal point for local communities and tourists (**Drawings A-22 and A-32**). Other POSs at different levels, namely 'Urban Gallery' and 'Community Garden' on 3/F and 'Fitness Terrace' on rooftop of GIC

Block will encourage active and passive activities for general public, office workers and GIC users (**Drawings A-23 and A-24**). The Station Deck POS (i.e. 'Bio-Park') will offer a combination of passive and active landscape area for public leisure and family wellness (**Drawing A-23**). All POSs will be integrated well with each other through cohesive design, covered and barrier-free pedestrian connectivity, and visual connections (**Drawings A-21, A-39 to A-43**). The proposed PVD at the rooftop of Commercial Tower will adopt innovative multi-level design allowing the public to enjoy the spectacular view free of charge (**Drawing A-25**).

- 3.3 To better protect the OVT (T1) and two potential OVTs (T2 and T3) to be preserved in-situ within the Site (**Drawings A-20 and A-22**), the applicant has appointed an arborist team to prepare detailed tree protection measures to ensure long-term tree growth, such as paving removal and planting soil backfilling, erecting tree protection fences and aerial root guiding (Appendix F of **Appendix Ia**). The landscape bridge on 1/F between T1 and T3 connecting the new Hak Po Street Footbridge will offer treetop walk experience between T1 and T3 canopy, as well as a viewing deck for opportunity of photos and close interactions with the Ficus trees (**Drawings A-3 and A-23**). Additional feature trees will be added to 3/F POSs to enhance sense of place and provide a more unique experience for POS users (**Drawings A-20 and A-23**).

Public Engagement and Placemaking Approach

- 3.4 Four community engagement and placemaking exercises have been conducted to gather public views on the design of POS and development within Site (Appendix C of **Appendix Ia**). Key stakeholders including the operators and users of GIC facilities, HKKCCPASS and relevant Government departments have been consulted. The placemaking strategies have been adopted in formulating the function and characteristics of each POS proposed (Appendices C and D of **Appendix Ia**).

Provision and Design of GIC Facilities

- 3.5 Various visits and engagement exercises have been conducted with the operators and users of some relevant existing GIC facilities in order to better understand the operational requirements and the spatial needs of the proposed GIC facilities (Appendix C of **Appendix Ia**). The locations of GIC facilities are thoughtfully considered and designed to accommodate the specific needs of the future GIC users.

Enhanced Pedestrian Connectivity and Walkability

- 3.6 The proposed development is designed to promote pedestrian connectivity and walkability within the Site and the surrounding areas through provision of at-grade access, covered footbridges and elevated landscape walkways (**Drawings A-39 to A-42**). An open space 'loop' consisting the at-grade POS, two POSs on 3/F, the rooftop POS of GIC Block and the Station Deck POS is formulated (**Drawings A-39 to A-42**). The proposed Community Bridge is designed to connect the CH and ICYSC on 5/F of GIC Block and Commercial Tower for seamless travel between GIC facilities and MK East Station (**Drawings A-7 and A-42 and A-43**).

Pedestrian connectivity requirements as stipulated under PDB are fully complied with.

- 3.7 As required under C/S, the applicant shall construct the proposed Hak Po Street Footbridge in accordance with the specified alignment and dimension (**Drawing A-3**). Relevant concerns on the future design of the footbridge raised by the local residents shall be carefully considered by the applicant during the detailed design stage.

Transport and Traffic Arrangements

- 3.8 The provision of PLB PTI and L/UL facilities for X-B coaches will consolidate the public transport facilities at one spot to help alleviate traffic congestion in the surrounding areas and foster MK as a transport hub (**Drawings A-2 and A-12**). Sufficient car parking spaces will be provided in accordance with OZP and PDB requirements. To minimise the potential traffic impact to the adjacent road network, four sets of vehicular ingress/egress are proposed to evenly distributing vehicular traffic (**Drawing A-37**).

Compliance with Restrictions under OZP and Requirements under PDB

- 3.9 The proposed development is in line with the planning intention of the “C(4)” zone and the proposed uses are always permitted. It also complies with the requirements as stated in the Notes and Explanatory Statement of the OZP as well as PDB, except for the minor relaxation of BH restriction in sub-areas (b) and (c).

