

**TPB Paper No. 10720
For Consideration by
The Town Planning Board on 5.3.2021**

**PROPOSED AMENDMENTS TO
THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20**

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The Draft Kennedy Town & Mount Davis Outline Zoning Plan No. S/H1/20**

1. Introduction

This paper is to brief Members on the review of development restrictions for the Kennedy Town & Mount Davis Area (the Area) and to seek Members' agreement that:

- (a) the proposed amendments to the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/20¹ as shown on the draft Kennedy Town & Mount Davis OZP No. S/H1/20A (**Attachment B1**) (to be renumbered as S/H1/21 upon exhibition) and its Notes (**Attachment B2**) are suitable for exhibition for public inspection under section 7 of the Town Planning Ordinance (the Ordinance); and
- (b) the revised Explanatory Statement (ES) of the OZP (**Attachment B3**) should be adopted as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for various land use zones of the OZP and is suitable for exhibition together with the draft OZP and its Notes.

2. Background

Amendments to the OZPs

- 2.1 The Area is mainly residential in nature with open spaces, recreation facilities and government, institution and community (GIC) facilities (**Plan 1**).
- 2.2 On 12.1.2010, the Chief Executive in Council (CE in C) referred the approved OZP No. S/H1/16 to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP has been amended for four times (i.e. in 2010, 2011, 2012 and 2016).
- 2.3 In 2011, a comprehensive review on the building height (BH) of the OZP was conducted aiming to achieve a good urban form and to prevent out-of-context developments. Subsequently, amendments including building height restrictions (BHRs) for various development zones and rezoning proposals were incorporated on the draft OZP No. S/H1/18 on 25.2.2011. Building gap (BG) requirements were also designated on the OZP to facilitate air ventilation along air corridors and creating air paths (**Attachments A1 and A2**). A total of 638 representations and 12 comments were received. The representations and

¹ The further amendments as shown on Plan No. R/S/H1/20-A2 have been incorporated in the draft OZP No. S/H1/20. In accordance with section 6H of the Town Planning Ordinance, the draft OZP shall hereafter be read as including the further amendments.

comments were considered and the representations were not upheld by the Board on 25.11.2011.

Judicial Review (JR) Applications

- 2.4 In February 2012, the owner of 2 Mount Davis Road and the Incorporated Owners of 6 & 10 Mount Davis Road lodged two JR applications² respectively against the Board's decision on 25.11.2011 on not to propose any amendment to the draft OZP No. S/H1/18 to meet the representation (**R2**) submitted by the Real Estate Developers Association of Hong Kong (REDA), which generally opposed all amendments incorporated in the OZP in respect of the imposition of building height (BH) and BG restrictions. The Incorporated Owners of 6 & 10 Mount Davis Road and the owner of 2 Mount Davis Road were also the commenters who submitted comments (**C11** and **C12** respectively) during the publication of representations in respect of the OZP No. S/H1/18 in 2011. Their comments supported **R2** and objected to the rezoning of the two sites on Mount Davis Road from "Residential (Group B)" ("R(B)") with no development restriction to "Residential (Group C)2" ("R(C)2") with imposition of maximum plot ratio (PR) of 0.75, site coverage (SC) of 25% and BH of 3 storeys. Orders of stay were granted by the Court of First Instance (CFI) on the submission of the draft OZPs to the CE in C for approval pending the determination of the two JRs.
- 2.5 On 19.3.2020, the CFI allowed the JRs quashing the Board's decision on the **R2** with a direction that the representation, together with the comments thereon (including **C11** and **C12**), be remitted to the Board for reconsideration. The CFI was of the view that there is a general duty for an administrative body to give reason, unless there is a proper justification for not doing so. It was especially so where the comments **C11** and **C12** contained elaborate reasoning, as the principles of fairness demanded that the Board should demonstrate that it had engaged with such reasoning in its decision. Furthermore, the CFI also considered that the Board failed to give any adequate consideration on the comments (**C11** and **C12**) had inevitably given rise to a failure to give reasons in response to the comments. The CFI then ruled that the cumulative failures rendered the Board's decision *Wednesbury* unreasonable. Pursuant to the CFI's ruling, REDA's representation (**R2**) and the comments thereon have been reassessed as detailed in the following paragraphs.

3. Reassessment of Representation R2

- 3.1 **R2**, as submitted by REDA, is a general representation opposing all amendment items and in respect of the imposition of BHRs and BGs³ on the OZP (**Plan 17**). **R2** contended that the BHRs are set too low that the Sustainable Building Design Guidelines (SBDG) cannot be reasonably implemented and the provision of green features, e.g. sky garden under the SBDG are discouraged. The specific

² HCAL 26/2012 lodged by the owner of 2 Mount Davis Road (**C12**) and HCAL 27/2012 lodged by the Incorporated Owners of 6 and 10 Mount Davis Road (**C11**).

³ Representation **R2** also raised concerns on other aspects apart from imposition of BHRs and BGs. Our responses to representation **R2** related to BHRs and BGs are in paragraph 7 below and responses related to issues other than BHRs and BGs are also at **Attachment I**.

proposal raised by **R2** was to generally relax the BHRs for the Area by 20m and delete the BG requirements from the draft OZP No. S/H1/18. The representation **R2** is at **Attachment C1**. A summary of the grounds of representation and the responses of the Planning Department (PlanD) in consultation with relevant government departments is at Part I of the **Attachment I**.

- 3.2 In considering the appeals arising from the Hysan Group's JR against the draft Causeway Bay OZP in 2016, which had similar grounds of representation as REDA, the Court of Appeal stated that although SBDG and measures of the OZP belong to two different regimes, SBDG could have an effect on the working assumptions in respect of gross floor area (GFA) concession. There was no reason why possible impact of SBDG in combination with the proposed restrictions under the draft OZP should not be acknowledged on a general level in the overall assessment of the adverse impact on redevelopment intensity.
- 3.3 In view of the above Court's ruling, a further review on the development restrictions, including BHRs as well as BG requirements, on the OZP taking into account the latest SBDG requirements has been conducted to facilitate the Board to reconsider the REDA's representation.

3.4 ***Implication of the SBDG on Building Profile***

- 3.4.1 The SBDG was first promulgated through practice notes for building professionals issued by the Buildings Department in 2011 and subsequently updated in 2016. It establishes three key building design elements i.e. building separation, building setback and SC of greenery, with the objectives to achieve better air ventilation, enhance the environmental quality of living space, provide more greenery particularly at pedestrian level; and mitigate heat island effect. Compliance with the SBDG is one of the pre-requisites for granting GFA concessions for green/amenity features and non-mandatory/non-essential plant rooms and services by the Building Authority (**Attachments D1 and D2**). Such requirement would also be included in the lease conditions of new land sale sites or lease modifications/land exchange.
- 3.4.2 SBDG and OZP are two different regimes. The former is mainly concerned with detailed building design, while OZP is to illustrate broad land use zonings and planning principles to guide development and redevelopments. For OZPs, in general, restrictions on BH, PR, and/or SC will be stipulated where appropriate in order to control the development intensity having regard to the local settings and other relevant planning considerations including air ventilation. Stipulation of BHRs on the OZP is an important means to prevent excessively tall and out-of-context developments. OZP is more concerned with the general building bulk/mass, public space and major air path in a wider district context. Hence, the implications of SBDG on the building profile, particularly BH, and air ventilation of an area would be the focus in the review of development restrictions on the OZP.

- 3.4.3 Since the specific and relevant building design requirements under the SBDG can only be determined at detailed building design stage and there are different options or alternative approaches to meet the requirements, it would be difficult to ascertain at early planning stage precisely the implications on individual development. The extent of implications of SBDG on the building profile can only be estimated in general terms by adopting typical assumptions.
- 3.4.4 In brief, amongst the three key building design elements under the SBDG, the SC of greenery requirement is unlikely to have significant implication on the BH of a building as greenery can be provided within the setback area, at podium floors or in the form of vertical greening, etc. The implementation of the building setback and building separation requirements may lead to a reduction in SC of the podium/lower floors of a building (at Low Zone (0-20m)) and the GFA so displaced has to be accommodated at the tower portion of the building, which would result in increase in the number of storeys and thus BH. Details are set out in **Attachments E1a to E1c**.
- 3.4.5 With assumptions⁴ set out in **Attachments E2 and E3**, a typical composite building within “Residential (Group A)” (“R(A)”) and “Residential (Group E)” (“R(E)”) zones (with the lowest three floors for non-residential use and upper portion for residential use) will have a height ranging from 90m to 93m for incorporating building setback requirement and from 93m to 96m for incorporating building setback and building setback cum separation requirements, whereas a typical residential building within “R(B)” zone will have a height ranging from 87m to 90m for incorporating SBDG requirements.

3.5 *Scope of Review on Development Restrictions*

- 3.5.1 A review on the development restrictions including BHRs and BGs has been conducted for all “R(A)” (and its subzones), “R(B)”, “R(B)1”, “R(E)” and “Other Specified Uses” (“OU”) annotated “Commercial, Leisure and Tourism Related Uses” zones on the OZP (**Plan 2**) taking into account the implications of SBDG and permissible development intensity.
- 3.5.2 The “R(C)”, “R(C)1” and “R(C)3”⁵ zones are not covered by the current review as they are intended for low and medium density developments. The current PR and BH restrictions of the OZP (PR of 1.2, SC of 20% and 13 storeys for the “R(C)” zone; PR of 5 and 12 storeys for the “R(C)1” zone; and PR of 0.75, SC of 25% and BH of 4 storeys for the “R(C)3” zone) would generally not hinder future redevelopments in complying with the SBDG.

⁴ Including types of building (domestic, non-domestic or composite building), site classification and corresponding permissible PR and SC under Building (Planning) Regulations (B(P)R), possible GFA concessions, podium height up to 15m, floor-to-floor height, provision of carpark at basement level and refuge floor requirement.

⁵ There are two “R(C)2” sites on the OZP which were the subject of previous JRs. The reassessment of these sites is detailed in paragraph 4 below.

- 3.5.3 For GIC developments and other “OU” sites, they have special functional and design requirements with a great variation in floor-to-floor height (FTFH) or open air design to suit operational needs. As they provide spatial and visual relief amidst the densely built environment, their current BHRs mainly reflect their existing BHs unless there is known committed redevelopment proposal with policy support. As there has been no substantial change in the planning circumstances since 2011, a general review on the BHRs of the “G/IC” and other “OU” sites is considered not necessary.

3.6 *BH Concept on the Current OZP*

- 3.6.1 Set against the background of high redevelopment pressure in the Area and the tendency for developers to propose high-rise buildings to maximise views of the harbour, the main purpose of BHRs is to provide better planning control on the BH of development/redevelopments and to avoid excessively tall and out-of-context developments which will adversely affect the visual quality of the Area.
- 3.6.2 The current BHRs were formulated based on an overall BH concept and other relevant considerations including existing BH profile, topography, site formation level, local characteristics, waterfront and foothill setting, compatibility with surroundings, predominant land uses, development intensity, visual impact, air ventilation and a proper balance between public interest and private development right.
- 3.6.3 The major principles for the current BHRs are to preserve the view to mountain backdrops of Lung Fu Shan and Mount Davis from the local viewing point (VP) at the major ferry route at the western gateway to Victoria Harbour; as well as the view to the harbour from a popular hiking trail at Harlech Road. These are important VPs frequented used by the public (**Plan 15**). The stepped height concept ascending from the harbour and gradually arising towards landward side is generally achievable in the Area (**Plan 3**). In general, height bands which commensurate with the planning intention of the various land use zones as well as reflecting the majority of the existing buildings/committed development, except the excessively tall buildings, i.e. Manhattan Heights and The Merton at waterfront⁶, are adopted on the current OZP (**Plan 4**). Major height bands are:
- (a) BHRs of **70mPD** and **2 storeys** are stipulated for the “OU (Commercial, Leisure and Tourism Related Uses)” zone and its pier portion respectively at the waterfront location of the western entrance to the Victoria Harbour.

⁶ BHRs of **100mPD** and **120mPD** are stipulated for the “R(A)4” site (i.e. Manhattan Heights) and “R(A)2” site (i.e. The Merton) respectively at the waterfront area without the provision for redevelopment to the existing BH in order to respect the urban design principle of protecting the waterfront to avoid out-of-context and incompatible developments.

- (b) BHR of **100mPD** is stipulated for those residential sites to the north of Queen's Road West/Belcher's Street/Victoria Road; and **120mPD** for residential sites to the south of Queen's Road West and Belcher's Street and along Pokfield Road and Kwun Lung Lau (Blocks A to F) to provide a stepped height profile.
- (c) BHR of **140mPD** is stipulated for residential sites at Pok Fu Lam Road, Smithfield, Lung Wah Street, Kai Wai Man Road and Mount Davis Road. Stepped BH profile is stipulated for the proposed public housing site at Kai Wai Man Road, descending from a maximum BH of **140mPD** in the east to **65mPD** in the west.
- (d) BHRs of **150mPD** and **160mPD** are stipulated for The University of Hong Kong (HKU) Jockey Club Student Village at Lung Wah Street, **160mPD** for Kwun Lung Lau (Blocks 1 and 2) and residential sites at Pokfield Road and Mount Davis Road, taking into account the topography of the locality and/or the as-built condition.
- (e) BHRs of **60mPD**, **170mPD** and **220mPD** for Hillview Garden at Hill Road, University Heights at Pokfield Road and The Belcher's at Pok Fu Lam Road to reflect the existing BHs respectively.

3.7 *Proposed BHRs*

- 3.7.1 Having considered the principles/concept of the current BHRs as set out in paragraph 3.6 above as well as the implications of the SBDG requirements and the updated working assumptions as mentioned in paragraph 3.4.5 above, it is noted that the current BHRs for most of the sites could be maintained as they are able to accommodate the permissible GFA/PR either under the Building (Planning) Regulations (B(P)R) or stipulated on the OZP for future redevelopment and meeting the SBDG requirements. As for the "R(A)"/"R(E)" sites (currently subject to BHR of 100mPD) bounded by Hill Road/Praya, Kennedy Town/Queen's Road West; Collinson Street/Praya, Kennedy Town/Catchick Street/Belcher's Street/Cadogan Street; and Sai Ning Street/Victoria Street (i.e. Area 2 of Figure 1 in **Attachment F**), the redevelopment may require a maximum BH of 101m to meet SBDG requirements. However, given the close proximity of these sites to the harbourfront, the current BHR of 100mPD is proposed to be maintained so as to keep the stepped height profile and minimise the visual impacts. Regarding the "R(A)" sites of Kwun Lung Lau and Sai Wan Estate (i.e. Area 1 of Figure 1 in **Attachment F**), it is recommended that the current BHR of these two sites to be maintained until concrete redevelopment proposal are available. Details of assessment are set out in **Attachment F**.
- 3.7.2 There are four sites of which the current BHRs could not accommodate the permissible GFA/PR either under the B(P)R or stipulated on the OZP for future redevelopment and meet SBDG requirements. The proposed revisions to the BHRs for the four sites are set out below:

- (a) “R(A)” site at the junction of Pokfield Road and Smithfield currently subject to BHR of 120mPD – **BHR to be relaxed to 130mPD (Site A in Plans 5, 6a to 6c)**

The “R(A)” site at the junction of Pokfield Road and Smithfield is subject to BHR of 120mPD. As demonstrated in **Attachment E2**, the estimated BH requirement for a typical “R(A)” composite development is about 90m to 96m with the incorporation of SBDG requirements. Taking into account the existing site level of about 34.8mPD, it is proposed to relax the BHR of the site to **130mPD (Attachment G1)**.

