

# **TOWN PLANNING BOARD**

**TPB PAPER NO. 10309  
FOR CONSIDERATION BY THE TOWN PLANNING BOARD  
ON 1.8.2017**

**CONSIDERATION OF FURTHER REPRESENTATIONS  
NO. F1 TO F337, F428, F429 AND F430 (PART) TO F435 (PART)  
ON PROPOSED AMENDMENTS TO THE  
DRAFT KENNEDY TOWN & MOUNT DAVIS OUTLINE ZONING PLAN NO. S/H1/20  
ARISING FROM THE CONSIDERATION OF REPRESENTATIONS AND COMMENTS  
ON THE DRAFT OUTLINE ZONING PLAN**

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ARISING FROM THE CONSIDERATION OF REPRESENTATIONS AND COMMENTS  
ON THE DRAFT OUTLINE ZONING PLAN**

<b>Subject of Further Representations</b>	<b>Representers</b>
Support the proposed Amendment Items A and B with a proposal to rename the Cadogan Street Temporary Garden (CSTG) under Amendment Item A to demonstrate its permanent nature	Tsim Sha Tsui Residents Concern Group (F1)
Support the proposed Amendment Item A	Individual (F2)
Support the proposed Amendment Item A with proposals to exclude CSTG from the proposed ground decontamination work and rename CSTG as a permanent park	Individuals (F3 to F337 and F430 to F435)
Provide proposals in relation to the design, extent and facilities of the CSTG site under the proposed Amendment Item A	Individuals (F428 and F429)

Note: A CD-ROM containing names of all valid further representations as well as their submissions are enclosed at **Enclosure IV** [for the Town Planning Board Members only]. The names of all further representers can be found at the Town Planning Board's website at [http://www.info.gov.hk/tpb/tc/plan\\_making/Attachment/20170630/S\\_H1\\_20\\_index\\_of\\_further\\_representations\\_eng\\_chi.pdf](http://www.info.gov.hk/tpb/tc/plan_making/Attachment/20170630/S_H1_20_index_of_further_representations_eng_chi.pdf).

## **1. Introduction**

- 1.1 On 11.3.2016, the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/20 was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The amendments involve the rezoning of three sites for a waterfront park and two open spaces, one site for commercial, leisure and tourism related uses, four sites for public and private housing developments, three sites for government, institution and community (GIC) facilities, land for road and junction improvements, and other miscellaneous amendment items mainly for rationalisation of zonings and restrictions on the OZP and for boundary adjustments. During the 2-month exhibition period, a total of 7,593 valid representations were received. On 5.7.2016, the representations were published for public comments and, in the first 3 weeks of the publication period, a total of 306 comments were received.

- 1.2 After consideration of the representations and comments under section 6B of the Ordinance on 7.2.2017, 15.2.2017, 16.2.2017, 21.2.2017, 1.3.2017 and 11.5.2017, the Town Planning Board (the Board) considered that CSTG should be retained for open space use and the “Residential (Group A)6” (“R(A)6”) zoning of the site should be amended to reflect such intention. After deliberation, the Board also decided to uphold/partially uphold representations R111 (part) to R142 (part), R143, R146 to R4095, R4096 (part), R4097 to R4837, R7613 and R7614 by rezoning CSTG from “R(A)6” to “Open Space” (“O”) (**Amendment Item A**) (hereinafter referred as ‘FR Site A’) and the area to the west of CSTG from “R(A)6” to “Government, Institution or Community” (“G/IC”) subject to a building height (BH) restriction of 40mPD (**Amendment Item B**) (hereinafter referred as ‘FR Site B’) (**Plan FH-1**). The relevant TPB Paper No. 10244 and the minutes of the aforesaid Board’s meetings are deposited at the Board’s Secretariat for Members’ inspection. They are also available at the Board’s website.
- 1.3 On 26.5.2017, the proposed amendments to the draft OZP were exhibited for public inspection under section 6C(2) of the Ordinance. A set of the Schedule of Proposed Amendments, Amendment Plan No. R/S/H1/20-A1 and proposed amendments to the Notes and Explanatory Statement of the draft OZP is attached at **Enclosure I**. During the 3-week exhibition period which ended on 16.6.2017, a total of 958 further representations (FR) were received.
- 1.4 On 7.7.2017, the Board decided that **F338 to F427, F436 to F958**, and the part of **F430 to F435** were considered invalid and should be treated as not having been made under section 6D(1) of the Ordinance<sup>1</sup>. The Board also decided to hear a total of 345 FRs (the valid FRs), i.e. **F1 to F337, F428, F429 and F430 (part) to F435 (part)**, collectively in one group as they were all related to the proposed amendment items.
- 1.5 This paper is to provide the Board with information for the consideration of the valid FRs. A summary of the valid FRs with the Planning Department (PlanD)’s responses, in consultation with the concerned government departments, is at **Enclosure II** and a copy each of **F1, F2**, the sample of **F3 to F337 and F430 (part) to F435 (part)** (in one standard format), **F428 and F429** are attached respectively at **Enclosures IIIa to IIIe**. The location of the valid FRs is shown on **Plan FH-1**.
- 1.6 In accordance with section 6F(3) of the Ordinance, the original representers/commenters who have made representations/comments on which the proposed amendments have been made and the further representers **F1 to F337 and F428 to F435** have been invited to the meeting.
- 1.7 On 6.1.2017, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the Chief Executive in Council (CE in C) for approval for a period of 6 months from 11.2.2017 to 11.8.2017.