Justifications on Proposed Minor Relaxation of BH Restriction on Sub-area (c) and the Need for the Footbridge over Sub-area (b)

- 3.10 The proposed minor relaxation of BHR from 40mPD to 46mPD (+6m or +15%) for sub-area (c) is to accommodate a small-scale lift shaft and stair hood to provide barrier-free access to the rooftop POS of GIC Block in accordance with Section 72 of the B(P)R while majority of the rooftop area of GIC Block will not exceed 40mPD (**Drawings A-9 and A-17**).
- 3.11 The proposed covered Community Bridge and its staircase extension which encroach over 23mPD in sub-area (b) will improve connectivity among GIC facilities, enhance accessibility to the rooftop POS of GIC Block, and facilitate barrier-free and all-weathered pedestrian access to the GIC facilities from MK East Station via an express escalator connecting 3/F to 5F within the Commercial Tower (**Drawings A-5, A-7, A-42 and A-43**). Besides, the footbridge will also serve as a spill-over space during special events in CH for better crowd control (**Drawing A-7**). The meandering design of the footbridge will create an interesting architectural feature and provide shading area for 3/F POS underneath (**Drawings A-5, A-7 and A-31**).
- 3.12 VA and AVA have been conducted to ascertain that the minor increase of the BH of GIC Block in sub-area (c), and proposed additional Community Bridge over sub-area (b) would be acceptable in both visual and air ventilation aspects.

Vista of open sky and Kadoorie Hill from Fife Street and building gap on top of the podium aligning with Fife Street

- 3.13 After taken into account the technical requirements as set out in the OZP and the PDB(including provision of large scale POS and a sizeable PLB PTI on G/F), the design considerations of the architectural layout and disposition of podium and Commercial Tower and provision of various design merits (including reduction of the extent of basement for better protection of the three OVT/mature trees through relocating some E&M facilities to ground level and upper levels, and the need to provide various lifts and escalators for better circulation), it is inevitable that the mass of the podium and floor plates of Commercial Tower will be enlarged, and thus affecting the view from Fife Street and provision of 20m-wide building gap. Nevertheless, to take a balance to between meeting the technical requirements and mitigate the visual change from Fife Street, various design measures as mentioned in paragraph 2.14 above have been proposed to soften the building façade facing Fife Street to allow views towards the sky and adoption of permeable façade at the podium (**Drawings A-17, A-26, A-35 and A-36**). These features will promote visual openness and enhance visual interest. AVA and VA have demonstrated that that no significant impact on the overall pedestrian wind environment nor visual impact is anticipated.

No Insurmountable Technical Problems

- 3.14 As demonstrated by various technical assessments, the proposal will not generate adverse impacts on traffic, environmental, air ventilation, visual and landscape aspects.

4. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

5. Previous Application

There is no previous application covering the Site.

6. Similar Application

There is no similar application within the OZP.

7. The Site and its Surrounding Areas (Plans A-1 to A-5)

7.1 The context of the Site is mentioned in paragraph 2.2 above.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north of the Site is HKKCCPASS. To the northeast and east across Luen Wan Street are Grand Century Place Towers 1 and 2,

MOKO Mall, Royal Plaza Hotel, MKGO, MTR MK East Station and its PTI;

- (b) to the west and south across Sai Yee Street and Argyle Street are mainly occupied by composite commercial/residential buildings with commercial uses (such as shops and eating places) on lower floors and residential use on upper floors; and
- (c) MK Road Footbridge is located to the west of the Site connecting the urban core of MK from Sai Yee Street to Nathan Road up to Portland Street, and MTR MK Station thereat.

8. Planning Intention

- 8.1 The planning intention of the “C” zone is primarily for commercial developments, which may include uses such as shop, services, place of entertainment and eating place, functioning mainly as district and local shopping centres.
- 8.2 The Notes of the OZP also stipulates that for any new development or redevelopment of an existing building on land falling within the “C(4)” zone, a LP shall be submitted for the approval of the Board. The PDB sets out the broad planning principles, development requirements and urban design consideration to facilitate the preparation of LP for the proposed commercial development in the “C(4)” zone and the proposed Station Deck POS (also see Footnote 4).
- 8.3 A minor relaxation clause in respect of BHR is incorporated into the Notes of OZP to provide incentive for developments/redevelopments with design merits/planning gains. Each application for minor relaxation of BHR will be considered on its own merits and the relevant criteria for consideration of such relaxation as stated in paragraph 7.5 of the ES of OZP are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio (PR) granted under the Buildings Ordinance (BO) in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible PR under OZP; and
 - (f) other factors, such as the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.