- (b) “R(A)” site of Academic Terrace, 101 Pok Fu Lam Road currently subject to BHR of 140mPD – **BHR to be relaxed to 160mPD (Site B in Plans 5, 7a and 7b)**

The “R(A)” site, Academic Terrace, is subject to a BHR of 140mPD. Similar to the above, taking into account the existing site level of about 64mPD, it is proposed to relax the BHR of the site to **160mPD (Attachment G2)**.

- (c) “R(B)” site of Hillview Garden at 72 Hill Road currently subject to BHR of 60mPD – **BHR to be relaxed to 120mPD (Site C in Plans 5, 8a and 8b)**

The “R(B)” site, Hillview Garden, is subject to a BHR of 60mPD, which was imposed in 2011 to reflect its as-built condition. As demonstrated in **Attachment E3**, the estimated BH requirement for a typical “R(B)” residential building is about 87m to 90m with the incorporation of SBDG requirements. Taking into account the existing site level of about 29.8mPD, it is proposed to relax the BHR of the site to **120mPD (Attachment G3)**.

- (d) “R(B)” site of HKU Pokfield Road Residences (HKU Residences) at 13, 15, 17, 19 and 21 Pokfield Road currently subject to BHR of 120mPD – **BHR to be relaxed to 150mPD (Site D in Plans 5, 9a and 9b)**

The “R(B)” site, HKU Residences, is subject to a BHR of 120mPD. Similar to the above, taking into account the existing site level of around 58.9mPD, it is proposed to relax the BHR of the site to **150mPD (Attachment G4)**.

4. Reassessment of Comments

- 4.1 During the publication of representations in 2011, a total of 12 comments (**C1 to C12**⁷) were received. All of them supported representation **R2** and opposed to amendment items in respect of the rezoning of the residential sites at 2 and 6-10

⁷ **C1 to C12** are the property owners/residents of 2 and 6-10 Mount Davis Road.

Mount Davis Road from “R(B)” to “R(C)2” with imposition of PR, SC and BH restrictions. They were of the view that it was illogical and inequitable to have different PR and BH restrictions for their sites and the neighbouring sites at 2A and 4 Mount Davis Road⁸ given their similar locations and characteristics. **C11** and **C12** also disagreed that high landscape value and predominantly low-rise neighbourhood should be one of the reasons for retaining the existing BH profile. They proposed to rezone the two concerned “R(C)2” sites⁹ (**Plans 10a to 10d**) to “R(B)1” with maximum PR of 3 and BH of 160mPD. The 12 comments are at **Attachment C2**. A summary of the grounds of comments and the responses of PlanD in consultation with relevant government departments is at Part II of the **Attachment I**.

- 4.2 To facilitate the Board’s reconsideration on the 12 comments and their proposal, a review on their grounds and the development restrictions of the two concerned sites on the OZP have been conducted.

4.3 ***Current Site Conditions and Surroundings***

4.3.1 The two concerned “R(C)2” sites (**Site E at Plans 10a to 10e**) are located at the southern fringe of the OZP and on the northern uphill side of Mount Davis Road. They are situated on platforms and screened off by landscaping along the boundaries fronting Mount Davis Road. The two sites are low-density residential developments (i.e. On Lee, Mount Davis Village, The High House and 10 Mount Davis Road) with PR ranging from 0.52 to 0.75, SC of about 25% and BH of 3 to 4 storeys (112 to 132mPD), while the “R(B)1” site (i.e. 2A and 4 Mount Davis Road) in-between the two concerned sites consists of medium-density developments (i.e. Four Winds and Greenery Garden) with PR of 2.1 and 5.49, SC of 18% and 37% and BH of 13 storeys (145mPD) and 18 storeys (149mPD) respectively. Together with the two concerned sites, they form a residential cluster on their own near the eastern end of the road (**Plan 10f**).

4.3.2 To the further west along the northern uphill side of Mount Davis Road, residential developments on the “R(B)1” and “R(C)” zones are predominantly medium-rise (i.e. Vista Mount Davis, Cape Mansions, Villas Sorrento and 68 Mount Davis Road) with PR ranging from 0.91 to 2.99, SC from 11% to 19% and BH of 4 to 21 storeys (85 to 140mPD) (**Plan 10f**).

4.3.3 Residential developments on the southern downhill side of Mount Davis Road are generally low-density with PR ranging from 0.43 to 0.75, SC from 20% to 25% and BH of 3 to 4 storeys (69 to 107mPD) (**Plan 10f**). They are situated on the slope at and below street level so that only 1 to 2 storeys are visible from the road (**Plan 10e**). This side of Mount Davis Road falls within an area zoned “R(C)3” on the approved Pok Fu Lam

⁸ 2A Mount Davis Road (Greenery Garden) and 4 Mount Davis Road (Four Winds Apartments) were rezoned from “R(B)” to “R(B)1” with maximum PR of 3 and BH of 160mPD.

⁹ The two subject “R(C)2” zones cover 2 Mount Davis Road (i.e. **C12**), 6 and 10 Mount Davis Road (i.e. **C1** to **C11**) and 8 Mount Davis Road (the remaining site within the same zone of 6 and 10 Mount Davis Road).

(PFL) OZP No. S/H10/19 (**Plans 10a, 10b and 10e**) and is intended primarily for low-rise and low-density residential developments. The area is restricted to maximum PR of 0.75, SC of 25% and BH of 3 storeys including carports. Hence, the BH profile of the neighbourhood is stepped from low-rise developments along the southern downside side of Mount Davis Road to predominately medium-rise developments along the northern uphill side of the road (**Plan 10e**).

4.4 *Site Background*

4.4.1 The two concerned sites together with the adjoining “R(B)1” site (i.e. 2A and 4 Mount Davis Road) were previously zoned “R(B)” with no restriction on PR, SC and BH on the OZP No. S/H1/17 (**Plan 11**) and the concerned “R(B)” zoning was first designated on the OZP No. S/H1/1 gazetted on 31.10.1986. In 2011, upon completion of the BH review, the two sites were rezoned to “R(C)2” with the imposition of maximum PR of 0.75, SC of 25% and BH of 3 storeys, while 2A and 4 Mount Davis Road were rezoned to “R(B)1” with imposition of maximum PR of 3 and BH of 160mPD to reflect their as-built conditions respectively. Given the two concerned sites also fall within the “Landscape Protection Area”¹⁰/ “Development Areas with High Landscape Value”¹¹ designated under the Metroplan Landscape Strategy for the Urban Fringe and Coastal Areas (**Plan 12**), and the planning intention to maintain a low BH profile and development intensity along Mount Davis Road was considered appropriate, the rezoning of the two concerned sites from “R(B)” to “R(C)2” was agreed by the Board in 2011.

4.4.2 The two concerned sites together with the adjoining “R(B)1” site mainly fall within Residential Density Zone III (ranging from PR of 0.75 for developments of 3 storeys to PR of 3 for developments with 17 storeys and over) under the residential density guidelines of the Hong Kong Planning Standards and Guidelines (HKPSG) (**Plan 13**). They also fall within the Pok Fu Lam Moratorium (PFLM) area, which is an administrative measure imposed on traffic grounds to prohibit excessive development of the area until there is an overall improvement in the transport network of the PFLM area.

4.5 *Planning Assessment and Proposal*

4.5.1 The developments on the northern uphill side of Mount Davis Road, excluding the two concerned sites, are medium-rise in its built form, whereas the developments along the southern downhill side of the road are low-rise in nature as mentioned in paragraph 4.3 above (**Plan 10f**).

¹⁰ “Landscape Protection Areas” are areas of outstanding natural landscape, with little or no existing development, and comprise features such as ridgelines, peaks and hillslopes. Areas of small-scale, scattered development where natural features predominate are also included. The protection of these areas should be treated as a priority.

¹¹ “Development Areas with High Landscape Value” are areas of existing or potential development sites with high landscape value which require specific development control policies to protect and conserve the existing landscape features.

Given the stepped BH profile of the area, it is considered that allowing medium-rise developments with a PR of 3 and a BH of 160mPD on the two concerned sites, as proposed by the commenters, would not be incompatible with the surrounding environment as it is the same as that of the adjacent “R(B)1” zone (i.e. 2A and 4 Mount Davis Road). The proposed development intensity is still in line with the Residential Density Zone III in the HKPSG (i.e. PR of 3 for developments of 17 storeys and over) (**Plan 13**).

- 4.5.2 As shown on the photomontage (**Plan 16e**), though the building bulk of future redevelopments with the proposed PR of 3 and BH of 160mPD would be greater and would slightly block part of the view to the skyline from PFL Road near Queen Mary Hospital, it is considered not incompatible in scale with the adjacent “R(B)1” zone for medium-rise residential developments with BHR of 160mPD on the current OZP and the setting of the area. Hence, it is still able to preserve the public view from upper portion of PFL Road towards the southwest, even if medium-rise developments are allowed on the two concerned sites at the northern uphill side of Mount Davis Road.
- 4.5.3 As for the “Landscape Protection Area”/”Development Areas with High Landscape Value” under the Metro Landscape Strategy the high landscape value of the area is mainly derived from Mount Davis, which should be protected against development, by providing a green mountain backdrop for developments along Mount Davis Road (**Plan 16e**). Redevelopment of the two concerned sites with relaxed PR/BH would further block the green backdrop of Mount Davis, but without breaching its ridgeline when viewing from PFL Road near Queen Mary Hospital. Hence, it is considered not unacceptable.
- 4.5.4 All relevant government bureaux and departments, including the Commissioner for Transport, have no objection to/no adverse comment on the proposed development intensity of the sites. As mentioned in paragraph 4.4 above, the two sites are within the PFLM area and should future redevelopments be intensified, partial uplifting of PFLM is required before the redevelopment could proceed. As raised by the District Lands Officer/Hong Kong West and South, Lands Department that under the prevailing policy, any lease modification that will give rise to greater intensity is not allowed within the PFLM unless partial uplifting of PFLM is obtained. Nevertheless, it will be dealt with separately during the application for lease modification.
- 4.5.5 In view of the above, the proposal made by all the 12 commenters is considered acceptable. Hence, it is proposed to rezone the two “R(C)2” sites to “R(B)1” zone with maximum PR of 3 and BH of 160mPD.

5. Review on BG Requirements

Air Ventilation Assessment

5.1 The BG requirement on the current OZP were formulated during the course of the BH review in 2011 before the SBDG was put in place. An updated Air Ventilation Assessment (Expert Evaluation) has been undertaken in 2020 (AVA EE 2020) to assess the air ventilation implications of the Area should the proposed revisions to BHRs mentioned in paragraph 3.7.2 above be incorporated into the OZP to facilitate future redevelopments in complying with the SBDG; and the two Sites at Mount Davis Road be rezoned from “R(C)2” to “R(B)1” with PR and BH relaxation. The AVA EE 2020 has also reviewed the BG requirements on the OZP (**Plan 14a**) with the assumption that redevelopments would follow the SBDG requirements. A copy of the AVA EE 2020 is at **Attachment H1**. Its major findings are as follows:

- (a) Despite OZP and SBDG being two different regimes, they both contribute to a better built environment. SBDG is an administrative means to promote sustainable building design by granting GFA concessions. It mainly aims to enhance building porosity to avoid screen wall effect and promote air movement between developments to achieve better dispersion and air mixing. While the adoption of SBDG in any buildings is entirely a commercial decision of the developers, such requirement will be included in the lease conditions of new land sale sites or lease modifications/land exchanges. It is anticipated that the general wind environment of the city would be improved in the long run when the number of redeveloped buildings following the SBDG increases gradually.
- (b) Relying on the SBDG alone, however, would not be sufficient to ensure good air ventilation at the district level as concerned building design measures are drawn up on the basis of and confined to individual development sites. The beneficial effect could be localised and may not have taken into account the need of a wider area (e.g. building setback may not be aligned or building separation may not be at the right location to enhance air flow). Hence, incorporating BGs at strategic locations on the OZP to maintain major air paths or create inter-connected air paths of district importance is still considered necessary. Otherwise, provision of well-connected air paths of district importance which is important to such densely developed area like Kennedy Town area could not be ensured.
- (c) In general, the major prevailing annual wind comes from the north-east, east and south directions, and the prevailing summer wind mainly comes from the east, south, south-east and south-west directions. Wind penetration and circulation in the Area mainly follow the existing road networks and major open areas. The waterfront area serves as one of the major wind entrances to the Area for the sea breezes from the north and the annual prevailing winds from the northern and eastern quarters. It is noted that the north-east wind and sea breeze would approach the Area from the sea without obstruction. These wind would enter the urban region via the open area such as the Public Cargo Working Area and

Shing Sai Road and skim over Belcher Bay Park and Kennedy Town Swimming Pool before reaching New Praya Kennedy Town. Wind would also enter the Area through the vacant site (the proposed waterfront park), which could penetrate Ka Wai Man Road Garden to the south. Some of the existing local streets in north-south alignment (such as Cadogan Street, Davis Street, North Street and Sands Street) could also facilitate the wind circulation within the densely developed neighbourhood despite their limited widths. The Belcher's Street would also carry a portion of north-east wind to flow into the urban area east and centre of Kennedy Town as well as the hillslope area near Ricci Hall of the HKU.

- (d) The AVA EE 2020 concludes that the increase in the BHRs for the two "R(A)" and two "R(B)" zones (paragraph 3.7.2 above) would not induce significant air ventilation impacts on the pedestrian wind environment through redevelopment of the sites following SBDG. For the rezoning of the two sites on Mount Davis Road (paragraph 4.5.5 above), the potential impact induced to the surrounding pedestrian wind environment is considered insignificant as the sites are relatively small and the surrounding regions being relatively open.

Two BGs imposed on buildings situated between Des Voeux Road West and Queen's Road West – to be retained

- (e) Two BGs of 10m width above 20mPD are imposed on the buildings situated between Des Voeux Road West and Queen's Road West and aligned with Woo Hop Street and Belcher's Street. In view of substantial blockage of wind due to the linear cluster of buildings between Des Voeux West and Queen's Road West, the BGs can break up the long continues facade of building blocks along the streets upon redevelopment to facilitate the penetration of north-east annual prevailing wind to the inland area. The BGs would mainly affect two existing developments, namely Hong Kong Industrial Building, Kwan Yick Building Phase I. It is considered that the wind penetration cannot be achieved by solely relying on SDBG should the site be redeveloped in future. Thus, these two BGs should be retained to facilitate regional wind environment for the area (**Plan 14b**).

Two BGs imposed on the "R(A)" zone at 50 Smithfield and 71-77 Smithfield – to be deleted

- (f) The coverage of two BGs of 12m width above 29mPD and 60mPD (about 15m above ground level) imposed on the western boundaries of Smithfield Terrace at 71-77 Smithfield and the south-western corner of Smithfield Garden at 50 Smithfield designated on the OZP are small. The air flow of the neighbourhood is rather much dependent on the building morphologies of the adjoining Kwun Lung Lau. Considering the incorporation of SBDG, the section of Smithfield near the "R(A)" site at the junction of Pokfield Road and Smithfield would be slightly widened, which originally is the bottleneck of the identified air path under south/south-east wind. This facilitates the prevailing winds from Lung

Fu Shan “valley corridor” into Forbes Street Temporary Playground and urban area of Kennedy Town to the north. (**Plan 14c**). As the effectiveness of the two BGs for wind penetration is rather localised and may not be able to serve as a district air path. Hence, they are recommended to be deleted.

Proposed Revisions to BG Requirement

- 5.2 Based on the above findings as detailed in paragraph 5.1 above, it is proposed to make amendment to the OZP as follows:

To delete the two BGs of 12m wide above 29mPD and 60mPD on the western boundaries of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield on “R(A)” zone (**Plan 14c**).