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<sup>1</sup> Pursuant to section 6D(1) of the Ordinance, any person, other than that who has made any representation or comment and after consideration of which the proposed amendments have been made, may make further representation to the Board in respect of the proposed amendments.

## 2. **The Further Representations**

2.1 Among the 345 valid FRs, **F1 to F337 and F430 (part) to F435 (part)** supported Amendment Item A on the rezoning of CSTG from “R(A)6” to “O” on the grounds that CSTG was a popular green space in the local community and should be retained to meet the demand for open space. **F1** also supported Amendment Item B on the rezoning of the area to the west of CSTG from “R(A)6” to “G/IC” with a BH restriction to preserve ventilation corridors and ensure adequate provision of community services. Except **F2**, the rest of the valid FRs submitted proposals in relation to Amendment Item A. All the FRs were submitted by individuals, except **F1** which was submitted by the Tsim Sha Tsui Residents Concern Group. **F3 to F337 and F430 (part) to F435 (part)** were submitted in a standard format.

2.2 FRs’ proposals are summarised as follows:

### To rename CSTG as permanent park and retain CSTG in its current state

2.2.1 **F1, F3 to F337 and F430 (part) to F435 (part)** proposed to rename CSTG to reflect its permanent nature and that having been used safely in the past 19 years, it should be retained in its current state.

### To stipulate the exclusion of CSTG from the ground decontamination works<sup>2</sup>

2.2.2 **F3 to F337 and F430 (part) to F435 (part)** challenged the need for ground decontamination works for CSTG and the validity of the environmental impact assessment (EIA) report and the environmental permit (EP) related to CSTG. They considered that as the proposed use of the CSTG site had been changed from residential to open space, the boundary and methodology of the ground decontamination works stated in the EIA report should be reviewed and amended. While they considered that ground decontamination works would not be necessary if CSTG was retained in its current state, they requested the Board to stipulate the exclusion of CSTG from the works.

### Detailed proposals in relation to the design, extent and facilities of CSTG

2.2.3 **F428 and F429** had the following detailed proposals for the CSTG site:

- to plant new vegetation after the CSTG site was decontaminated (**F428**);
- as a public transport interchange (PTI) is required to meet the local need, it could be provided at the CSTG site with the garden on top or in the form of an underground structure beneath the garden (**F428**);

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<sup>2</sup> According to the Environmental Impact Assessment reports for the Demolition of Buildings and Structures of the Kennedy Town Incineration Plant and Kennedy Town Abattoir and the corresponding EP, the soil of the area bounded by Cadogan Street, Victoria Road and Sai Ning Street, including CSTG, are contaminated. As advised by the relevant government departments, it is desirable to carry out the ground decontamination works for the whole contaminated site (including the CSTG) ultimately so as to eliminate the potential health risk caused by the underground contaminants.

- to reduce the size of the CSTG site or to extend the site to the proposed waterfront park so as to allow ground decontamination works and development at the original CSTG site (**F428**); and
- to provide pet garden at the CSTG site (**F429**).