9. Comments from the Relevant Government Bureau and Departments

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

Land Administration

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

- (a) the Site falls within KIL No. 11273 (“the Lot”), which is held under C/S No. 20418 for a term of 50 years from the date of agreement (i.e. 29.3.2023) and restricted for non-industrial (excluding residential, godown and petrol filling station) purposes. The Purchaser is required under C/S to provide, including but not limited to POSs, GAs, PVP, covered footbridges and elevated landscape walkways. The Lot is also subject to a set of parking and L/UL requirements;
- (b) under the application, additional vehicular access points along Luen Wan Street and Sai Yee Street are proposed. This proposal is fundamentally unacceptable under C/S which allows only two separate vehicular access points for the Lot with specific conditions. If the planning application is approved by the Board, the owner of the Lot has to apply to LandsD for a lease modification in the appropriate time. It is emphasised that the proposal will only be considered upon the receipt of the valid application from the owner of the Lot. There is no guarantee that the lease modification application, if received by LandsD, will be approved and LandsD reserves comment on such. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, amongst others, charging of premium and administrative fee;
- (c) if the proposed road works involve gazettal under Roads (Works, Use and Compensation) Ordinance (Cap. 370), the applicant will have to undertake the expenditure for Government services to be provided to this private project proponent;
- (d) no particular comment on the proposed minor relaxation of BHR at sub-area (c) and building gap requirement at sub-area (b) of the “C(4)” zone as they are not governed by C/S; and
- (e) other detailed comments are in **Appendix III**.

Traffic

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

- (a) it is noted that the proposed ingress/egress arrangements are not according to the current gazette plan for the proposed road works at Sai Yee Street, Argyle Street, Luen Wan Street and Hak Po Street, Mong Kok, Kowloon (Plan No. KM10755). C for T is not the authority under Cap. 370 or for any matters relating to land administration, e.g. gazette or lease modifications. Therefore, the applicant shall resolve any issues arising from the proposed scheme relating to the gazette plan or lease modifications with the relevant Government department(s);
- (b) no in-principle objection to the proposed ingress/egress at the elevated road of Luen Wan Street; egress for carpark at Luen Wan Street; proposed ingress/egress leading to the L/UL facilities for X-B coaches and L/UL areas for the development at Sai Yee Street at approximately 30m north of MK Road; and proposed ingress/egress for the proposed PLB PTI at Sai Yee Street near its junction with MK Road subject to the detailed design of the ingress/egress arrangements and proposed traffic management measures to be submitted to the Transport Department (TD) for acceptance;
- (c) no comment on the proposed L/UL facilities for X-B coaches on B1/F subject to the submission of detailed design of L/UL facilities for X-B coaches, including a convenient access arrangement with sufficient capacity for passengers to/from the L/UL facilities, for acceptance by TD;
- (d) no comment on the proposed parking provision and L/UL provision in accordance with the parking requirements and L/UL requirements stipulated in C/S of the Lot; and
- (e) other detailed comments are in **Appendix III**.

9.1.3 Comment from Chief Highways Engineer/Kowloon, Highways Department (CHE/K, HyD);

- (a) no comment on the application subject to the proposed egress/ingress arrangements, car parking spaces, L/UL, transport facilities and laybys, etc., which are traffic engineering matter, are justified on traffic ground and agreed by TD. Given that TD has no comment on the traffic related matters from traffic engineering perspective, HyD also have no comment on the proposed arrangement from highways maintenance point of view;
- (b) other detailed comments are in **Appendix III**.

9.1.4 Comments of the Commissioner of Police:

- (a) no comment on the application;
- (b) other detailed comments are in **Appendix III**.

Environment

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

- (a) no in-principle objection to the planning application;
- (b) considered the nature of the proposed development where central ventilation system will be equipped and does not rely on openable windows for ventilation, and submission of sewerage impact assessment (SIA) and implementation of mitigation measures therein (if any) has been undertaken by the developer under land grant, insurmountable environmental impact associated with the proposed development is not anticipated;
- (c) it is noted that a land contamination assessment has been conducted as a follow-up of a previous feasibility study of the proposed development and a Contamination Assessment Plan has been submitted for review. To ensure that the potential land contamination issue of the proposed development will be properly addressed before the commencement of any construction works, the following approval condition should be imposed if the Board decides to approve the application:

the submission of a Land Contamination Assessment in accordance with the prevailing guidelines and the implementation of the remedial measures identified therein prior to development of the Site to the satisfaction of DEP or of the Board.