6. Urban Design and Visual Consideration

- 6.1 According to the Urban Design Guidelines of the HKPSG, eight strategic vantage points set out, with the aim of preserving views to ridgelines and peaks, when viewing from Kowloon towards the Hong Kong Island or the view to harbour from Victoria Peak. For the two relevant strategic viewing points (VPs) (i.e. West Kowloon cultural District and Lion Pavilion of the Peak), the OZP does not fall within their “view fan” (**Plan 15**). As such, five local VPs are selected to assess the overall possible visual impacts of the BHR relaxation proposals according to the Town Planning Board Planning Guidelines No. 41 “Guidelines on Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board” (**Plan 15**). As demonstrated in the Visual Appraisal (**Attachment H2**), with the proposed relaxation of BHRs, the resultant BH profile would not affect the mountain backdrops of Lung Fu Shan and Mount Davis from the major ferry route by looking towards southwards; and would not obstruct the harbour view from highland area by looking towards northwards (**Plans 16a and 16d**). Though the building bulk of the future redevelopments on the northern side of Mount Davis Road with relaxed BH and PR restrictions would be greater and would slightly block part of the view to the skyline from Pok Fu Lam Road near Queen Mary Hospital, it is still considered not incompatible in scale with the adjacent existing medium-rise residential development (i.e. Greenery Garden) (**Plan 16e**).
- 6.2 In the long term, the BH profile of the Area will mainly follow the BHRs on the OZP, except for those existing and committed developments (such as approved building plans) already exceeding the respective BHRs. When assessing the propensity of redevelopment, developments having fewer number of storeys and therefore smaller number of units would more likely undergo ownership assembly. Besides, older buildings would have a greater opportunity for redevelopments (especially for sites that have not been fully developed to the maximum development potential). As such, developments with a building age of 30 years or over and with a BH of 15 storeys or below are assumed to have high redevelopment propensity. Hence, in order to illustrate the possible maximum impact on the skyline of the Area, sites which have high

redevelopment propensity are assumed to be redeveloped up to the BHRs in the photomontages (**Plans 16a to 16e**).

7. **Responses to Representation (R2) and Comments (C1 to C12)**

7.1 To follow up on the court orders, Representation **R2** and Comments **C1** to **C12** have been reassessed as set out in paragraphs 3 to 6 above (**Plan 17**).

7.2 Under the current proposals, the BHRs of the following sites will generally be relaxed taking into account the SBDG requirements and permissible development intensity and two BGs will also be deleted:

Representation No.	Representers' Proposals	Current OZP Proposals
R2 (REDA)	<ul style="list-style-type: none"> Generally relax the BHRs by 20m for the development zones and more relaxed height limits for sites at or near future transport nodes to free up ground level space for pedestrian. Delete BG requirements on the OZP. 	<ul style="list-style-type: none"> BHRs for two "R(A)" sites (i.e. sites at the junction of Pokfield Road and Smithfield of 120mPD and Academic Terrace of 140mPD) are relaxed to 130mPD and 160mPD respectively (Plans 6a and 7a). BHR for two "R(B)" sites (i.e. Hillview Garden of 60mPD and HKU Pokfield Road Residence of 120mPD) are relaxed to 120mPD and 150mPD respectively (Plans 8a and 9a). The two BG requirements at the western boundary of Smithfield Terrace (71-77 Smithfield) and Smithfield Garden (50 Smithfield) on "R(A)" zone as stipulated in the OZP are deleted (Plan 14c).

7.3 The relaxed BHRs have taken into account the SBDG requirements and permissible development intensity. **R2**'s proposal to relax the BHRs by 20m for the Area covered by the OZP is not supported as a general increase of 20m in BH would significantly increase the overall BH profile, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points, and would affect the local character and cityscape.

7.4 As explained in paragraph 5 above, the current two BG requirements on the buildings situated between Des Voeux Road West and Queen Road West are beneficial to the district-wide environment and are still required (**Plan 14b**). They are to be retained on the OZP for benefitting the pedestrian wind

environment and hence **R2**'s proposal to delete BG requirements on the OZP is not supported.

- 7.5 Further, the two residential sites at 2 and 6-10 Mount Davis Road would be rezoned from "R(C)2" to "R(B)1" as follows (**Plan 10a**):

Comments No.	Commenters' Proposal	Current OZP Proposal
C1 – C12	<ul style="list-style-type: none">The two sites should be rezoned to "R(B)1" with a maximum BH of 160mPD and a maximum PR of 3.	<ul style="list-style-type: none">The two sites are rezoned from "R(C)2" to "R(B)1" with imposition of maximum BH of 160mPD and PR of 3.

- 7.6 Should the Board agree to the proposed amendments to the OZP as detailed in paragraph 8 below, **R2** and **C1** to **C12** will be informed accordingly. They may submit representation on the OZP for the Board's consideration under section 6 of the Ordinance if they so wish.

8. Proposed Amendments to OZP

Amendments to Matters Shown on the Plan

- 8.1 Based on paragraphs 3.6, 4.5.5 and 5.2 above, the following amendments to matters shown on the draft OZP No. S/H1/20A (**Attachment B1**) are proposed:

- Item A** Revision of the BHR for the "R(A)" zone at the junction of Pokfield Road and Smithfield from 120mPD to 130mPD
- Item B** Revision of the BHR for the "R(A)" zone of Academic Terrace at 101 Pok Fu Lam Road from 140mPD to 160mPD
- Item C** Revision of the BHR for the "R(B)" zone of HKU Residence at 13, 15, 17, 19 and 21 Pokfield Road from 120mPD to 150mPD
- Item D** Revision of the BHR for the "R(B)" zone of Hillview Garden at 72 Hill Road from 60mPD to 120mPD
- Item E** Rezoning of 2 and 6-10 Mount Davis Road from "R(C)2" to "R(B)1"
- Item F1** Deletion of the BG requirement of 12m wide above 29mPD on the western boundary of Smithfield Terrace at 77 Smithfield on "R(A)" zone and revision of the BHR from 29mPD to 120mPD for the area concerned
- Item F2** Deletion of the BG requirement of 12m wide above 60mPD on the western boundary of Smithfield Garden at 50 Smithfield on "R(A)" zone and revision of the BHR from 60mPD to 140mPD for the area concerned

9. Amendments to the Notes of the OZP

9.1 Amendments to the Notes are proposed as follows:

- (a) In relation to **Item E**, the remarks of the “R(C)2” zone has been deleted.
- (b) In relation to **Items F1 and F2**, the remarks under “R(A)” zone relating to the provision of the BGs of the sites of “R(A)” at 50 and 71-77 Smithfield has been deleted.

9.2 The Board has promulgated a revised set of Master Schedule of Notes to Statutory Plans on 11.1.2019 with ‘Market’ use being subsumed under ‘Shop and Services’ use. To effectuate such changes, updates have been made to the Notes of “R(A)”, “R(B)”, “R(E)”, “G/IC” and “OU(Commercial, Leisure and Tourism Related Uses)” zones.

9.3 The proposed amendments to the Notes of the OZP (with additions in ***bold and italics*** and deletions in ‘cross-out’) are at **Attachment B2** for Members’ consideration.

10. Revision to the Explanatory Statement of the OZP

The ES of the OZP is proposed to be revised to take into account the proposed amendments as mentioned in the above paragraphs. Opportunity has been taken to update the general information for various land use zones to reflect the latest status and planning circumstances. The proposed amendments to the ES of the OZP (with additions in ***bold and italic*** and deletions in ‘cross-out’) are at **Attachment B3** for Members’ consideration.

11. Plan Number

Upon exhibition for public inspection, the Plan will be renumbered as S/H1/21.

12. Consultation

Departmental Consultation

12.1 The proposed amendments to the draft OZP No. S/H1/20 have been circulated to relevant government bureaux and departments for comment. Representation (**R2**) and comments (**C1 to C12**) in respect of the draft OZP No. S/H1/18 have also been circulated to relevant bureaux and departments for re-examination.

12.2 The following government bureaux and departments have no objection to or no adverse comments on the proposed amendments and representations:

- (a) Planning Unit, Development Bureau (DevB);
- (b) Harbour Unit, DevB;

- (c) Commissioner for Tourism, DevB;
- (d) Antiquities and Monuments Office, DevB;
- (e) Director-General of Trade and Industry;
- (f) Director-General of Communications;
- (g) District Lands Officer/Hong Kong West and South, LandsD;
- (h) Commissioner for Transport;
- (i) Chief Building Surveyor/Hong Kong West, Buildings Department;
- (j) Chief Highway Engineer/Hong Kong, Highways Department (HyD);
- (k) Chief Engineer/Railway Development 2-2, Railway Development Office, HyD;
- (l) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (m) Chief Engineer/Construction, Water Supplies Department;
- (n) Project Manager (South), Civil Engineering and Development Department (CEDD);
- (o) Chief Engineer/Special Duty, CEDD;
- (p) Head of Geotechnical Engineering Office, CEDD;
- (q) Director of Environmental Protection;
- (r) Director of Fire Services;
- (s) Chief Architect/Central Management Division 2, Architectural Services Department;
- (t) Director of Housing;
- (u) Director of Electrical and Mechanical Services;
- (v) Director of Food and Environmental Hygiene;
- (w) Director of Health
- (x) Director of Leisure and Cultural Services;
- (y) Commissioner of Police;
- (z) Chief Town Planner/Urban Design and Landscape, PlanD; and
- (aa) District Officer (Central & Western), Home Affairs Department.

Consultation with Central and Western District Council (C&W DC) and Public Consultation

- 12.3 The proposed amendments to the OZP are mainly a follow up consequential to the Court's rulings on the JRs in respect of the draft OZP No. S/H1/18. Subject to agreement of the proposed amendments by the Board for gazetting under section 7 of the Ordinance, the C&W DC will be consulted as appropriate during the two-month statutory plan exhibition period. Members of the public can submit representations on the OZP to the Board during the same statutory plan exhibition period.

13. Decision Sought

Members are invited to:

- (a) agree to the proposed amendments to the draft OZP and that the draft OZP No. S/H1/20A (**Attachment B1**) (to be renumbered as S/H1/21 upon exhibition) and its Notes (**Attachment B2**) are suitable for exhibition under section 7 of the Ordinance;
- (b) adopt the revised ES at **Attachment B3** for the draft OZP No. S/H1/20A as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES will be published together with the draft OZP; and
- (c) agree to inform representer **R2** and commenters **C1** to **C12** in respect of the draft Kennedy Town & Mount Davis OZP No. S/H1/18 on the amendments to the draft OZP, and that they may submit representations on the amendments to the OZP or comments on the representations for the Board's consideration under sections 6 and 6A of the Ordinance respectively.

Attachments

Attachments A1 & A2	Draft OZP No. S/H1/18 (reduced to A3 size) together with Schedule of Amendments to the draft OZP No. S/H1/17
Attachment B1	Draft OZP No. S/H1/20A
Attachment B2	Revised Notes for the draft OZP No. S/H1/20A
Attachment B3	Revised Explanatory Statement for the draft OZP No. S/H1/20A
Attachment C1	Representation R2
Attachment C2	Comments C1 to C12
Attachment D1	APP-151 "Building Design to Foster a Quality and Sustainable Built Environment"
Attachment D2	APP-152 "Sustainable Building Design Guidelines" (SBDG)
Attachment E1a	Implications of SBDG on Building Profile
Attachments E1b & E1c	Illustration on Implications of SBDG
Attachment E2	Basic Building Profile – Composite Building
Attachment E3	Basic Building Profile – Residential Building
Attachment F	Assessments for Building Height Restriction to be Maintained
Attachment G1	Assessment of Building Height – "R(A)" Site at Junction of Pokfield Road and Smithfield
Attachment G2	Assessment of Building Height – "R(A)" Site at Academic Terrace
Attachment G3	Assessment of Building Height – "R(B)" Site at Hillview Garden
Attachment G4	Assessment of Building Height – "R(B)" Site at HKU Residences
Attachment H1	Air Ventilation Assessment by Expert Evaluation (2020)
Attachment H2	Visual Appraisal
Attachment I	Summary of Representation (R2) and Comments (C1 to C12) and PlanD's Responses
Attachment J1	TPB Paper No. 8952 for Consideration of Group 1 Representations and Comments to Draft OZP No. S/H1/18 (Paper and Plans only)
Attachment J2	Extract of the Confirmed Minutes of the TPB Meeting on 25.11.2011

Plan 1	Aerial Photo of Kennedy Town & Mount Davis Area
Plan 2	Sites with Building Height Restrictions under Review
Plan 3	Concept Plan for the Building Height Profile
Plan 4	Current Building Height Restrictions
Plan 5	Proposed Building Height Restrictions
Plans 6a to 6c, 7a & 7b, 8a & 8b, 9a & 9b	Site Plans and Photos of Sites A to D with Proposed Building Height Restrictions
Plans 10a to 10e	Site Plan and Photos of Sites E with Proposed Rezoning and its Surroundings
Plan 10f	Development Parameters of the Existing Developments along Mount Davis Road
Plan 11	Extract of the OZPs No. S/H1/17 and S/H10/15
Plan 12	Metro Landscape Strategy
Plan 13	Density Residential Zone
Plan 14a	Building Gaps on the Current OZP
Plan 14b	Two Building Gaps imposed on Buildings situated between Des Voeux Road and Queen's Road West
Plan 14c	Deletion of Two Building Gaps at 50 and 71-77 Smithfield
Plan 15	Viewing Points
Plans 16a to 16e	Photomontages of Building Height Profile
Plan 17	Location Plan of Representation R2 and Comments C1 to C12
Plan 18	Consolidated Proposals of Development Restrictions

**PLANNING DEPARTMENT
MARCH 2021**



圖例
NOTATION

ZONES		地帶
RESIDENTIAL (GROUP A)	R(A)	住宅 (甲類)
RESIDENTIAL (GROUP B)	R(B)	住宅 (乙類)
RESIDENTIAL (GROUP C)	R(C)	住宅 (丙類)
RESIDENTIAL (GROUP E)	R(E)	住宅 (戊類)
INDUSTRIAL	I	工業
GOVERNMENT, INSTITUTION OR COMMUNITY	G(IC)	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
UNDETERMINED	U	未決定用途
GREEN BELT	GB	綠化地帶
COMMUNICATIONS		交通
RAILWAY AND STATION (UNDERGROUND)		鐵路及車站 (地下)
MAJOR ROAD AND JUNCTION		主要道路及路口
ELEVATED ROAD		高架道路
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
BUILDING HEIGHT CONTROL ZONE BOUNDARY		建築物高度管制區界線
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高建築物高度 (在主水平基準上若干米)
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)		最高建築物高度 (樓層數目)
PETROL FILLING STATION	P F S	加油站

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分比	
RESIDENTIAL (GROUP A)	23.01	13.35	住宅 (甲類)
RESIDENTIAL (GROUP B)	2.92	1.69	住宅 (乙類)
RESIDENTIAL (GROUP C)	3.98	2.31	住宅 (丙類)
RESIDENTIAL (GROUP E)	0.22	0.13	住宅 (戊類)
INDUSTRIAL	0.62	0.36	工業
GOVERNMENT, INSTITUTION OR COMMUNITY	24.29	14.10	政府、機構或社區
OPEN SPACE	6.26	3.63	休憩用地
OTHER SPECIFIED USES	7.96	4.63	其他指定用途
UNDETERMINED	9.12	5.29	未決定用途
GREEN BELT	74.02	42.95	綠化地帶
RAILWAY	0.19	0.11	鐵路
MAJOR ROAD ETC.	19.72	11.45	主要道路等
TOTAL PLANNING SCHEME AREA	172.33	100.00	規劃範圍總面積