### 3. **Planning Considerations and Assessments**

#### ***FR Sites and the Surrounding Areas (Plans FH-1 to FH-6)***

- 3.1 FR Site A is zoned “O” under Amendment Item A (about 0.606ha). It is currently occupied by CSTG with trees mainly along the boundary and a green lawn in the central part. Some small scale recreation facilities for the elderly, a pet corner, a storage place and plant rooms are provided thereat. The site is bounded by the proposed new access road, Cadogan Street, Victoria Road and Sai See Street to its north, east, south and west respectively.
- 3.2 FR Site B is zoned “G/IC” and subject to a maximum BH restriction of 40mPD under Amendment Item B (about 0.304 ha). Currently, it is traversed partly by Sai See Street in the north-south direction with a refuse collection point to the east and a temporary car park to the west. The site is also bounded by the proposed new access road to its north and west and Victoria Road to its south.
- 3.3 The surrounding areas of the FR sites are predominantly high-rise residential developments with Ka Wai Man Road Garden located to the south across Victoria Road and Ka Wai Man Road and some GIC facilities located to its southwest across Victoria Road. The vacant land to the north across the new road is zoned “O(1)” and proposed for development into a waterfront park; and that to the west across the new road is zoned “G/IC” and proposed for primary school development.

#### ***Planning Intentions***

- 3.4 The “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 3.5 The “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

#### ***Responses to Grounds and Proposals of FRs***

- 3.6 Apart from **F428** and **F429**, which provided only comments on Amendment Item A, all the other valid FRs supported Amendment Item A and **F1** also supported Amendment Item B. The grounds of the supportive FRs are noted.

To rename CSTG as permanent park and retain CSTG in its current state  
(F1, F3 to F337 and F430 to F435)

- 3.7 The FR Site A is zoned “O” which is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. ‘Park and Garden’ use of the site, no matter whether temporary or permanent in nature, is always permitted. However, whether CSTG should be renamed is outside the purview of the Board.

To stipulate the exclusion of CSTG from the ground decontamination works  
(F3 to F337 and F430 to F435)

- 3.8 As advised by the relevant government departments, it is desirable to carry out the ground decontamination works for the whole contaminated site (including CSTG) ultimately so as to eliminate the potential health risk caused by the underground contaminants. The Government will take into account the Board’s decision and the public comments, and consider the appropriate arrangements for the ground decontamination works.

Detailed proposals in relation to the design, extent and facilities of CSTG  
(F428 and F429)

- 3.9 The object of the OZP is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the OZP can be subject to statutory planning control. The FR Site A is zoned “O” which forms part of the open space network in the area. The detailed design of CSTG, including the facilities to be provided, and the integration between CSTG and the future waterfront park would be considered at the implementation stage. Subject to the Board’s decision on the FRs, the Government will continue to enhance the land use planning and the related development proposals accordingly.
- 3.10 For the proposal of accommodating PTI in the CSTG site, it should be noted that planning permission under section 16 of the Ordinance is required. Each application will be considered by the Board on its own merits.

**4. Consultation**

- 4.1 The following government departments have been consulted on the FRs and their comments have been incorporated in the above paragraphs, where appropriate:

- Secretary for Development;
- Commissioner for Transport;
- Director of Environmental Protection;
- Chief Engineer/Special Duties (Works), CEDD;
- Director of Leisure and Cultural Services; and
- District Officer (Central & Western) (DO(C&W)), Home Affairs Department.

4.2 The following departments have no comment on the FRs:

- District Lands Officer/Hong Kong West & South, Lands Department;
- Chief Highway Engineer/Hong Kong, Highways Department;
- Director of Housing;
- Director of Food and Environmental Hygiene; and
- Director of Social Welfare.

4.3 As advised by DO(C&W), on 15.6.2017, the Culture, Leisure and Social Affairs Committee of the Central and Western District Council passed the following motion in the discussion on the agenda item on Concern over future development of CSTG in Sai Wan:

“Request the Government to designate the CSTG and the waterfront site off the CSTG as permanent open space, and to amalgamate the two open spaces to avoid continual fragmentation of the open spaces in the district. At the same time, the residents should be allowed to participate in designing the open space, so that the entire open space can better satisfy the needs of the residents.”

As the motion is related to the design of the open space, the response at paragraph 3.9 above is relevant.