Urban Design, Visual, Air Ventilation and Landscape

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

Urban Design and Visual

- (a) the applicant has proposed various design measures as per the planning and design requirements relating to urban design, pedestrian connections and air ventilation as set out in the PDB including provision of a distinctive landmark with the at-grade and multi-levels POSs; retail shop frontages, sensitive building and podium design and pedestrian connections. The above design measures may promote visual interest and pedestrian comfort and enhancing pedestrian connectivity;
- (b) nevertheless, the proposed Commercial Tower with sizeable floor plate and a 17m high podium would lead to a loss on the required

building gap with a width of 20m on top of the podium aligning with Fife Street. In this connection, the applicant has indicated that such deviation is inevitable due to various technical concerns and to fulfil other requirements set out in the OZP and the PDB. According to the applicant, the proposed footprint of the Commercial Tower and podium has been optimised. As illustrated in the photomontages (Figure 4.3 of the VA), portion of open sky view would still be largely maintained when viewing along Fife Street at a farther distance near Nathan Road. The applicant has also proposed mitigation measures as mentioned in paragraph 2.14 above, to alleviate the visual impact arising from the proposed development; and

- (c) given the site context and as illustrated in the photomontages of the VA, the proposed development, in particular with a proposed 4.5m to 8.6m-wide community bridge at 34.9mPD to 37.5mPD and an associated 3m-wide staircase extension within sub-area (b), and 46mPD in sub-area (c) would unlikely induce significant adverse effects on the visual character of the surrounding townscape;
- (d) other detailed comments are in **Appendix III**;

Air Ventilation

- (e) an AVA has been carried out to compare the pedestrian-level air ventilation of the Baseline Scheme as shown in the PDB and that of the Proposed Scheme. Compared with the Baseline Scheme, the Proposed Scheme maintains a 30m-wide building separation aligning MK Road while the 20m-wide building separation aligning with Fife Street in the Baseline Scheme is now blocked by the Commercial Tower. The Proposed Scheme has a wider building setback (at Commercial Tower) of about 60m from the southern boundary as compared with 40m building setback in the Baseline Scheme. The 5m building setback along the northern boundary in the Baseline Scheme is replaced by G/F building setback of about 10m wide;
- (f) according to the simulation results, the pedestrian wind environment of the major streets, including Nathan Road, Sai Yeung Choi Street South and Fa Yuen Street, under the Proposed Scheme is comparable with the Baseline Scheme in both annual and summer conditions. There are a total of 16 locations in annual and summer conditions where the pedestrian wind environment is better under the Proposed Scheme, including Luen Wan Street under annual condition. Meanwhile, there are a total of 16 locations in annual or summer conditions where the pedestrian wind environment is better under the Baseline Scheme, including Fife Street in annual condition, MTR MK East Station PLB terminus and Luen Wan Street in summer condition. Overall, the performances of the Proposed Scheme on pedestrian wind environment are comparable with the Baseline Scheme under

both annual and summer conditions;

Landscape

- (g) according to the tree preservation proposal, there are 22 existing trees within the Site. 3 of them are proposed to be retained, including an OVT (T1) and two large mature Ficus microcarpa (T2 and T3), and 19 existing trees are proposed to be felled including 2 mature Ficus microcarpa (T27 and T28). Total 56 standard to heavy size new trees are proposed to be planted within the proposed development;
- (h) with reference to the aerial photo of 2022, the Site is already vacant and ready for redevelopment. The surrounding area mainly consists of high-density mixed developments of commercial, residential and GIC uses. Having reviewed the FI and revised drawings, she has no comment on the application from landscape planning perspective; and
- (i) other detailed comments are in **Appendix III**.

9.1.7 Comments of the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

based on the drawings and images provided in the VA, it appears that the proposed minor relaxations may not be incompatible with the existing buildings in the surrounding environment. Therefore, he has no particular comment from architectural and visual impact point of view.