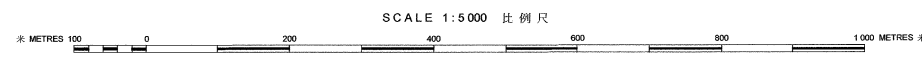
本圖的《註釋》屬這份圖則的一部分，
現經修訂並按照城市規劃條例第7條展示。
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
AND HAVE BEEN AMENDED FOR EXHIBITION UNDER
SECTION 7 OF THE TOWN PLANNING ORDINANCE

草圖編號 S/H 1/17 的修訂 AMENDMENTS TO DRAFT PLAN No. S/H1/17 按照城市規劃條例第7條展示的修訂 AMENDMENTS EXHIBITED UNDER SECTION 7 OF THE TOWN PLANNING ORDINANCE		
修訂項目 A 項 AMENDMENT ITEM A	修訂項目 G 2 項 AMENDMENT ITEM G2	
修訂項目 B 1, B 2, B 3, B 4, B 5 項 AMENDMENT ITEMS B1, B2, B3, B4, B5	修訂項目 G 3 項 AMENDMENT ITEM G3	
修訂項目 C 1, C 2 項 AMENDMENT ITEMS C1, C2	修訂項目 G 4 項 AMENDMENT ITEM G4	
修訂項目 D 1, D 2 項 AMENDMENT ITEMS D1, D2	修訂項目 H 1, H 2, H 3, H 4, H 5 項 AMENDMENT ITEMS H1, H2, H3, H4, H5	
修訂項目 E 1, E 2 項 AMENDMENT ITEMS E1, E2	修訂項目 J 項 AMENDMENT ITEM J	
修訂項目 F 1, F 2 項 AMENDMENT ITEMS F1, F2	修訂項目 K 項 AMENDMENT ITEM K	
修訂項目 G 1 項 AMENDMENT ITEM G1	修訂項目 L 項 AMENDMENT ITEM L	
(參看附表) (SEE ATTACHED SCHEDULE)		

2011年2月25日 按照城市規劃條例第7條展示的
草圖編號 S/H1/17 的修訂
AMENDMENTS TO DRAFT PLAN No. S/H1/17 EXHIBITED
UNDER SECTION 7 OF THE TOWN PLANNING ORDINANCE ON
25 FEBRUARY 2011

Ophelia Y. S. WONG 黃婉霞
SECRETARY 城市規劃委員會秘書
TOWN PLANNING BOARD

香港城市規劃委員會依據城市規劃條例擬備的堅尼地城及摩星嶺 (港島規劃區第1區) 分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HONG KONG PLANNING AREA No. 1 - KENNEDY TOWN & MOUNT DAVIS - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/H1/18

**SCHEDULE OF AMENDMENTS TO
THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/17
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendments to Matters shown on the Plan

- Item A – Stipulation of building height restrictions for the “Residential (Group A)” (“R(A)”), “R(A)1”, “R(A)2”, “R(A)3”, “R(A)4”, “Residential (Group B)” (“R(B)”), “R(B)1”, “Residential (Group E)” (“R(E)”), “Industrial” (“I”), “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) zones.
- Item B1 – Amendment to the building height restriction of the “Residential (Group C)” (“R(C)”) zone and showing the restriction on the Plan.
- Item B2 – Rezoning of a site at 2 Mount Davis Road from “R(B)” to “R(C)2”, and stipulating plot ratio, site coverage and building height restrictions for the zone.
- Item B3 – Rezoning of a site at 6-10 Mount Davis Road from “R(B)” to “R(C)2”, and stipulating plot ratio, site coverage, and building height restrictions for the zone.
- Item B4 – Rezoning of a site at 2A and 4 Mount Davis Road from “R(B)” to “R(B)1”, and stipulating plot ratio and building height restrictions for the zone.
- Item B5 – Rezoning of a site at 52-62 Mount Davis Road from “R(B)” to “R(B)1”, and stipulating plot ratio and building height restrictions for the zone.
- Item C1 – Rezoning of a landward portion of a residential site on Victoria Road to the west of the junction of Victoria Road and Mount Davis Path from “R(B)” to “R(C)3”, and stipulating plot ratio, site coverage, and building height restrictions for the zone.
- Item C2 – Rezoning of the remaining portion of the site mentioned under Item C1 from “R(B)” to “Green Belt” (“GB”).
- Item D1 – Rezoning of a landward portion of a residential site on Victoria Road to the southwest of Chee Sing Kok Social Centre of the Humanity Love from “R(B)” to “R(C)3”, and stipulating plot ratio, site coverage, and building height restrictions for the zone.
- Item D2 – Rezoning of the remaining portion of the site mentioned under Item D1 from “R(B)” to “GB”.

- Item E1 – Rezoning of a site at 86 Victoria Road covering the The Sail at Victoria from “Open Space” (“O”) to “R(A)”, and stipulating building height restriction for the zone.
- Item E2 – Rezoning of a strip of land east of 86 Victoria Road from “O” to an area shown as ‘Road’.
- Item F1 – Rezoning of Mount Davis Sitting-out Area at Mount Davis Path and area covered by vegetation from “G/IC” to “O”.
- Item F2 – Rezoning of Mount Davis Temporary Sitting-out Area at the top of Mount Davis from “G/IC” to “O”.
- Item G1 – Designation of a 10m wide building gap above 20mPD within “R(A)” zone covering 430-440A Des Voeux Road West and 455-485 Queen’s Road West.
- Item G2 – Designation of a 10m wide building gap above 20mPD within “R(A)” zone between 444-462A Des Voeux Road West, 521-543 Queen’s Road West and 1-3 Cheung Kan Lane.
- Item G3 – Designation of a 12m wide building gap above 29mPD at part of 71-77 Smithfield.
- Item G4 – Designation of a 12m wide building gap above 60mPD at part of 50 Smithfield.
- Item H1 – Rezoning of Kennedy Town Temporary Recreation Ground at Sai Ning Street from “OU” annotated “Cargo Handling Area”, “G/IC” and “I” to “Undetermined” (“U”).
- Item H2 – Rezoning of a “G/IC” site at Sai Ning Street from “G/IC” to “U”.
- Item H3 – Rezoning of the bus terminus and sitting-out areas at Sai Ning Street from “G/IC” to “U”.
- Item H4 – Rezoning of the ex-Kennedy Town Incinerator and Abattoir site from “G/IC” and areas shown as ‘Road’ to “U”.
- Item H5 – Rezoning of the ex-Police Married Officers Quarters and the temporary school of Hong Kong Academy at 14 and 12 Ka Wai Man Road respectively from “G/IC” to “U”.
- Item J – Rezoning of the University of Hong Kong Pokfield Road Residences at 13-21 Pokfield Road from “R(A)” and “G/IC” to “R(B)”, and stipulating building height restriction for the zone.
- Item K – Rezoning of a sloping area at Rock Hill Street from “G/IC” to “GB”.

- Item L – Rezoning of a residential site at 28 New Praya, Kennedy Town from “R(A)” to “R(A)4”, and stipulating building height restriction for the zone.

II. Amendment to the Notes of the Plan

- (a) Incorporation of building height restrictions and a minor relaxation clause for such restrictions in the Remarks of the Notes for the “R(A)”, “R(A)1”, “R(A)2”, “R(A)3”, “R(A)4”, “R(B)”, “R(B)1”, “R(C)2”, “R(C)3” “R(E)”, “I”, “G/IC” and “OU” zones.
- (b) Amendment in the Remarks of the Notes for the “R(C)” zone to delete the reference to the building height restriction for the zone, which is now shown on the Plan.
- (c) Incorporation of plot ratio restriction for the “R(B)1”, and a minor relaxation clause for such restriction in the Remarks of the Notes for the zone.
- (d) Incorporation of plot ratio and site coverage restrictions for the “R(C)2” and “R(C)3” zones, and a minor relaxation clause for such restriction in the Remarks of the Notes for the zones.
- (e) Incorporation of a clause to disregard basement floors in determining number of storeys in the Remarks of the Notes of the “G/IC” and “OU” zones.

Town Planning Board
25 February 2011

圖例
NOTATION

ZONES		地帶
RESIDENTIAL (GROUP A)	R(A)	住宅 (甲類)
RESIDENTIAL (GROUP B)	R(B)	住宅 (乙類)
RESIDENTIAL (GROUP C)	R(C)	住宅 (丙類)
RESIDENTIAL (GROUP E)	R(E)	住宅 (戊類)
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶

COMMUNICATIONS		交通
RAILWAY AND STATION (UNDERGROUND)		鐵路及車站 (地下)
MAJOR ROAD AND JUNCTION		主要道路及路口
ELEVATED ROAD		高架道路

MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
BUILDING HEIGHT CONTROL ZONE BOUNDARY		建築物高度管制區界線
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高建築物高度 (在主水平基準上若干米)
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)		最高建築物高度 (樓層數目)
PETROL FILLING STATION		加油站

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
RESIDENTIAL (GROUP A)	26.19	15.19	住宅 (甲類)
RESIDENTIAL (GROUP B)	3.94	2.29	住宅 (乙類)
RESIDENTIAL (GROUP C)	2.69	1.56	住宅 (丙類)
RESIDENTIAL (GROUP E)	0.22	0.13	住宅 (戊類)
GOVERNMENT, INSTITUTION OR COMMUNITY	25.23	14.63	政府、機構或社區
OPEN SPACE	8.50	4.93	休憩用地
OTHER SPECIFIED USES	8.91	5.17	其他指定用途
GREEN BELT	76.18	44.19	綠化地帶
RAILWAY	0.19	0.11	鐵路
MAJOR ROAD ETC.	20.36	11.80	主要道路等
TOTAL PLANNING SCHEME AREA	172.41	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分，
現經修訂並按照城市規劃條例第 7 條展示。
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
AND HAVE BEEN AMENDED FOR EXHIBITION UNDER
SECTION 7 OF THE TOWN PLANNING ORDINANCE

草圖編號 S/H1/20 的修訂
AMENDMENTS TO DRAFT PLAN No. S/H1/20

按照城市規劃條例第 7 條展示的修訂
AMENDMENTS EXHIBITED UNDER SECTION 7 OF THE TOWN PLANNING ORDINANCE

修訂項目 A 項 AMENDMENT ITEM A		修訂項目 E 項 AMENDMENT ITEM E	
修訂項目 B 項 AMENDMENT ITEM B		修訂項目 F 1 項 AMENDMENT ITEM F1	
修訂項目 C 項 AMENDMENT ITEM C		修訂項目 F 2 項 AMENDMENT ITEM F2	
修訂項目 D 項 AMENDMENT ITEM D			

(參看附表)
(SEE ATTACHED SCHEDULE)

香港城市規劃委員會依據城市規劃條例擬備的堅尼地城及摩星嶺 (港島規劃區第 1 區) 分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HONG KONG PLANNING AREA No. 1 - KENNEDY TOWN & MOUNT DAVIS - OUTLINE ZONING PLAN

規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/H1/20A

SCALE 1:5000 比例尺
METRES 100 0 200 400 600 800 1000 METRES 米

HONG KONG PLANNING AREA NO. 1

DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20A

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3)
 - (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
 - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
 - (c) For the purposes of subparagraph (a) above, “existing use of any land or building” means -
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and

- (ii) after the publication of the first plan,
- a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions, alignments of roads and railway/tram tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or buildings are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/tram/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (c) maintenance or repair of watercourse and grave.
- (8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:
- on-street vehicle park, railway track and tram track.

- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, “existing building” means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

HONG KONG PLANNING AREA NO. 1

DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20A

Schedule of Uses

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GREEN BELT	25

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Commercial Bathhouse/Massage
Flat	Establishment
Government Use (not elsewhere specified)	Eating Place
House	Educational Institution
Library	Exhibition or Convention Hall
Market	Government Refuse Collection Point
Place of Recreation, Sports or Culture	(not elsewhere specified)
Public Clinic	Hospital
Public Transport Terminus or Station	Hotel
(excluding open-air terminus or station)	Institutional Use (not elsewhere specified)
Public Vehicle Park	Mass Transit Railway Vent Shaft and/or Other
(excluding container vehicle)(on land	Structure above Ground Level
designated "R(A)5" only)	other than Entrances
Residential Institution	Office
School (in free-standing purpose-designed	Petrol Filling Station
building only)	Place of Entertainment
Social Welfare Facility	Private Club
Utility Installation for Private Project	Public Convenience
	Public Transport Terminus or Station
	(not elsewhere specified)
	Public Utility Installation
	Public Vehicle Park (excluding container
	vehicle) (not elsewhere specified)
	Religious Institution
	School (not elsewhere specified)
	Shop and Services (<i>not elsewhere specified</i>)
	Training Centre

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Training Centre

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (1) On land designated “Residential (Group A)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater. The provision for development/redevelopment to the height of the existing building is not applicable to the parts of the sites at 430-440A, 444-462A Des Voeux Road West, 455-485, 521-543 Queen’s Road West and 1 - 3 Cheung Kan Lane which are subject to a maximum building height of 20mPD; ~~71-77 Smithfield which is subject to a maximum building height of 29mPD; and 50 Smithfield which is subject to a maximum building height of 60mPD~~, as stipulated on the Plan.

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)

Remarks (cont'd)

- (2) On land designated “Residential (Group A) 1”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area (GFA) of 227,273m², a maximum non-domestic (commercial) GFA of 20,000m² and the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater. In addition, a GFA of not less than 1,650m² shall be provided for Government, institution or community (GIC) facilities. Public open space of not less than 3,518m² shall be provided within this sub-area.
- (3) On land designated “Residential (Group A) 2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 70,024m² and the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan. In addition, public open space of not less than 2,300m² shall be provided within this sub-area.
- (4) On land designated “Residential (Group A) 3”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic GFA of 3,577m² and the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater. In addition, a non-domestic GFA of not less than 350m² for GIC facilities and public open space of not less than 135m² shall be provided within this sub-area.
- (5) On land designated “Residential (Group A) 4”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan.
- (6) On land designated “Residential (Group A) 5”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 120,000m² and the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the GFA and height of the existing building, whichever is the greater. A public goods vehicle park and GIC facilities, as required by the Government, shall be provided within this sub-area.