## 5. Planning Department's Views

5.1 The views of all supportive FRs are noted.

5.2 Based on the assessments made in paragraph 3 above, PlanD does not support all the proposals submitted by **F1, F3 to F337, F428, F429 and F430 (part) to F435 (part)** and considers that the draft OZP should be amended by the proposed amendments for the following reasons:

- (a) All the further representations supported the designation of the “Open Space” (“O”) for the Cadogan Street Temporary Garden (CSTG). ‘Park and Garden’ use, no matter whether temporary or permanent in nature, of the CSTG site is always permitted under the “O” zone on the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/20. The proposed renaming of CSTG is outside the purview of the Board. (**F1, F3 to F337 and F430 (part) to F435 (part)**)
- (b) The Government will take into account the Board’s decision and the public comments, and consider the appropriate arrangements for the ground decontamination works. (**F3 to F337 and F430 (part) to F435 (part)**)
- (c) The object of the OZP is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the OZP can be subject to statutory planning control. Detailed design of CSTG and the future waterfront park would be considered at the implementation stage. The Government will continue to enhance the land use planning and the related development proposals accordingly. (**F428 and F429**)

**6. Decision Sought**

The Board is invited to give consideration to FRs taking into consideration the points raised in the hearing, and decide whether to amend the draft OZP by the proposed amendments or by the proposed amendments as further varied during the hearing.

**7. Follow-up Action**

- 7.1 Should the Board decide to amend the draft OZP by the proposed amendments or the proposed amendment(s) as further varied, such amendment(s) shall form part of the draft Kennedy Town & Mount Davis OZP No. S/H1/20. In accordance with section 6H of the Ordinance, the draft OZP shall thereafter be read as including the amendment(s). The amendment(s) shall be made available for public inspection until the CE in C has made a decision in respect of the draft OZP in question under section 9 of the Ordinance.
- 7.2 Administratively, the Building Authority and relevant government departments will be informed of the decision of the Board and will be provided with a copy/copies of the amendment(s).

**Attachments**

<b>Plan FH-1</b>	Location plan of further representations
<b>Plan FH-2</b>	Site plan of amendment items
<b>Plan FH-3</b>	Aerial photo of amendment items
<b>Plans FH-4 to FH-6</b>	Site photos of amendment items
<b>Enclosure I</b>	Schedule of Proposed Amendments, Amendment Plan and proposed amendments to the Notes and Explanatory Statement of the OZP
<b>Enclosure II</b>	Summary of valid further representations and Planning Department's responses
<b>Enclosures IIIa to IIIe</b>	Copies of F1, F2, sample of F3 to F337 and F430 (part) to F435 (part), F428 and F429
<b>Enclosure IV</b>	CD-ROM containing names of all valid further representers and all valid further representations [for Members only]