Building Matters

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

- (a) no objection to the application;
- (b) all building works are subject to compliance with the Buildings Ordinance and its allied regulations; and
- (c) other detailed comments are set out at **Appendix III**.

Water Supply

9.1.9 Comments of the Chief Engineer/Construction (CE/C), WSD:

- (a) no objection to the application; and
- (b) other detailed comments are set out at **Appendix III**.

GIC Facilities

9.1.10 Comments of the District Officer (Yau Tsim Mong), Home Affairs Department (DO(YTM), HAD):

- (a) in view that the applicant has recently responded to HAD's observations/comments raised on previous occasions, he has no particular comment on the application regarding the proposed CH; and
- (b) details relating to the 24-hour access to the CH, delivery route, and demarcation of common circulation area etc. shall be dealt with during the coming design stage.

9.1.11 Comments of the Director of Social Welfare (DSW):

- (a) no comment on the application; and
- (b) other detailed comments are set out at **Appendix III**.

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

- (a) Head of Greening, Landscape and Tree Management Section, Development Bureau (GLTMS, DEVB);
- (b) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (c) Director of Food and Environmental Hygiene;
- (d) Director of Fire Services (D of FS); and
- (e) Principal Government Engineer/Railway Development, HyD.

10. Public Comments Received During Statutory Publication Period

During the statutory public inspection period, a total of 299 public comments were received, including 291 supportive comments from individuals (**Appendix IVa**); four objecting comments received from the IO of Cheong Ming Building, a property owner at 97 Mong Kok Road and individuals (**Appendix IVb**); three comments from individuals providing suggestions/views on the proposal (**Appendix IVc**), and the remaining one submitted by the IO of Richmond Commercial Building and Plaza providing a blank form with only their stamp (**Appendix IVd**) on the application. A full set of the public comments is deposited at the meeting for Members' inspection. The major grounds of public views are summarised as follows:

Supporting Views (291)

- (a) the proposed development offers a wide range of GIC facilities to serve the local community and help foster community spirit;
- (b) the OVT and mature trees within the Site will be preserved and integrated with the at-grade POS. The thoughtful integration of natural heritage within urban development sets a new standard for green urban design;

- (c) the provision of large scale POS at-grade and on the station deck will promote community interaction, improve the quality of life and increase the greenery provision in MK area;
- (d) the proposed covered footbridges and elevated landscape walkways will provide all-weathered and barrier-free pedestrian accesses, and enhance convenience and safety for daily commuters;
- (e) the provision of transport facilities within the development will alleviate the traffic congestion in the surrounding areas and enhance pedestrian safety;

Objecting Views/Concerns (4)

- (f) the proposed development will cause adverse environmental, visual, air ventilation and traffic impacts to the surroundings. Besides, the glass curtain walls used in the proposed buildings will reflect the sunlight and heat to the nearby residential developments;
- (g) no data is provided in the applicant's AVA to demonstrate that the air ventilation performance with accommodation of lift shaft and stair hood on GIC Block would be acceptable;
- (h) without any details on the proposed Hak Po Street Footbridge provided in the application, it is considered that the footbridge location and design (**Plan A-2**) will block the natural lighting and cause security, hygiene and maintenance problems to Cheong Ming Building, and thus, the residents therein should be involved at its future design process; and

Providing Suggestions/Views (3)

- (i) there are suggestions on the improvement of pedestrian connectivity between Argyle Street and the station deck, earlier provision of the proposed Station Deck POS and pet-friendly design of the proposed POS.

11. Planning Considerations and Assessments

- 11.1 The applicant submits, for approval by the Board in accordance with the Notes of OZP, the LP of the proposed commercial cum GIC and POS development at the Site with a view to demonstrating that the proposed scheme has an integrated and compatible layout with reference to the PDB before development proceeds. While the architectural design and internal floor layout/use of the commercial portion, including the Commercial Tower and the shopping mall for permitted uses, will be determined at the detailed design stage, the LP has included the major development parameters, location and broad layout of various uses/facilities, details and extent of GIC facilities, the pedestrian and vehicular connectivity, and the development programme as required under the Notes for the "C(4)" zone under OZP (see paragraphs 1.3 and 1.4 above on details of the need and requirements of LP).
- 11.2 In gist, the proposed development consists of mainly the Commercial Tower (320mPD) and the GIC Block (46mPD), both over a common podium structure