(Please see next page)

RESIDENTIAL (GROUP A) (cont'd)

Remarks (cont'd)

- (7) In determining the maximum GFA for the purposes of paragraphs (2) to (4) and (6) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (8) In determining the maximum GFA for the purposes of paragraph (6) above, any floor space that is constructed or intended for use solely as public goods vehicle park and other GIC facilities, as required by the Government, may be disregarded.
- (9) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraphs (1) to (6) above, GFA restrictions stated in paragraphs (2) to (4) and (6) above, and any reduction in the total GFA provided for GIC facilities as stated in paragraphs (2) and (4) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat	Ambulance Depot
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House	Educational Institution
Library	Government Refuse Collection Point
Residential Institution	Government Use (not elsewhere specified)
School (in free-standing purpose-designed building only)	Hospital
Utility Installation for Private Project	Hotel
	Institutional Use (not elsewhere specified)
	<i>Market</i>
	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
	Off-course Betting Centre
	Office
	Petrol Filling Station
	Place of Entertainment
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Recyclable Collection Centre
	Religious Institution
	School (not elsewhere specified)
	Shop and Services
	Social Welfare Facility
	Training Centre

Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP B) (cont'd)

Remarks

- (1) On land designated “Residential (Group B)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) On land designated “Residential (Group B) 1”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 3, and the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (3) In determining the maximum plot ratio for the purposes of paragraph (2) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker’s office, or caretaker’s quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and plot ratio restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat	Ambulance Depot
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House	Educational Institution
Utility Installation for Private Project	Government Refuse Collection Point
	Government Use (not elsewhere specified)
	Hospital
	Hotel
	Institutional Use (not elsewhere specified)
	Library
	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
	Petrol Filling Station
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Recyclable Collection Centre
	Religious Institution
	Residential Institution
	School
	Shop and Services
	Social Welfare Facility
	Training Centre

Planning Intention

This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)

Remarks

- (1) On land designated “Residential (Group C)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 1.2, a maximum site coverage of 20%, and the maximum building height, in terms of number of storeys, as stipulated on the Plan, or the plot ratio, site coverage and height of the existing building, whichever is the greater.
- (2) On land designated ~~“Residential (Group C)2”~~ and “Residential (Group C)3”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.75, a maximum site coverage of 25%, and the maximum building height, in terms of number of storeys, as stipulated on the Plan, or the plot ratio, site coverage and height of the existing building, whichever is the greater.
- (3) In determining the maximum plot ratio and maximum site coverage for the purposes of paragraphs (1) and (2) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker’s office, or caretaker’s quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height, plot ratio and site coverage restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP C) 1

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Utility Installation for Private Project	Government Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Public Utility Installation Religious Institution Residential Institution School

Planning Intention

This zone is restricted to low to medium-rise residential developments subject to specific plot ratio and building height restrictions to preserve the local character and to avoid adverse visual, air ventilation and traffic impacts from more intensive development.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 5 and a maximum building height of 12 storeys or the plot ratio and height of the existing building, whichever is the greater.
- (2) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP E)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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**Schedule I: for open-air development or
for building other than industrial or industrial-office building[@]**

Ambulance Depot	Commercial Bathhouse/Massage Establishment
Government Use (not elsewhere specified)	Eating Place
Public Transport Terminus or Station (excluding open-air terminus or station)	Educational Institution
Utility Installation for Private Project	Exhibition or Convention Hall
	Flat
	Government Refuse Collection Point
	Hospital
	Hotel
	House
	Institutional Use (not elsewhere specified)
	Library
	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
	<i>Market</i>
	Office
	Petrol Filling Station
	Place of Entertainment
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station (not elsewhere specified)
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Religious Institution
	Residential Institution
	School
	Shop and Services
	Social Welfare Facility
	Training Centre

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Library
Off-course Betting Centre
Office
Place of Entertainment
Place of Recreation, Sports or Culture
Private Club
Public Clinic
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Social Welfare Facility
Training Centre

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Schedule II: for existing industrial or industrial-office building[@]	
<p>Ambulance Depot</p> <p>Art Studio (excluding those involving direct provision of services or goods)</p> <p>Bus Depot</p> <p>Eating Place (Canteen only)</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Information Technology and Telecommunications Industries</p> <p>Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [△])</p> <p>Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p> <p>Recyclable Collection Centre</p> <p>Research, Design and Development Centre</p> <p>Shop and Services (Motor-vehicle Showroom on ground floor, Service Trades only)</p> <p>Utility Installation for Private Project</p> <p>Warehouse (excluding Dangerous Goods Godown)</p>	<p>Cargo Handling and Forwarding Facility</p> <p>Industrial Use (not elsewhere specified)</p> <p>Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances</p> <p>Off-course Betting Centre</p> <p>Office (not elsewhere specified)</p> <p>Petrol Filling Station</p> <p>Place of Recreation, Sports or Culture (not elsewhere specified)</p> <p>Private Club</p> <p>Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom[#] which may be permitted on any floor)</p> <p>Vehicle Repair Workshop</p> <p>Wholesale Trade</p>

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

Eating Place
Educational Institution
Exhibition or Convention Hall
Institutional Use (not elsewhere specified)
Library
Off-course Betting Centre
Office
Place of Entertainment
Place of Recreation, Sports or Culture
Private Club
Public Clinic
Religious Institution
School (excluding kindergarten)
Shop and Services
Training Centre

Social Welfare Facility (excluding those involving residential care)

@ An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose respectively as approved by the Building Authority.

△ Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).

Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

(Please see next page)

RESIDENTIAL (GROUP E) (cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Cable Car Route and Terminal Building Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Pier Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Correctional Institution Driving School Eating Place (not elsewhere specified) Flat Funeral Facility Holiday Camp Hotel House Marine Fuelling Station Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services (<i>not elsewhere specified</i>) Utility Installation for Private Project Zoo

Planning Intention

This 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, organizations providing social services to meet community needs, and other institutional establishments.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (cont'd)

Remarks

- (1) On land designated “Government, Institution or Community”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of number of storeys or metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) On land designated “Government, Institution or Community (1)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 33mPD, or the height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum number of storey(s) for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Bathing Beach Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Pier (on land designated "O(1)" only) Playground/Playing Field Promenade Public Convenience Sitting Out Area Zoo	Barbecue Spot Cable Car Route and Terminal Building Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Pier (not elsewhere specified) Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended 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. For the "Open Space (1)" zone, leisure and recreation uses with ancillary commercial facilities for public enjoyment may be provided.

OTHER SPECIFIED USES

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For "Cemetery" Only</u>	
Columbarium	Flat (Staff Quarters Only)
Crematorium	Place of Recreation, Sports or Culture
Funeral Facility	Public Transport Terminus or Station
Government Use	Public Utility Installation
Grave	Religious Institution
Public Convenience	Shop and Services (Retail Shop only)
	Utility Installation for Private Project

Planning Intention

This zone is primarily to provide land intended for cemetery and such ancillary facilities.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storeys, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For “Commercial, Leisure and Tourism Related Uses” Only</u>	
Pier	Commercial Bathhouse/Massage Establishment Eating Place Exhibition or Convention Hall Government Use Hotel Library Marina <i>Market</i> Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Shop and Services Utility Installation for Private Project Utility Installation not ancillary to the Specified Use Wholesale Trade

Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for commercial, leisure and tourism-related uses taking advantage of its waterfront setting.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

For “Commercial, Leisure and Tourism Related Uses” Only (cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 46,446m², and the maximum building heights, in terms of metres above Principal Datum and number of storeys, as stipulated on the Plan, or the GFA and height of the existing building, whichever is the greater. A 12-metre wide waterfront promenade linking up the open spaces on both sides should be provided for public use.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height and GFA restrictions, and the width of the waterfront promenade stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p style="text-align: center;"><u>For "Pier" Only</u></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Government Use Pier</p> </div> <div style="width: 45%;"> <p>Eating Place Marine Fuelling Station Public Utility Installation Shop and Services Utility Installation for Private Project</p> </div> </div>	

Planning Intention

This zone is primarily for pier use providing marine services in the harbour areas.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storey, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storey for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Kiosks not greater than 10m² each in area and not more than 10 in number for uses as retail shop and service trades are considered as ancillary to "Pier" use.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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For "Public Mortuary" Only

Mortuary	Government Use Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Utility Installation not Ancillary to the Specified Use
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Planning Intention

This zone is intended to provide land for the provision of mortuary facility serving the needs of the general public.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p style="text-align: center;"><u>For “Uses Related to Underground Refuse Transfer Station” Only</u></p> <p>Underground Refuse Transfer Station</p>	
	<p>Flat (Staff Quarters only) Government Use Utility Installation not ancillary to the specified Use</p>

Planning Intention

This zone is primarily to provide land for a Government underground refuse transfer station and above-ground ancillary facilities.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storeys, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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For All Other Sites (Not Listed Above)

As Specified on the Plan

Flat (Staff Quarters only)
Government Use
Mass Transit Railway Vent Shaft and/or Other
Structure above Ground Level other than
Entrances (not elsewhere specified)
Utility Installation not ancillary to the Specified
Use

Planning Intention

This zone is primarily to provide/reserve land for purposes as specified on the plan.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of number of storeys, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Underground Public Mortuary (on land designated "GB(2)" only) Underground Refuse Transfer Station (on land designated "GB(1)" only) Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Cable Car Route and Terminal Building Field Study/Education/Visitor Centre Flat Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp House Marine Fuelling Station Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Pier Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution School Service Reservoir Social Welfare Facility Utility Installation for Private Project Zoo

Planning Intention

The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.

HONG KONG PLANNING AREA NO. 1

**DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20A**

EXPLANATORY STATEMENT

HONG KONG PLANNING AREA NO. 1

**DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20A**

EXPLANATORY STATEMENT

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HONG KONG PLANNING AREA NO. 1

DRAFT KENNEDY TOWN & MOUNT DAVIS OUTLINE ZONING PLAN NO. S/H1/20A

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This explanatory statement is intended to assist an understanding of the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/~~2021~~. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 On 31 October 1986, the draft Kennedy Town & Mount Davis OZP No. S/H1/1, being the first statutory plan covering the Kennedy Town and Mount Davis area, was gazetted under the Town Planning Ordinance (the Ordinance).
- 2.2 On 29 August 1989, the then Governor in Council referred the draft Kennedy Town & Mount Davis OZP No. S/H1/3 to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended five times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.3 On 19 September 2000, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Kennedy Town & Mount Davis OZP, which was subsequently renumbered as Plan No. S/H1/9. On 16 January 2001, the CE in C referred the approved OZP No. S/H1/9 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.4 On 11 June 2002, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kennedy Town & Mount Davis OZP, which was subsequently renumbered as Plan No. S/H1/12. On 8 July 2003, the CE in C referred the approved OZP No. S/H1/12 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.5 On 2 November 2004, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kennedy Town & Mount Davis OZP, which was subsequently renumbered as Plan No. S/H1/14.

- 2.6 On 4 September 2007, the Secretary for Development (SDEV), under the delegated authority of the Chief Executive, directed the Board under section 3(1)(a) of the Ordinance to extend the planning scheme boundary of the Kennedy Town and Mount Davis OZP to cover the Belcher Bay Reclamation Area. On 2 October 2007, the CE in C referred the approved OZP No. S/H1/14 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 4 November 2008, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Kennedy Town & Mount Davis OZP, which was subsequently renumbered as S/H1/16. On 12 January 2010, the CE in C referred the approved OZP No. S/H1/16 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the gazette on 22 January 2010 under section 12(2) of the Ordinance.
- 2.8 On 26 March 2010, the draft Kennedy Town and Mount Davis OZP No. S/H1/17 incorporating amendments to delete the obsolete alignment of Route 7, incorporate the Mass Transit Railway (MTR) West Island Line (WIL) authorized by the CE in C under the Railways Ordinance (Chapter 519) on 10 March 2009, delete the outdated MTR alignment and station, delete portions of “Open Space” (“O”) and “Government, Institution or Community” (“G/IC”) zones for incorporation of WIL ventilation and plant buildings, as well as rezone a site at Forbes Street from “Comprehensive Development Area (1)” to “O” and “Green Belt” (“GB”), was exhibited for public inspection under section 5 of the Ordinance. The alignment and associated ventilation and plant buildings of the authorized WIL scheme are shown on the Plan for information. During the exhibition period, 1 representation supporting the deletion of Route 7 was received. The representation was considered by the Board on 17 September 2010.
- 2.9 On 25 February 2011, the draft Kennedy Town & Mount Davis OZP No. S/H1/18 incorporating amendments mainly relating to the imposition of building height restrictions for various development zones and rezoning proposals to reflect the planning intention or existing developments was exhibited for public inspection under section 7 of the Ordinance. ***During the exhibition period, a total of 638 representations and 12 comments were received. On 25 November 2011, the Board decided not to uphold the representations after giving consideration to the representations and comments.***
- 2.10 On 30 June 2011, the draft Kennedy Town & Mount Davis OZP No. S/H1/19, incorporating the amendments to the Notes of the “Industrial” (“I”) zone, was exhibited for public inspection under section 7 of the Ordinance. ***During the exhibition period, two representations were received. On 3 February 2012, the Board decided not to uphold the representations after giving consideration to the representations.***
- 2.11 ***On 23 and 24 February 2012, two commenters in respect of representation No. R/S/H1/18-R2 for the draft OZP No. S/H1/18 filed judicial review (JR) applications against the Board’s decision on not to propose any amendment to meet part of the representation in respect of which the commenters had***

submitted supportive comments. Subsequently, the Court granted leave for the JR applications and stayed the submission of the OZP to CE in C pending the determination of the JRs.

- 2.12** On 16 March 2015, SDEV under the delegated authority of the Chief Executive, directed the Board under section 3(1)(a) of the Ordinance to extend the planning scheme boundary of the Kennedy Town & Mount Davis OZP to cover the 4 piers to the west of Cadogan Street and a pier fronting the New Praya, Kennedy Town, and to excise 2 sea areas to the north of Sai Ning Street.
- 2.13** On 11 March 2016, the draft Kennedy Town & Mount Davis OZP No. S/H1/20 (~~the Plan~~), incorporating amendments mainly to rezone areas under the “Undetermined” zone and several sites within the western part of Kennedy Town to “Residential (Group A)” (“R(A)”), “R(A)5”, “R(A)6”, “O”, “O(1)”, “G/IC”, “GB”, “GB(1)”, “GB(2)”, “Other Specified Uses” (“OU”) annotated “Commercial, Leisure and Tourism Related Uses”, “OU” annotated “MTR Ventilation Building”, “OU” annotated “Public Mortuary”, “OU” annotated “Uses Related to Underground Refuse Transfer Station” and “OU” annotated “Pier” to reflect the existing and planned developments and to designate areas as ‘Road’ for mainly the proposed widening of Victoria Road and Ka Wai Man Road, and the proposed new access road connecting Victoria Road and Cadogan Street, was exhibited for public inspection under section 7 of the Ordinance. *A total of 7,593 representations and 306 comments were received. On 11 May 2017, after giving consideration to the representations and comments, the Board decided to propose amendments to the OZP to partially meet some representations and comments by rezoning the Cadogan Street Temporary Garden and the area to its west from “R(A)6” to “O” and “G/IC” respectively, with the imposition of building height restriction of 40mPD for the “G/IC” portion. On 26 May 2017, the proposed amendments were published for further representation under section 6C(2) of the Ordinance. During the exhibition period, a total of 345 further representations (FRs) were received. Upon consideration of the FRs, the Board decided to amend the OZP by the proposed amendments on 1 August 2017. In accordance with section 6H of the Ordinance, the draft OZP shall hereafter be read as including the above amendments.*
- 2.14** *On 19 March 2020, the Court of First Instance allowed the two JR applications quashing the Board's decision on the representation No. R/S/H1/18-R2 with a direction that the representation, together with the comments thereon, be remitted to the Board for reconsideration.*
- 2.15** *On X.X.2021, the draft OZP No. S/H1/21 (the Plan), incorporating mainly the amendments to the building height restrictions of four residential sites; rezoning of two sites on Mount Davis Road in relation to the two JRs from “Residential (Group C)2” (“R(C)2”) zone to “R(B)1” zone; and omission of two building gap (BG) requirements, were exhibited for public inspection under section 7 of the Ordinance.*

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the Planning Scheme Area (the Area) can be subject to statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development within the Area. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zoning, there would be situations in which small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted as non-building area (NBA) or for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Kennedy Town and Mount Davis areas and not to overload the road network in these areas.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area, about 172 hectares, is situated at the north-western corner of Hong Kong Island. The Belcher Bay and Sulphur Channel constitute the natural boundaries in the north and west; Hill Road and Pok Fu Lam Road delineate the eastern boundary; whilst Mount Davis Road forms its southern limit. The boundaries are shown by a heavy broken line on the Plan.
- 5.2 The Area covers land on the waterfront of Victoria Harbour. For any development proposal affecting such land, due regard shall be given to the Vision Statement for Victoria Harbour published by the Board and the requirements under the Protection of the Harbour Ordinance (Cap. 531).

6. POPULATION

~~According to the 2011~~ Based on the 2016 Population by census, the population of the Area was estimated by the Planning Department as about ~~75,400~~76,350. It is estimated that the planned population of the Area would be about ~~88,950~~81,380.