與旅遊有關的用途  
RECREATIONAL, LEISURE AND  
TOURISM RELATED USES

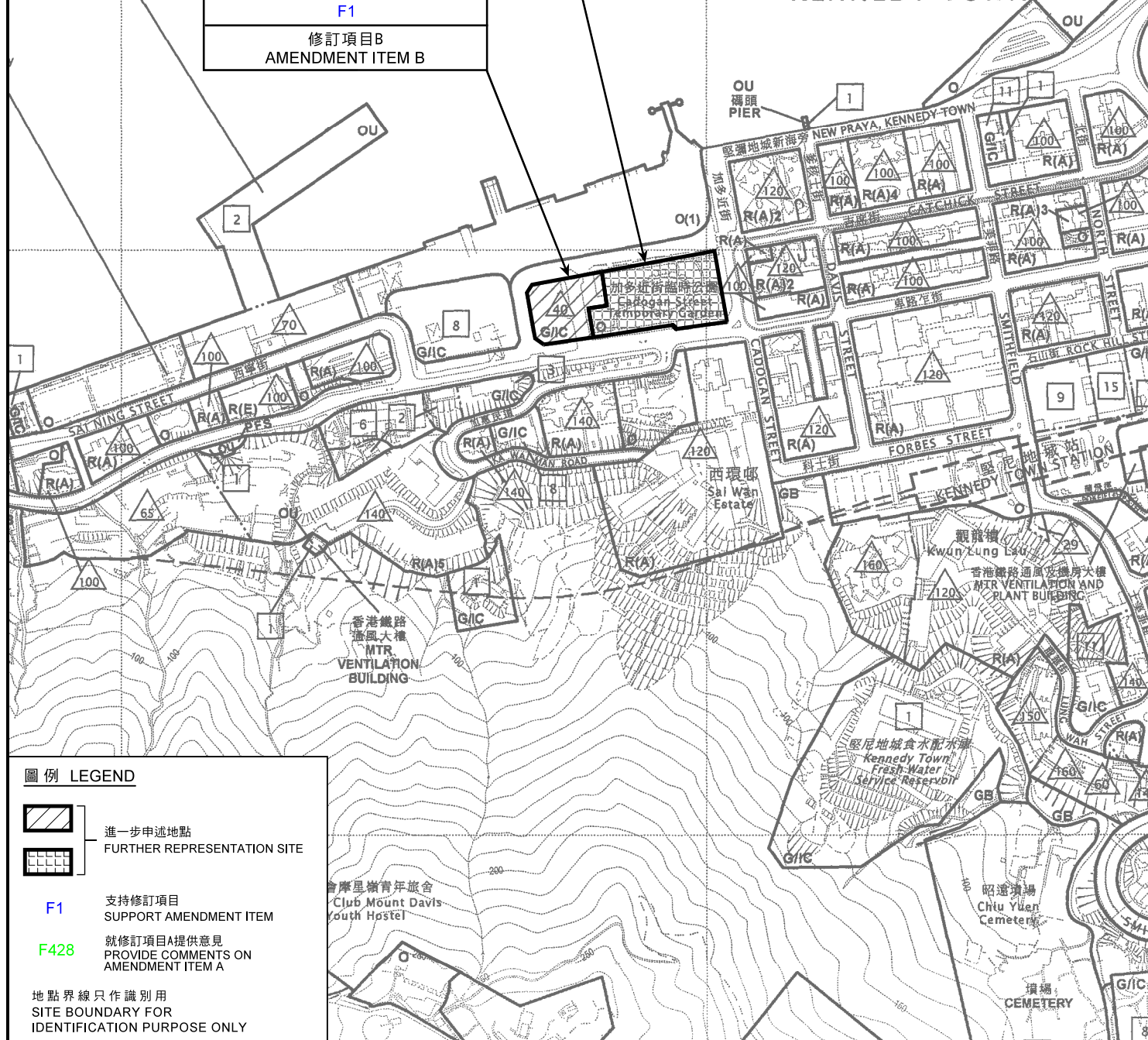
進一步申述個案編號  
FURTHER REPRESENTATION No.  
F1

修訂項目B  
AMENDMENT ITEM B

進一步申述個案編號  
FURTHER REPRESENTATIONS No.  
F1-F337, F428-F429 &  
F430(PART)-F435(PART)

修訂項目A  
AMENDMENT ITEM A

堅尼地城  
KENNEDY TOWN



#### 圖例 LEGEND



F1 支持修訂項目  
SUPPORT AMENDMENT ITEM

F428 就修訂項目A提供意見  
PROVIDE COMMENTS ON  
AMENDMENT ITEM A

地點界線只作識別用  
SITE BOUNDARY FOR  
IDENTIFICATION PURPOSE ONLY

#### 位置圖 LOCATION PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/20 的建議修訂提出的  
進一步申述個案編號F1-F337、F428-F429及F430(部分)-F435(部分)作出考慮  
CONSIDERATION OF FURTHER REPRESENTATIONS  
No. F1-F337, F428-F429 AND F430(PART)-F435(PART)  
TO THE PROPOSED AMENDMENTS TO  
THE DRAFT KENNEDY TOWN & MOUNT DAVIS  
OUTLINE ZONING PLAN No. S/H1/20

SCALE 1 : 5 000 比例尺  
100 0 100 200  
METRES METRES

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
R/S/H1/20

圖 PLAN  
FH - 1

本摘要圖於2017年7月14日擬備，  
所根據的資料為於2016年3月11日  
展示的分區計劃大綱圖編號S/H1/20，  
以及於2017年5月26日展示的建議  
修訂圖編號R/S/H1/20-A1

EXTRACT PLAN PREPARED ON 14.7.2017  
BASED ON OUTLINE ZONING PLAN  
No. S/H1/20 EXHIBITED ON 11.3.2016 AND  
PROPOSED AMENDMENT PLAN No.  
R/S/H1/20-A1 EXHIBITED ON 26.5.2017