with basement (23mPD) to accommodate mainly the shopping mall, parking and L/LU facilities as well as other transport facilities (**Drawings A-1 and A-16**). At-grade POS of not less than 3,200m² abutting J/O Argyle Street and Sai Yee Street is proposed with a small 2-storey footbridge supporting structure (18mPD) abutting Argyle Street which is also accommodated with retail use (**Drawings A-2, A-3 and A-17**). Except the necessary minor relaxation of BHRs for the provision of the covered Community Bridge and its associated staircase between GIC Block and Commercial Tower and the lift shaft/stair hood on the roof of GIC Block as detailed in paragraph 2.3 above, all the proposed uses, development parameters, including total GFA and the GFA specified for individual facilities, BHRs and POS provisions, and the required facilities as detailed in paragraph 2.5 above have complied with the Notes of OZP.

- 11.3 Planning permission for the proposed LP, and the proposed minor relaxation of BHRs in sub-area (b) for the provision of Community Bridge and sub-area (c) from 40mPD to 46mPD (including roof-top structures)(+6m or 15%) for GIC Block (**Drawing A-17**) are necessary.

Planning Intention

- 11.4 The Site falls within an area zoned “C(4)” on the OZP, which is intended for commercial developments, including shop, services, place of entertainment and eating place, functioning mainly as district and local shopping centres. The proposed uses including eating place, shop and services, office, place of entertainment, place of recreation, sports or culture, private club, school, educational institution, PTI, PVP and SWFs are always permitted under the “C(4)” zone and the overall development proposal are in line with its planning intention.

Integrated and Compatible Layout as shown on LP

- 11.5 As set out in paragraph 2.5 above and detailed in the comparison table in **Appendix II**, the proposed scheme has largely complied with the PDB requirements, including uses, key development parameters, various planning requirements including BH profile, POS provision, landscaping, greenery, GIC and transport facilities provisions, pedestrian connection, PVP, L/UL and lay-by provisions and other technical requirements. Amongst other things, the following aspects are highlighted in particular:
- (a) while all the required GIC facilities have been provided in accordance with the OZP and the PDB requirements, the CH and most of the SWFs (i.e. DE on 2/F, NEC on 3/F, ICCMW on 3M/F and CH on 5/F and 5M/F) are located at the separate GIC Block at the northern portion of Site adjoining to the existing school to the north (**Drawings A-4 to A-8**). This has enabled more flexible design to cater for different nature of the facilities as outlined in the applicant’s justifications in paragraph 3.5 above and will be more compatible with the adjoining school. ICYSC located on 5/F of Commercial Tower is separated from the commercial uses of the tower in terms of space and access, and is designed to utilise the landscaped area available on the remaining 5/F for social events as well as the gathering area of CH being connected via the Community Bridge (**Drawings A-7 and A-17**). Early liaison with relevant Government departments, such as SWD and HAD, at the pre-submission stage of the application has been conducted by the

applicant to work out an acceptable layout that can meet the operational requirements with an integrated building design. No further departmental comment has been received on the currently proposed scheme related to the GIC provisions;