7. BUILDING HEIGHT RESTRICTIONS IN THE AREA

- 7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, a review of the Kennedy Town & Mount Davis OZP ~~has been~~ was undertaken ~~in 2011~~ with a view to incorporating appropriate building height restrictions on the Plan for various development zones. In the absence of building height control, tall buildings may proliferate at random locations and the scale may be out-of-context in the locality, resulting in negative impacts on the visual quality of the Area. In order to prevent excessively tall or out-of-context buildings, to provide better control on the building heights of developments in the Area, building height restrictions are imposed on various development zones on the Plan.
- 7.2 The stepped building height concept recommended in the Urban Design Guidelines with lower buildings on the waterfront and building heights increasing progressively to the inland areas has been adopted, taking into account the local topography and characteristics, local wind environment, compatibility of building masses in the wider setting, as well as the need to strike a balance between public interest and private development right. Due mainly to the topography of the Area, there are different height bands ranging from 100 metres above Principal Datum (mPD) to 160mPD increasing progressively uphill with a stepped height profile. Specific building height restrictions are adopted for some developments to reflect the existing building heights or to preserve the local character.
- 7.3 Specific building height restrictions for the “G/IC” and “OU” zones in terms of number of storeys or mPD, which mainly reflect the existing and planned building heights of development, have been incorporated into the Plan to provide visual and spatial relief to the high density environment of the Area.
- 7.4 In 2011, an Expert Evaluation on Air Ventilation Assessment (AVA EE 2011) was undertaken to assess the existing wind environment and the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. ~~The building height and building gap requirements incorporated into the Plan have taken~~ According to the findings of the AVA EE 2011 ~~into consideration.~~
- ~~7.5~~ ***In general***, the major prevailing annual wind comes from the north-east, east and south directions, and the prevailing summer wind mainly comes from the east, south, south-east and south-west directions. The major air paths for penetration of wind to the inland area include the existing open space and recreational grounds; north-east wind from Pok Fu Lam Road to Forbes Street and along Victoria Road;

south-west wind along Pok Fu Lam Road, Victoria Road and Mount Davis Road; and valley wind from the south to the inland area.

- 7.56 To facilitate better air ventilation in the Area, the AVA **EE 2011** has recommended that the existing open area and low-rise “GIC” or “OU” sites and the major air paths should be maintained to allow penetration of wind inland. Building gaps are stipulated on the Plan to facilitate the air ventilation at major air paths. Furthermore, future developments are encouraged to adopt suitable design measures to minimize any possible adverse air ventilation impacts. These include greater permeability of podium, wider gap between buildings, disposition, orientation and perforation of building towers to align with the prevailing winds.
- 7.67 For the land use review for the western part of Kennedy Town, which is the area generally bounded by Victoria Harbour in the north, Cadogan Street in the east, foothill of Mount Davis in the south, and the Island West Refuse Transfer Station in the west, another Expert Evaluation on Air Ventilation Assessment (AVA EE 2013) was undertaken in the context of the land use review of that area. The building height, building gap and NBA requirements incorporated into the Plan and Explanatory Statement had taken the findings of the AVA EE 2013 into consideration.
- 7.78 Three ~~building gaps~~ **BGs** and two NBAs are recommended in the review area are shown in the attached Plan A to guide the future development. Quantitative AVA is required for the public housing site to the south of Victoria Road to further optimise the layout design for a better local air ventilation and to demonstrate that the future development proposal would maintain/enhance the air ventilation performance in the surrounding area. Should any project proponent wish to make any changes to the recommended building gaps and NBAs, they should also carry out a quantitative AVA to demonstrate that no unacceptable pedestrian level air ventilation impact in the vicinity would be resulted. The requirements for building gaps, NBAs and AVA, as appropriate, should be stipulated in the lease condition for private development or planning brief for public housing development.
- 7.89 *A further review on the building height restrictions taking into account the implications of Sustainable Building Design Guidelines (SBDG) and permissible development intensity was conducted in 2020. To allow flexibility for future redevelopment to comply with SBDG, building height restrictions for two “R(A)” zones at the junction of Pokfield Road and Smithfield and Academic Terrace and two “R(B)” zones at Hillview Garden and the University of Hong Kong (HKU) Pokfield Road Residences are relaxed. Besides, two sites on Mount Davis Road are rezoned from “R(C)2” to “R(B)1” with relaxation of plot ratio and building height restrictions. An updated AVA EE was conducted in 2020 to assess the impact of relaxing the development restrictions of the said zones and to review the BG and NBA requirements on the OZP and its Explanatory Statement based on the assumption that redevelopments would follow the SBDG requirements. According to the findings of the AVA EE 2020, the increase in the building heights for the two “R(A)” zones and two “R(B)” zones would not induce significant air ventilation impacts on the pedestrian wind environment through redevelopment of the sites following SBDG. For*

the rezoning of the two sites on Mount Davis Road, the potential impact induced to the surrounding pedestrian wind environment is considered insignificant as the sites are relatively small and the surrounding regions being relatively open. Furthermore, the omission of the two BG requirements of 12m wide above 29mPD and 60mPD (about 15m above ground level) at the western boundaries of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield from the OZP would not affect the air ventilation performance from a district level perspective.

7.9 In general, a minor relaxation clause in respect of building height restriction is incorporated into the Notes of the Plan in order to provide incentive for developments/redevelopments with planning and design merits and to cater for circumstances with specific site constraints. Each planning application for minor relaxation of building height restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such application are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;
- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan; and
- (f) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

7.10 However, for any existing building with building height already exceeding the building height restrictions in terms of mPD and/or number of storeys as stated in the Notes of the Plan and/or stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

Building Gaps

7.11 Gaps between buildings and NBAs play a key role in creating air paths by appropriate design and disposition of building blocks. According to the AVA EE ~~2011~~ 2020, to facilitate the air ventilation and to improve air permeability at podium level, two building gaps of 10m wide above 20mPD (about 15m above ground level) *as recommended in the AVA EE 2011* are ~~imposed~~ *still required* on

the buildings situated between Des Voeux Road West and Queen Road West and aligned with Woo Hop Street and Belcher's Street to allow the north-east annual prevailing wind penetrating to the inland area. ~~Two building gaps of 12m wide above 29mPD and 60mPD (about 15m above ground level) are imposed on the western boundaries of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield respectively to facilitate valley wind from the south penetrating to the inland area.~~

- 7.12 According to the AVA EE ~~2013~~ 2020, two north-west to south-easterly building gaps of 15m wide above podium of the "R(A)5" zone *as recommended in the AVA EE 2013* are *still* required. They are to mitigate the wind wake due to the proposed developments and to facilitate katabatic air movement from the vegetated hill slope to the waterfront and sea breezes from the north.

Non-building Areas

- 7.13 According to the AVA EE ~~2013~~ 2020, two NBAs *as recommended in the AVA EE 2013* are ~~recommended~~ *still required*. In order to allow higher permeability at the waterfront and along the major north-south ventilation corridor, and to take forward the recommendation of the AVAs, a 30m wide north-west to south-easterly NBA is designated at the land portion of the "OU" annotated "Commercial, Leisure and Tourism Related Uses" zone to the north of Sai Ning Street to facilitate katabatic air movement to the waterfront and sea breezes from the north. In order to facilitate south-westerly wind on ground level, a north-east to south-westerly NBA of 15m wide on ground level is designated to the west of Ka Wai Man Road. Within the NBAs, no above ground structure is allowed except for minor structures with high air porosity, such as covered walkway and elevated footbridge. Below ground structure is allowed within the NBAs.

8. LAND USE ZONINGS

8.1 Residential (Group A) ("R(A)") : Total Area 26.19 hectares

- 8.1.1 This zone is intended primarily for high-density residential developments. Commercial uses such as shop and services and eating place are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Commercial uses on any floor above the lowest three floors will require planning permission from the Board. Offices and hotel development may also be permitted upon application to the Board.
- 8.1.2 The areas zoned for this purpose mainly lie between the waterfront and the foothills. Public housing estates include the existing Sai Wan Estate and Kwun Lung Lau and the proposed development to the south of Victoria Road. The remaining areas cover the east of the developed part of the Area. The residential development at 33 Ka Wai Man Road, i.e. Mount Davis 33, is a redevelopment project of the Urban Renewal Authority (URA) completed in 2006.

- 8.1.3 The “R(A)1” site bounded by Belcher’s Street, South Lane and Pok Fu Lam Road covers The Belcher’s. It has an area of about 3.01 ha and comprises six residential blocks. Development within this zone is restricted to a maximum domestic GFA of 227,273m² and a maximum non-domestic (commercial) GFA of 20,000m². Government, institution or community (GIC) uses including a day nursery and a social centre for the elderly and a kindergarten as well as commercial uses are provided on the podium levels of the development. A public open space of about 3,518m² and a public pedestrian link connecting South Lane with Pok Fu Lam Road are also provided within the site.
- 8.1.4 The “R(A)2” site, bounded by Cadogan Street, Kennedy Town New Praya, Davis Street and Belcher’s Street covers The Merton. It is an urban redevelopment scheme of the URA completed in 2005. It has an area of about 0.61ha and comprises three residential blocks. Development within this zone is restricted to a maximum GFA of 70,024m². Public open space of not less than 2,300m² is provided within the site. The existing development, consisting of 3 excessively tall residential towers of 156.9 to 176.3mPD, is considered incompatible with the surrounding developments and the waterfront setting. In order to respect the urban design principle of protecting the waterfront to avoid out-of-context and incompatible developments, a maximum building height restriction of 120mPD is imposed on the site. Future redevelopment to the existing building height is not permitted.
- 8.1.5 The “R(A)3” site covering La Maison Du Lord at 12 and 12A North Street has an area of about 0.04ha. It is a residential development completed in 2003. Development within this zone is restricted to a maximum domestic GFA of 3,577m² and a non-domestic GFA of 350m² for GIC facilities. In addition, public open space of not less than 135m² is provided within the site.
- 8.1.6 The “R(A)4” site covering Manhattan Heights at 28 New Praya, Kennedy Town has an area of about 0.29ha. The existing building height of the development at 171.2mPD is considered incompatible with the surrounding developments and the waterfront setting. In order to respect the urban design principle of protecting the waterfront to avoid out-of-context and incompatible developments, a maximum building height restriction of 100mPD is imposed on the site. Future redevelopment to the existing building height is not permitted.
- 8.1.7 The “R(A)5” site covering an area to the south of Victoria Road has an area of about 2.88ha and is intended for public housing development. Development within this zone is restricted to a maximum GFA of 120,000m². In order to avoid out-of-context and incompatible developments, and to provide a stepped building height profile, maximum building height restrictions of 65mPD (western portion) and 140mPD (eastern portion) are imposed on the site. Building gaps and NBA are proposed as detailed in paragraphs 7.12 and 7.13 above to facilitate air ventilation. At detailed design stage, quantitative air ventilation studies

will need to be conducted for the public housing development to demonstrate that the future proposal would maintain/enhance the air ventilation performance in the surrounding area. To further enhance urban pedestrian comfort, it is also recommended to provide intensified greenery (especially tree planting) on the site with at least 30% green coverage. In addition, a public goods vehicle park and GIC facilities, as required by the Government, shall be provided within this sub-area. Required public parking facilities and GIC facilities to be provided within this sub-area are subject to detailed design and shall be agreed by relevant authorities. A planning brief setting out the planning parameters and special design requirements will be prepared to guide the future development of the site.

- 8.1.8 Two building gaps of 10m wide above 20mPD (about 15m above ground level) are imposed on the buildings situated between Des Voeux Road West and Queen Road West and aligned with Woo Hop Street and Belcher's Street to allow the north-east annual prevailing wind penetrating into the inland area. ~~Two building gaps of 12m wide above 29mPD and 60mPD (about 15m above ground level) are imposed on the western boundaries of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield respectively to facilitate valley wind from the south penetrating into the inland area.~~

- 8.1.9 Minor relaxation of the GFA and/or building height restrictions, and/or reduction in the total GFA for GIC facilities may be considered by the Board on application. Consideration of such application for minor relaxation would be on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality. Each application will be considered on its own merits.

8.2 Residential (Group B) ("R(B)") : Total Area ~~2.92~~ **3.94** hectares

- 8.2.1 This zone is intended primarily for medium-density residential development where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.
- 8.2.2 This zone includes Hill-View Garden, ~~the University of Hong Kong~~ (HKU) Pokfield Road Residences, and a site at Lung Wah Street for HKU's student hostel development. The "R(B)1" sub-area covers residential developments at 2, 2A, 4, ~~6-10~~ and 52-62 Mount Davis Road subject to a maximum plot ratio of 3.
- 8.2.3 Minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application. Consideration of such application for minor relaxation would be on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality. Each application will be considered on its own merits.

8.3 Residential (Group C) ("R(C)") : Total Area ~~2.30~~ **1.29** hectare

- 8.3.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. The "R(C)" zone covers two residential developments near the junction of Mount Davis Road and Victoria Road and is subject to a maximum building height of 13 storeys including carports. ~~The "R(C)2" sub-area covers residential developments at 2 and 6-10 Mount Davis Road and is subject to a maximum plot ratio of 0.75, a maximum site coverage of 25% and a maximum building height of 3 storeys.~~ The "R(C)3" sub-area covers a Government site on the seaward side of Victoria Road and is subject to a maximum plot ratio of 0.75, a maximum site coverage of 25% and a maximum building height of 4 storeys. Part of the "R(C)3" sub-area is occupied by Grade 3 historic buildings of Victoria Road Detention Centre and the Jubilee Battery which is a military site with historic interest.
- 8.3.2 Development within this zone is subject to specific controls on building height, plot ratio and site coverage to avoid overloading local road network and to preserve the high landscape value as well as the character of the area. These special controls are shown in the Remarks column in the Notes for this zoning.
- 8.3.3 Minor relaxation of the plot ratio, site coverage and/or building height restrictions may be considered by the Board on application. Consideration of such application for minor relaxation would be on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality. Each application will be considered on its own merits.

8.4 Residential (Group C)1 ("R(C)1") : Total Area 1.40 hectares

- 8.4.1 This zone is restricted to low to medium-rise residential developments subject to specific plot ratio and building height restrictions to preserve the local character and to avoid adverse visual, air ventilation and traffic impacts from more intensive development. In addition, the area together with the low-rise GIC uses at Rock Hill Street and open space at Forbes Street form a major air path for the penetration of the north-easterly prevailing annual wind from Belcher's Street and Pok Fu Lam Road to the inland area. This air path should be maintained.
- 8.4.2 This zone covers sites in Sands Street, Tai Pak Terrace, Li Po Lung Path, Ching Lin Terrace and To Li Terrace where there is no direct vehicular access. Due to the lack of direct vehicular access, loading and unloading activities in the area can only take place at a distance away and the goods have to be carried manually for a long distance. Traffic condition in the area is of concern, particularly for the nearby junctions of Belcher's Street/Sands Street and Smithfield/Pokfield Road. Cumulative effect of more intensive developments would aggravate the existing traffic problems.

- 8.4.3 Due to the possible adverse impacts on local character/terrace ambience, visual, air ventilation, urban design and traffic from more intensive developments, development/redevelopment within this zone is restricted to residential use only with a maximum plot ratio of 5 and a maximum building height of 12 storeys or the plot ratio and height of existing building whichever is the greater.
- 8.4.4 However, such restrictions on plot ratio and building height will not prevent comprehensive developments/redevelopment in the area. Upon submission of comprehensive redevelopment proposals with amalgamation of sites, favourable consideration may be given to minor relaxation of the restrictions and each proposal will be considered on its individual planning merits.