圖 PLAN  
FH - 2





進一步申述個案編號  
FURTHER REPRESENTATION No.  
F1

修訂項目B  
AMENDMENT ITEM B

進一步申述個案編號  
FURTHER REPRESENTATIONS No.  
F1-F337, F428-F429 &  
F430(PART)-F435(PART)

修訂項目A  
AMENDMENT ITEM A

前香港鐵路有限公司  
西港島線工地  
EX-MTR CORPORATION LIMITED  
WEST ISLAND LINE  
WORKS SITE

西市街臨時垃圾收集站  
SAI SEE STREET  
TEMPORARY REFUSE  
COLLECTION POINT

臨時停車場  
TEMPORARY  
CAR PARK

加多近街  
SAI SEE STREET

加多近街臨時花園  
CADOGAN STREET  
TEMPORARY GARDEN

VICTORIA ROAD

泓都  
THE MERTON

泓都  
THE MERTON

域多利道

加惠民道花園  
KA WAI MAN ROAD  
GARDEN

百年大樓  
CENTENARY  
MANSION

加惠民道

加惠臺  
CAYMAN RISE

KA WAI MAN ROAD

#### 圖例 LEGEND



進一步申述地點  
FURTHER REPRESENTATION SITE

地點界線只作識別用  
SITE BOUNDARY FOR  
IDENTIFICATION PURPOSE ONLY

#### 航攝照片 AERIAL PHOTO

本摘要圖於2017年7月19日擬備，所根據的資料為地政總署於2016年1月1日拍得的航攝照片編號CS62284

EXTRACT PLAN PREPARED ON 19.7.2017  
BASED ON AERIAL PHOTO No.CS62284  
TAKEN ON 1.1.2016 BY  
LANDS DEPARTMENT

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/20 的建議修訂提出的進一步申述個案編號F1-F337、F428-F429及F430(部分)-F435(部分)作出考慮  
CONSIDERATION OF FURTHER REPRESENTATIONS  
No. F1-F337, F428-F429 AND F430(PART)-F435(PART)  
TO THE PROPOSED AMENDMENTS TO  
THE DRAFT KENNEDY TOWN & MOUNT DAVIS  
OUTLINE ZONING PLAN No. S/H1/20

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
R/S/H1/20

圖 PLAN  
FH - 3





地點界線只作識別用  
SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

## 實地照片 SITE PHOTO

本圖於2017年7月19日擬備，所根據的資料為攝於2017年7月7日的實地照片  
EXTRACT PLAN PREPARED ON 19.7.2017  
BASED ON SITE PHOTO TAKEN ON 7.7.2017

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/20 的建議修訂提出的進一步申述個案編號F1-F337、F428-F429及F430(部分)-F435(部分)作出考慮  
CONSIDERATION OF FURTHER REPRESENTATIONS  
No. F1-F337, F428-F429 AND F430(PART)-F435(PART)  
TO THE PROPOSED AMENDMENTS TO  
THE DRAFT KENNEDY TOWN & MOUNT DAVIS  
OUTLINE ZONING PLAN No. S/H1/20

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.

R/S/H1/20

圖 PLAN

FH - 4





加多近街臨時花園  
CADOGAN STREET  
TEMPORARY GARDEN

### 實地照片 SITE PHOTOS

本圖於2017年7月14日擬備，所根據的資料為攝於2017年7月7日的實地照片  
EXTRACT PLAN PREPARED ON 14.7.2017  
BASED ON SITE PHOTOS TAKEN ON 7.7.2017

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/20 的建議修訂提出的進一步申述個案編號F1-F337、F428-F429及F430(部分)-F435(部分)作出考慮  
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OUTLINE ZONING PLAN No. S/H1/20

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
R/S/H1/20

圖 PLAN  
FH - 5



5



西市街  
臨時垃圾收集站  
SAI SEE STREET  
TEMPORARY REFUSE  
COLLECTION POINT

6



臨時停車場  
TEMPORARY  
CAR PARK

## 實地照片 SITE PHOTOS

本圖於2017年7月14日擬備，所根據的資料為攝於2017年7月7日的實地照片  
EXTRACT PLAN PREPARED ON 14.7.2017  
BASED ON SITE PHOTOS TAKEN ON 7.7.2017

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/20 的建議修訂提出的進一步申述個案編號F1-F337、F428-F429及F430(部分)-F435(部分)作出考慮  
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規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
R/S/H1/20

圖 PLAN  
FH - 6