- (b) the pedestrian network for the general public, and the GIC and POS users has linked up the surrounding major destinations and transport facilities through two covered elevated landscaped walkways on 3/F linking up MTR MK East Station and the Station Deck POS (**Drawings A-5 and A-42**), two covered footbridges on 1/F connecting the existing MK Road footbridge and the planned footbridge at Hak Po Street to the south of the Site (**Drawings A-3 and A-40**), as well as the at-grade pedestrian accesses at Sai Yee Street and Argyle Street with improvement works carried out by the applicant (**Drawings A-2 and A-39**). Within the Site, horizontal pedestrian linkages and vertical connections via internal passages, covered footbridges, POSs, escalators/lifts are proposed to facilitate barrier-free access for all GIC facilities and POSs as shown on **Drawings A-38 to A-43**. 24-hour passageways (as requested under C/S) have also been designated to provide direct access amongst MTR MK East Station and its deck area and the MK urban core via the Sites (**Drawings A-38 to A-43**). Separate accesses for Commercial Tower are provided to avoid unnecessary conflict with the GIC and POS users (**Drawing A-42**). Overall, the above-mentioned pedestrian facilities will provide efficient and effective connectivity and accessibility as well as better walkability within the Site and via the Site to the surrounding areas;
- (c) while the overall POS provision has met the OZP and PDB requirements, the POSs are proposed at multi-levels with different themes and functions linked up with barrier-free accesses to serve different user groups. In this regard, various landscape components, including event stage, observation terrace, sitting out areas at various locations and water feature are proposed (**Drawings A-21 to A-24**). For the PVD on the rooftop of Commercial Tower, it will be opened to the general public for free with dedicated lifts from 5M/F (**Drawings A-8, A-11 and A-25**). As required under PDB and C/S, the applicant will also provide, manage and maintain the elevated landscaped walkways connecting the MK East Station deck and the Station Deck POS (until returned to the Government upon request), both of which are outside the Site (**Drawings A-5 and A-23**). The overall setting of the concerned POSs and their connectivity is considered reasonable and acceptable;
- (d) the OVT (T1) and two potential OVTs (T2 and T3) within the Site will be preserved in situ and well integrated with the at-grade POS (**Drawings A-20 and A-22**). Besides, according to PDB, basement structure is allowed under the OVT and the two potential OVTs with suitable soil depth. To better preserve these trees in-situ as a part of the POS, the proposed scheme has not proposed any basement structure underneath their respective TPZs (**Drawings A-12 to A-16**). The OVTs outside the Site (T4 and T5) will be retained in situ (**Drawing A-20**). 56 new trees of standard to heavy size are proposed within the Site to compensate the 28 affected existing trees, which are proposed to be felled because of poor condition/without high amenity value, in a ratio of 1:2 in quantity resulting in a net increase of 28 new trees

within the Site (**Drawings A-19 and A-20**). A greenery coverage of not less than 20% (i.e. about 2,300m²) will be provided (**Drawings A-27 to A-29**). Another 32 new trees will be provided at Station Deck POS; and

- (e) regarding the overall provisions of transport related facilities and the proposed changes to the vehicular ingress/egress arrangements and improvement works, relevant Government departments, including TD and HyD, have no adverse comments subject to submission of details for acceptance at the detailed design stage. An approval condition on the submission of traffic management plan to facilitate TD to monitor the traffic condition in the operation stage is proposed.

Minor Relaxation of BHR under OZP and Deviation from PDB Requirements

11.6 Notwithstanding the above, the proposed scheme requires minor relaxation of BHRs in sub-areas (b) and (c) as stipulated under the Notes of the OZP and acceptance of the deviation of the PDB requirement under the LP on the adverse impacts on the vista of the open sky and the Kadoorie Hill from Fife Street and the building gap aligning with Fife Street, which are discussed below:

- (a) regarding the minor exceedance of BHR of the GIC Block in sub-area (c) by 6m, as the increase of BH is for accommodation of a small-scale lift and stair hood with a coverage of about 100m² or 12% of the roof area to provide barrier-free access to the rooftop POS for compliance with B(P)R (**Drawings A-9 and A-17**), the proposal is considered minor in nature and necessary for the barrier-free access to the rooftop POS;
- (b) according to the Notes of OZP, a building gap on which the maximum BH is 23mPD shall be provided within sub-area (b). To provide more effective pedestrian linkage and efficient use of the GIC facilities and public spaces, the covered Community Bridge with roof level ranging from 34.9mPD to 37.5mPD and its associated staircase are proposed over sub-area (b) to connect the GIC facilities on 5/F of GIC Block and Commercial Tower for seamless travel towards MK East Station (**Drawings A-7, A-17, A-38 to A-43**). While the podium within sub-area (b) is kept with maximum BH of 23mPD (**Drawing A-17**), the required building gap is largely maintained as shown on the photomontage on **Drawing A-34** and no significant adverse air ventilation and visual impacts are anticipated. Moreover, with its meandering design located above the 3/F POS, the Community Bridge may also be considered as an architectural feature and will provide shading for the POS underneath. As such, the provision of the Community Bridge and its staircase extension is not unacceptable;
- (c) according to PDB, sensitive layout and design is required to maintain a vista of open sky and the Kadoorie Hill from the pedestrian level of Fife Street, and a building gap with a width of 20m on top of the podium aligning with Fife Street is required for air ventilation. While it may be inevitable that the aforesaid vista and building gap will be affected due to the design and disposition of Commercial Tower and the podium constrained by the technical requirements and site constraints as set out in the applicant's justifications in paragraph 3.13 above, the applicant has proposed mitigation measures by way of building setback, recesses and vertical greening to

alleviate the visual concerns as mentioned in paragraphs 2.14 and 3.13 above (**Drawings A-17, A-26 and A-36**); and