8.5 Residential (Group E) ("R(E)") : Total Area 0.22 hectare

- 8.5.1 This zone covers two industrial buildings and a residential building to the south of Sai Ning Street. It is intended primarily for phasing out the existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential (I/R) interface problem.
- 8.5.2 Residential development may be permitted within this zone with or without conditions on application to the Board. The developers will be required to submit adequate information to demonstrate that the new residential development will be environmentally acceptable, and suitable mitigation measures, if required, will be implemented to address the potential I/R interface problem. A residential building which was the subject of an approved planning application for residential development has been completed in 2006.
- 8.5.3 For existing building other than industrial or industrial-office building in this zone, residential and commercial uses may be permitted on application to the Board. Commercial uses such as shop and services and eating place are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. Commercial uses on any floor above the lowest three floors will require planning permission from the Board.
- 8.5.4 For existing industrial or industrial-office buildings in this zone, non-polluting industrial use and office relating to industrial use are always permitted. Commercial uses such as shop and services and eating place are also always permitted in the purpose-designed non-industrial portion on the lower floors of an existing building.
- 8.5.5 Minor relaxation of the building height restriction may be considered by the Board on application. Each application will be considered on its own merits.

8.6 Government, Institution or Community (“G/IC”): Total Area 25.23 hectares

- 8.6.1 This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of 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, organizations providing social services to meet community needs, and other institutional establishments. Such developments, particularly for those which are low-rise, serve to provide visual and spatial relief to the densely built-up environment of the Area.
- 8.6.2 A site at Sai Cheung Street North is developed for the reprovisioning of the Kennedy Town public swimming pool affected by the WIL project, together with provision of other ancillary facilities. It is designated as “G/IC(1)” within this zone. A maximum building height restriction of 33mPD is imposed on “G/IC(1)” to ensure that the proposed use would not result in adverse visual impact on the surrounding developments taking into account its waterfront location.
- 8.6.3 A “G/IC” site to the west of the CSTG is reserved for future GIC use. A maximum building height restriction of 40mPD is imposed on the site.
- 8.6.4 Other existing facilities serving primarily the Area and its adjoining districts include the fire station at New Praya, Kennedy Town, the Ambulance Depot at Lung Wah Street, the Smithfield Complex at Smithfield, the Kennedy Town Community Complex, the Kennedy Town Jockey Club Clinic at Victoria Road, the community centre at Pokfield Road, service reservoirs at Mount Davis, a number of existing schools, as well as HKU’s facilities, sports centres and student hostels at Pok Fu Lam Road.
- 8.6.5 The reserved school sites should be adequate to meet the needs of the planning area. The provision of secondary school is assessed on a wider district basis. The secondary schools in Sai Ying Pun and the Mid-Levels West area should be able to make good the deficit in Kennedy Town.
- 8.6.6 Minor relaxation of the building height restrictions may be considered by the Board on application. Each application will be considered on its own merits.

8.7 Open Space (“O”): Total Area 8.50 hectares

- 8.7.1 This zone is intended primarily for the provision of outdoor open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.7.2 Existing open spaces are rather limited. The major ones are the Belcher Bay Park, the Kennedy Town Playground, the Kennedy Town Temporary Recreation Ground and the Cadogan Street Temporary Garden. The

others include rest gardens/sitting-out areas at Hill Road, Belcher Street, Pokfield Road, Ka Wai Man Road, North Street, Cadogan Street, Mount Davis Path and at the peak of the Mount Davis.

- 8.7.3 In view of the planning intention to provide a promenade at the waterfront and the severe shortage of public open space in the district, a site at the south-western end of Shing Sai Road, which is currently occupied by a temporary bus terminus and a strip of sitting-out area, is reserved for future public open space or promenade use. In addition, an “O(1)” site at the western end of New Praya, Kennedy Town is reserved for future public open space including a promenade. To add vibrancy to the waterfront area, leisure and recreation uses with ancillary commercial facilities, such as al fresco dining, for public enjoyment may be provided. ‘Pier’ use is always permitted within the “O(1)” site to maintain its marine access through the existing piers.

8.8 Other Specified Uses (“OU”): Total Area 8.91 hectares

- 8.8.1 This zone is intended primarily to provide/reserve land for specific purposes and uses. It includes the Western District public cargo working area (PCWA) north of Shing Sai Road, a petrol filling station at Victoria Road, a MTR ventilation building to the further south-west of Ka Wai Man Road, a pier at the junction of New Praya, Kennedy Town and Davis Street and the Chiu Yuen Cemetery located near the junction of Pok Fu Lam Road and Mount Davis Road. The PCWA occupies a prominent waterfront location. The zoning of the PCWA will be reviewed in the longer term when the PCWA use could be relocated to other area in the future.
- 8.8.2 The above-ground ancillary facilities of the Island West Refuse Transfer Station located in Sai Ning Street are zoned “OU” annotated “Uses Related to Underground Refuse Transfer Station”. These uses include ancillary carpark, office, storage and workshop, cargo handling facilities, vent shaft, etc.
- 8.8.3 A site at Sai Ning Street and its associated pier are zoned “OU” annotated “Commercial, Leisure and Tourism Related Uses” to facilitate the long-term development of a vibrant waterfront area. Development/redevelopment within this zone is restricted to a maximum GFA of 46,446m² and a maximum building height of 70mPD for the land portion and 2 storeys for the pier portion. A 12-metre wide waterfront promenade linking up the open spaces on both ends shall be provided to allow promenade continuity and public enjoyment. In addition, a NBA is proposed as detailed in paragraph 7.13 above to facilitate air ventilation. The waterfront promenade and NBA should be incorporated in the lease condition to effect implementation.
- 8.8.4 A site on the western and seaward side of Victoria Road is zoned “OU” annotated “Public Mortuary” and is reserved for relocation of the existing public mortuary at Sai Ning Street namely the Victoria Public Mortuary. Development within this zone is restricted to a maximum building height

of 60mPD to better protect the visual quality along Victoria Road. The site and the adjoining underground cavern form part of the public mortuary development.

- 8.8.5 Minor relaxation of the GFA and/or building height restrictions, as well as the width of the waterfront promenade at the “OU” annotated “Commercial, Leisure and Tourism Related Uses” zone, may be considered by the Board on application. Each application will be considered on its own merits.

8.9 Green Belt (“GB”): Total Area 76.18 hectares

- 8.9.1 The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.
- 8.9.2 This zone accounts for about 44% of the Area. It includes the sloping area in Mount Davis where difficult topography and steep hillsides prevent it from intensive urban development or active recreational uses.
- 8.9.3 The “GB” forms a visually and aesthetically pleasant background to the Area. It may also provide additional outlets for passive informal type of recreational uses. Urban type development within this zone will be strictly controlled and assessed individually on its merits through the planning permission system.
- 8.9.4 Pursuant to the recommendations of the Cavern Project Study and the subsequent study on the Island West Refuse Transfer Station (IWRTS) project, Government has located the IWRTS underground within a man-made cavern in the “GB” area at Mount Davis. The IWRTS is one of the two refuse transfer stations on Hong Kong Island as part of the Government’s waste disposal strategy. The other station, i.e. Island East Refuse Transfer Station at Chai Wan, has already commenced operation in 1992. These two stations can transport solid waste in bulk from the urban area to strategic landfills for final disposal. The Kennedy Town Incinerator has already been closed down in accordance with the programme for developing these two stations.
- 8.9.5 The “GB” area occupied by the IWRTS cavern is designated as Sub-area 1 within this zone on the Plan. The use of underground refuse transfer station is a use always permitted in this sub-area. Due to its deep vertical location, the Station will not affect the surface area.
- 8.9.6 The “GB(2)” site is located at Victoria Road and to the further west of Jockey Club Mount Davis Youth Hostel. The use of underground public mortuary is a use always permitted in this sub-area within the existing cavern. This sub-area is reserved together with the “OU” annotated “Public Mortuary” zone for the reprovisioning of the Victoria Public Mortuary.

9. COMMUNICATIONS

9.1 Roads

9.1.1 Major roads are concentrated along the flat coastal reclamation strip where the majority of the building development exists. Beginning from Victoria Road in the west, major thoroughfares run in an east-west direction whilst other roads are generally laid out in a grid pattern.

9.1.2 Existing roads connecting the Area with other parts of Hong Kong Island are:

- (a) Pok Fu Lam Road, edging the south-eastern fringe of the Area, is a primary distributor linking up Central with Aberdeen;
- (b) Shing Sai Road, situated on the Belcher Bay Reclamation, is a primary distributor between the Western Harbour Crossing, Smithfield and its extension and Pok Fu Lam Road;
- (c) Des Voeux Road West and Queen's Road West are the two district distributors in the eastern part of the Area channelling all traffic running eastward to Central;
- (d) Victoria Road, which is a district distributor, runs parallel to the coastline linking up Kennedy Town and the coastal area of Pok Fu Lam; and
- (e) Mount Davis Road, which connects Pok Fu Lam Road with Victoria Road, serves the low-density residential developments at the southern slope of Mount Davis.

9.2 Public Transport

The Area is served by various modes of public transport including railway, buses, trams, maxicabs, public light buses and taxis for commuters travelling within the Area as well as to and from other districts.

9.3 Waterborne Transport

A number of piers at the waterfront of Kennedy Town provide facilities for loading and unloading of goods. Occasionally, they are also used for casualty evacuation from outlying islands to Queen Mary Hospital by Government vessels.

9.4 Railway Development

The MTR West Island Line, comprising the Kennedy Town Station, HKU Station and Sai Ying Pun Station, was authorized by the CE in C under the Railways Ordinance (Chapter 519) on 10 March 2009 and fully commissioned in March

2015. The Kennedy Town Station is located at Smithfield and Forbes Street with a green minibus boarding and alighting area at ground level of Smithfield. The HKU Station is located near the University of Hong Kong with its entrances at Pokfulam Road, Whitty Street, Hill Road and Belcher's Street.

10. UTILITY SERVICES

- 10.1 The Area has adequate supply of water, electricity and gas. The service of telephone is also sufficient. No problem is envisaged in meeting the future needs for such services in the district.
- 10.2 Whilst at present there is no sewage treatment facility for the Area, sewage from Kennedy Town is currently treated by the screening plant in Central. As for the southern part of the Area, treatment will rely on the screening plant in Sandy Bay.

11. CULTURAL HERITAGE

- 11.1 The Lo Pan Temple at Ching Lin Terrace is a Grade 1 historic building. The Ex-Western Fire Station at Belcher's Street and Mount Davis Battery at the Mount Davis are Grade 2 historic buildings. Grade 3 historic buildings include Kwong Yuet Tong Public Office at 16-17 Ching Lin Terrace, S.K.H. St. Luke's Church Pastoral Centre, *and* Victoria Road Detention Centre at Victoria Road *and 9 Ching Lin Terrace*. Besides, 8-9 Tai Pak Terrace *and 9 Ching Lin Terrace are is a* proposed Grade 2 *and Grade 3* historic buildings *respectively*. The Arch and Foundation Stone of Tung Wah Smallpox Hospital and the City of Victoria Boundary Stone at Sai Ning Street are the Government Historic Sites identified by the Antiquities and Monuments Office (AMO) *of the Leisure and Cultural Services Department (LCSD)*. The former structures, built in 1910, were relocated to Sai Ning Street from its former hospital site at Ka Wai Man Road; and are proposed for relocation to the waterfront park in the "O(1)" zone for a better preservation setting.
- 11.2 Military sites with historic interest are also located within the Area which include the Jubilee Battery at Victoria Road and the Air Raid Tunnels at former Belcher Battery at Belcher Street.
- 11.3 Information of the historic buildings can be obtained from the official website of AMO *of LCSD*. Prior consultation with AMO *of LCSD* should be made if any development, redevelopment or rezoning proposals may affect these historic buildings/structures.

12. IMPLEMENTATION

- 12.1 Although existing uses non-conforming to the statutory zonings are tolerated, any material change of use and any other development/redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. The Board has published a set of guidelines for

the interpretation of existing use in the urban and new town areas. Any person who intends to claim an “existing use right” should refer to the guidelines and will need to provide sufficient evidence to support his claim. The enforcement of the zonings mainly rests with the Buildings Department, the Lands Department and the various licensing authorities.

- 12.2 The Plan provides a broad land use framework within which more detailed non-statutory plans for the Area are prepared by the Planning Department. These detailed plans are used as the basis for public works planning and site reservation within Government departments. Disposal of sites is undertaken by the Lands Department. Public works projects are co-ordinated by the Civil Engineering and Development Department in conjunction with the client departments and the works departments, such as the Architectural Services Department and the Highways Department. In the implementation of the Plan, the Central and Western District Council would be consulted as appropriate.
- 12.3 Planning applications to the Board will be assessed on individual merits. In general, the Board’s consideration of the planning applications will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans and the guidelines published by the Board. The outline development plans and layout plans are available for public inspection at the Planning Department. Guidelines published by the Board are available from the Board’s website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board’s website and are available from the Secretariat of the Board and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

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Plan A – Building Gap and Non-Building Area Restrictions in the Western Part of Kennedy Town (for the indicative alignments)

TOWN PLANNING BOARD
~~MARCH 2016~~ XXX 2021



香港地產建設商會

THE REAL ESTATE DEVELOPERS ASSOCIATION OF HONG KONG

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TPB/R/S/H1/18-2

21 April 2011

By fax and mail

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Sirs,

**Representations in Relation to the
Amendments to the Kennedy Town and Mount Davis Outline Zoning Plan
(Amendments shown on Plan Number S/H1/18)**

We refer to the proposed amendments to the Kennedy Town and Mount Davis Outline Zoning Plan which have been shown on the Draft Outline Zoning Plan No. S/H1/18 gazetted on 25 February 2011.

We hereby submit Representations to the Amendments under Section 6(1) of the Town Planning Ordinance. The reasons for the Representations are included in the paper attached to this letter.

The submissions are made in relation to matters of principle as they apply to the Kennedy Town and Mount Davis Outline Zoning Plan and are generally asking for a relaxation of restrictions and opportunities for innovative development. They are not intended to be used as a basis for the deferment of planning applications for developments which comply with the restrictions on the Outline Zoning Plan

We retain the right to provide additional information in support of this Representation and to raise additional points, if necessary.

Yours sincerely

Louis Loong
Secretary General



香港地產建設商會

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Representations in Relation to the Amendments shown on the Kennedy Town and Mount Davis Outline Zoning Plan, Plan No. S/H1/18 -- The Real Estate Developers Association of Hong Kong ("REDA")

1. Representor

- 1.1 This Representation is lodged on behalf of The Real Estate Developers Association of Hong Kong ("REDA"). It addresses the principles which have been applied in relation to the building height restrictions and building gap requirements included as amendments in the Draft Kennedy Town and Mount Davis Outline Zoning Plan, Plan No. S/H1/18 ("the OZP").

2. Representation in Opposition

- 2.1 This Representation relates to general matters applicable to a wide range of issues which arise because of the inclusion of the building height limits and building gap requirements shown on the OZP. In other words, this representation objects to Items A, B1 to B5, C1, D1, E1, G1 to G4, J, and L shown on the Plan and Item (a) of Amendments to the Notes of the Plan.
- 2.2 This submission is made in the broad interests of Hong Kong as a whole and in the interests of maintaining a fair, efficient and sustainable urban development system.

3. Basis for this Representation

The reasons for this Representation are provided in the following paragraphs.

3.1 Building Height Restrictions Set Too Low

Lack of Flexibility for Innovative and Quality Design

- 3.1.1 REDA as a general principle opposes to the setting of building height restrictions at levels which are so low as to unnecessarily constrain the provision of good quality development for the people of Hong Kong. This objective can only be achieved by providing flexibility for the design of developments which provide good internal space for people to live in and work in, with sufficient internal headroom. There also needs to be flexibility for changing requirements over time and scope to meet market expectations.