- (d) having reviewed the site context, and the submitted VA and AVA, CTP/UD&L, PlanD considers that the above proposals would unlikely induce significant adverse impacts on visual character of the surrounding townscape, the overall air ventilation performance of the proposed scheme would be comparable with the baseline scheme and would not be incompatible with the landscape setting in proximity. CA/CMD2, ArchSD has no comment from architectural and visual impact point of view. In view of the above, the proposals are considered to be generally in line with the planning criteria provided in paragraph 8.3(f) above for which planning and design merits would be provided.

Technical Aspects

- 11.7 To support the LP and the minor relaxation of BHRs, various technical assessments, including VA, AVA, landscape design and tree preservation proposals, TIA and SIA have been submitted. C for T has no objection to the application subject to the incorporation of approval condition as set out in paragraph 13.2 (a) below. DEP's concern on land contamination aspect can be addressed by imposition of approval condition in paragraph 13.2 (b) below. Other relevant B/Ds consulted including GLTMS of DEVB, CTP/UD&L of PlanD, D of FS, DEMS, CBS/K of BD, CA/ASC of ArchSD and CHE/K of HyD have no objection to/no adverse comment on the application.

Public Comments

- 11.8 The supporting comments are noted. Regarding the objections/concerns raised in the public comments concerning the adverse impacts on traffic, visual, air ventilation and environmental aspects, the planning assessment above and the departmental comments in paragraph 9 are relevant.
- 11.9 For the concerns on light nuisance, the applicant will participate in the Environment Bureau's 'Charter on External Lighting' and the use of glass curtain wall system will comply with the regulations stipulated in BD's relevant guidelines. Relevant advisory clauses are proposed accordingly.
- 11.10 Regarding the suggestion on pet-friendly POS design, the applicant responds that consideration will be given to incorporate pet-friendly design in the appropriate locations of the proposed development in the detailed design stage. For the Station Deck POS, which will be handed back to the Government upon demand in future, whether pet-friendly design could be allowed will have to be further discussed with relevant Government departments during the detailed design stage.
- 11.11 Regarding the suggestion on early provision of the Station Deck POS, the applicant responds that the station deck area is currently occupied by MKGO car parking spaces, the possession of which will be granted after reprovisioning of the car parking spaces into the proposed development. Nevertheless, the applicant will strive to complete the enhancement works and POS within a reasonably achievable schedule in accordance with C/S.

- 11.12 Regarding the public comment on the proposed Hak Po Street Footbridge, it is noted that similar comment was received during the road gazette procedure under Cap. 370 in respect of blocking of sunlight, security, hygiene and maintenance problems. After squarely addressing the concerns, the works scheme of the footbridge was authorised by CE in C without modification in 2022. In the future implementation of the footbridge, the applicant would proceed with its construction in accordance with the alignment and dimension as required under C/S. Relevant concerns on the future design shall be carefully considered by the applicant during the detailed design stage.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above, and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 19.4.2028, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a traffic management measures proposal to the satisfaction of the Commissioner for Transport or the Town Planning Board;
- (b) the submission of a land contamination assessment in accordance with the prevailing guidelines and the implementation of the remedial measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of building height restrictions.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 4.3.2024
Appendix Ia	Planning Statement with Technical Assessments
Appendix Ib	Further Information received on 3.4.2024
Appendix Ic	Further Information received on 11.4.2024
Appendix II	Detailed Planning and Design Brief Compliance Table
Appendix III	Detailed Departmental Comments
Appendices IVa to IVd	Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Drawings A-2 to A-15	Floor Plans
Drawings A-16 to A-18	Section Plans
Drawings A-19 to A-20	Tree Treatment Plan and Tree Planting Proposal
Drawings A-21 to A-26	Landscape Master Plan and Landscape Elevation
Drawings A-27 to A-29	Green Coverage Plans
Drawings A-30 to A-32	Visual Illustrations
Drawings A-33 to A-36	Photomontages
Drawing A-37	Vehicular Access Plan
Drawings A-38 to A-43	Pedestrian Circulation Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-5	Site Photos

**PLANNING DEPARTMENT
APRIL 2024**