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Objectives for Height Limits

- 3.1.2 It appears from paragraph 7.1 of the Explanatory Statement that the reasons for the imposing building height limits are:
- to provide better control on development intensity and building height of development;
 - to prevent out-of-context tall buildings; and
 - to meet public aspirations for greater certainty and transparency in the statutory planning system.
- 3.1.3 No consideration has been given to building economics as well as the implications for the redevelopment of the area by the private sector. There also appears to be no consideration of the effect of the height controls on the form of new buildings. The imposition of low height limits has a direct negative impact on the provision of space around buildings, as it forces them to become lower and bulkier, with greater site coverage at lower levels than would be the case if the height limits were set at higher levels. The consequences include less permeability of the urban environment, lowering of property values and reducing air ventilation at street level.
- 3.1.4 Imposition of building height restrictions is not considered an inappropriate means of controlling development intensity, but when used in a reasonable manner can help guide the development of a compatible urban form, which still permits variety. It is also considered that most of the objectives for the building height restrictions can be achieved with height limits imposed at a level which generally permits a more reasonable form of development.

Control of out-of-context Tall Buildings

- 3.1.5 The recent public concern regarding "out-of-context tall buildings" appears to be basically about developments in the order of 60 storeys or taller in prominent positions. High-rise developments in the order of 40 storeys have been in place in various parts of Hong Kong for years and they are acceptable to the public.
- 3.1.6 The OZP generally allows for an absolute height of only about 95m to 110m for many of the residential sites. This is equivalent to about 30 to 35 storeys. It is considered that the height restrictions have been set unreasonably low, lower than what is necessary to address the public concern.



香港地產建設商會

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- 3.1.7 The Planning Area is located outside the view fan of the 7 vantage points identified in the Urban Design Guidelines. This indicates that the Planning Area is not a visually sensitive area. Planning Department has adopted 2 local vantage points: ferry route in the western gateway to the Victoria Harbour and Harlech Road within the Lung Fu Shan Country Park. Photomontages¹ for the proposed building height restrictions has been prepared using the above local vantage points and has revealed that there would not be significant visual impacts. It can be seen that the taller existing and committed developments basically form the profile of the Planning Area. A general increase of 20m to most the development sites would not have adverse visual impact.

Building Height and Air Ventilation

- 3.1.8 A general misconception is that tall buildings block air ventilation. However, the focus for improved air ventilation at street level should be in identifying means for creating space around buildings at street level in critical locations. This would appear to be contrary to the imposition of low building height limits as this tends to force developments down into a solid mass of building rather than encouraging the creation of space around buildings at street level. The imposition of the height limit therefore tends to create a solid wall effect closer to ground level.

Need for Reasonable Building Height

- 3.1.9 The overall height profile of the Planning Area is formed mainly by the Residential zones with Open Space and G/IC zones as visual relief and breathing space. However, the height restriction stipulated for the Residential zones are generally too low.
- 3.1.10 Taking account of the building economics, technology for construction, visual considerations, air ventilation and public aspirations, the height bands for the development zones should be increased.
- 3.1.11 Imposition of unreasonably low building height limit restrains the building bulk, making incorporation of innovative architectural design and void feature impossible. This directly affects streetscape, air ventilation and the life quality of the users of the development.

¹ Photomontages shown in Plans 15A and 15B in MPC Paper No. 2/11 titled "Proposed Amendments of the Draft Kennedy Town and Mount Davis Outline Zoning Plan No. S/H1/17".



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More relaxed Building Height Restrictions required for Sustainable Building Design ("SBD")

- 3.1.12 The Building Department has issued new Practice Notes on SBD Guidelines in January 2011. The combined effect of the new Practice Notes and the very low building height restrictions imposed on the Kennedy Town and Mount Davis OZP in the following month has significant impact on property rights.
- 3.1.13 The SBD Guidelines have identified 3 key building design elements: building separation, building set back and site coverage of greenery. The objectives of putting forward the SBD Guidelines are to achieve better air ventilation, enhance the environmental quality of our living space, particularly at pedestrian level, and provide more greenery and mitigate the heat island effect. However, REDA considers that the building height restrictions imposed on the OZP are set so low that the SBD Guidelines cannot be reasonably implemented.
- 3.1.14 Under the Joint Practice Note (JPN) 1 regarding Green and Innovative Buildings, sky gardens and podium gardens are encouraged. However, the JPN requires that the provision of sky garden should be subject to there being no contravention to restrictions on building height on the OZP, otherwise S.16 application for minor relaxation for the height restriction is needed. In view of the generally very low height restrictions being set on the OZP, the restrictions in effect discourage such desirable green features which require a high headroom of not less than 4.5m.
- 3.1.15 It is considered that the height restrictions should be reviewed and relaxed so that a holistic consideration of the regulations and Practice Notes issued by relevant government departments are taken into account. The desirable SBD features should be encouraged and should be able to be accommodated within the height restrictions stipulated on the OZP without the need to submit S.16 application for minor relaxation.
- 3.1.16 There appears to be a contradiction between what the TPB is doing in these amendments and what the SBD Practice Notes are trying to achieve, yet both sets of measures appear to have the same or similar objectives. The TPB should take the view that it needs to facilitate the implementation of the SBD Guidelines as they are to achieve a better over-all urban environment.



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3.2 No Public Consultation

3.2.1 The building height restrictions and building gap requirements have been imposed on the OZP without any prior public consultation. There has been no opportunity for the public, including the development industry and concerned property owners, to be informed of the justification for the need of the restrictions. There has also been no explanation given to the public as to the reasons why the particular height limits and building gap requirements imposed have been adopted. There has been no visual impact analysis made available to the public which indicates what the vision is for the long term development of the Planning Area.

3.2.2 It is strongly suggested that the Planning Department should carry out planning study for the Planning Area as in the case of Wong Chuk Hang and Kowloon Bay Business Districts. The Department should present the public with the visual impact assessment and diagrams for consultation, in order that owners, stakeholders and the public, can be informed of the implication of the height restrictions and other amendments and submit their comments, as appropriate and before the restrictions become statutory.

3.2.3 Consultation should also have included a presentation of the assumptions that the Board has made in relation to fixing the height restrictions, especially the assumptions made in relation to building design, such as floor-to-floor height, allowances for non-accountable GFA, and allowances for innovative building design. An indication as to how the restrictions would relate to the SBD Practice Notes and the revised Joint Practice Notes should also have been provided in advance of the height restrictions being imposed.

3.3 Imposition of Building Gap Inconsistent with the Town Planning Ordinance

3.3.1 The Explanatory Statement in paragraph 3.2 indicates that "*The Plan is to illustrate the broad principles of development within the Planning Scheme Area*". However, the designation of building gap requirements in a number of sites within the OZP Planning Area as listed in Items G1 to G4 clearly violates the broad principles of planning.

3.3.2 REDA opposes to the provision of requirements for building gaps on the OZP as this is not appropriate for the scale and generality of what are intended to be broad brush plans determining types of buildings and permitted uses. The approach is inconsistent with good town planning practice and could be considered as



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inconsistent with the Town Planning Ordinance in relation to the content and application of statutory plans. This may be subject to legal challenge.

- 3.3.3 The Expert Evaluation of the Air Ventilation Report for the Planning Area considers that air ventilation of the Area is generally satisfactory. Should the building gaps be required to be implemented for the air ventilation purpose, the land should be zoned Open Space or Road and the concerned owners suitably compensated.
- 3.3.4 The provision of Building Gaps has also been superseded by the introduction of the SBD Practice Notes which has a much more advanced and more flexible approach to providing space around and through buildings than the incorrect use of these on an Outline Zoning Plan.

4. Proposals to Meet the Representation

Relaxation of Building Height Restrictions

- 4.1 The Building Height Restrictions must be reviewed to make use of the air space to accommodate floor space and to free up the lower level space for better air ventilation and street environment. They must be reviewed in a holistic manner to take account of other Practice Notes issued by other government departments such as the SBD Guidelines. A general increase of 20m of the set height restrictions to many of the development zones are considered appropriate. In addition, more relaxed height limits should be considered, for example, for sites at or near future transport nodes to free up more ground level space for pedestrians.

Removal of Building Gaps

- 4.2 The imposition of building gap requirements together with the height restriction severely constrains the design of the future development of the affected sites. The building gaps are imposed on private properties for the public purpose of "air path" without any compensation. The imposition of building gaps also violates the broad principles of good town planning practice. It is requested that all building gap requirements be removed from the OZP.

5. Conclusion

- 5.1** The building height restrictions imposed on the OZP go much further than is necessary to achieve the stated objectives in the Explanatory Statement. Incentive should be provided to encourage good development design that benefits the public. The approach of imposing building gaps is considered to be fundamentally against the broad zoning approach which is consistent with treating private property rights in a generalised, fair and consistent manner.
- 5.2** The proposed amendments on the Kennedy Town and Mount Davis Outline Zoning Plan impose unreasonable restrictions on the use and development of private land and should be seriously reconsidered. The proposed controls will not result in a long term, better form of urban development for the Planning Area.

提意見人 C1 至 C12
List of Commenters C1 to C12

意見編號 Comment No.	意見人 Name of Commenter(s)
C1*	Jade Duty Ltd.
C2*	United Profit Development Ltd.
C3*	Welgett Tree Ltd.
C4*	Johnathan S. Hancock
C5*	Kong Annette (Director of the Comfort Art Ltd.
C6*	Jeference Ltd.
C7*	David Norman
C8*	Willow Oak Ltd.
C9*	Susan Edwards
C10	Alexander Schrantz & Jayne Kim Schrantz
C11#	The Incorporated Owners of 6 and 10 Mount Davis Road
C12#	Trustees of the Church of England in the Diocese Victoria, Hong Kong (i.e. the owner of 2 Mount Davis Road)

Remarks:

*Standard Comments (Type A)

#Standard Comments (Type B)

11-JUL-2011 17:49

TOWN PLANNING BOARD

TPB/R/S/H1/18-C1

*Standard Comment (Type A)

The Secretary,
Town Planning Board,
15 Floor,
North Point Government Offices,
333 Java Road,
North Point.

Jade Dury LTD.

6-10, Mt. Davis Road
Pokfulam
Hong Kong

Hong Kong, 11.7.2011

Dear Sir

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

Comment on Representations.

This comment is made in support of the Representation lodged by the Real Estate Developers Association of Hong Kong (REDA), Representation Number 2. This is made in support of the principle outlined in paragraph 2.2 of the REDA representation, relating to the need to maintain a fair, efficient and sustainable urban development system, and in particular, to the setting of building height restrictions at levels too low as to unnecessarily constrain the provision of good quality development for the people of Hong Kong.

In paragraph 2.1, REDA refer to Amendment Items B2 - B4 which relate to the rezoning of sites at 2 Mt. Davis Road, 2A and 4 Mt. Davis Road and 6-10 Mt. Davis Road and. These amendments relate to changes of zoning, introduction of building height restrictions and plot ratio restrictions on the subject sites. REDA are opposed to these amendments and we support their opposition.

We are the owners of property affected by these amendments, [REDACTED] 6-10 Mt. Davis Road, and are also in opposition to these amendments.

Reasons for the Comment

1. The three sites were previously zoned R(B) and were all treated the same in terms of planning intention, development potential, with a permitted plot ratio of 3. They had no height restriction and no site coverage restriction. There is no reason why all three sites should not be treated the same, given their location and characteristics. However, the amendments have resulted in two sites being rezoned to R(C)2 with a building height restriction of only 3 storeys, a maximum site coverage of 25%, and with a plot ratio of only 0.75. By contrast, the central site of the three has been rezoned to R(B)1 with a plot ratio of 3 and a maximum building height restriction of 160mPD. This is considered illogical and inequitable.
2. It would seem as if the main reason for amending the zoning was to fix the potential development to the existing situation and lease conditions. This is considered short sighted and does not make the best long term use of the scarce land resources in Hong Kong, particularly in view of the housing shortage.
3. The previous R(B) zoning gave all the owners the prospect of a reasonable form of

future development on the site with a plot ratio of 3. This zoning had been in place since the 1980's and the owners of these properties had reasonable expectations that this form and amount of development would be permitted in future. For the two sites rezoned to R(C)2 this prospect has been removed and without adequate justification. The value of the properties has been significantly reduced without any form of compensation.

4. If the rezoning has been made on the basis of the government's Pokfulam Moratorium prohibiting land exchanges and intensification of uses under leases, then it has been made on a wrong basis. The Moratorium is a temporary administrative measure and not a planning consideration. The Moratorium is also outdated and cannot be justified, particularly in relation to the subject sites which have good access to the major roads and are not really part of Pokfulam.
5. There was no prior consultation with the landowners in relation to this significant change to the zoning of their property. The Town Planning Board should be open and transparent in its dealings with the public, particularly where the effect of its decisions is to reduce people's legitimate expectations in terms of property value.

Proposed Amendments to Meet this Comment

The points of objection raised in this comment would be met if the Town Planning Board was to re-zone all of the three sites affected by Amendments B2 to B4 to the same zoning. This means that all three sites should be zoned R(B)1 with a maximum building height of 160mPD and a maximum plot ratio of 3.

Yours sincerely

Jade Day/LTD.

Rene J. Hodel

TPB/R/S/H1/18-C10

+ 852

By e-mail and fax 2877 0245 / 2522 8426

The Secretary,
Town Planning Board,
15 Floor,
North Point Government Offices,
33 Java Road,
North Point.

6 Mount Davis Road
Mount Davis Village
Pokfulam

July 14, 2011

Dear Sir

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

Comment on Representations.

This comment is made in support of the Representation lodged by the Real Estate Developers Association of Hong Kong (REDA), Representation Number 2. This is made in support of the principle outlined in paragraph 2.2 of the REDA representation, relating to the need to maintain a fair, efficient and sustainable urban development system, and in particular, to the setting of building height restrictions at levels too low as to unnecessarily constrain the provision of good quality development for the people of Hong Kong.

In paragraph 2.1, REDA refer to Amendment Items B2 – B4 which relate to the rezoning of sites at 2 Mt. Davis Road, 2A and 4 Mt. Davis Road and 6-10 Mt. Davis Road. These amendments relate to changes of zoning, introduction of building height restrictions and plot ratio restrictions on the subject sites. REDA are opposed to these amendments and we support their opposition.

We are the owners of property affected by these amendments, [REDACTED] 6 Mount Davis Road, and are also in opposition to these amendments.

Reasons for the Comment

1. The three sites were previously zoned R(B) and were all treated the same in terms of planning intention, development potential, with a permitted plot ratio of 3. They had no height restriction and no site coverage restriction. There is no reason why all three sites should not be treated the same, given their location and characteristics. However, the amendments have resulted in two sites being rezoned to R(C)2 with a building height restriction of only 3 storeys, a maximum site coverage of 25%, and with a plot ratio of only 0.75. By contrast, the central site of the three has been rezoned to R(B)1 with a plot ratio of 3 and a maximum building height restriction of 160mPD. This is considered illogical and inequitable.
2. It would seem as if the main reason for amending the zoning was to fix the potential development to the existing situation and lease conditions. This is considered short sighted and does not make the best long term use of the scarce land resources in Hong

Kong, particularly in view of the housing shortage.

3. The previous R(B) zoning gave all the owners the prospect of a reasonable form of future development on the site with a plot ratio of 3. This zoning had been in place since the 1980's and the owners of these properties had reasonable expectations that this form and amount of development would be permitted in future. For the two sites rezoned to R(C)2 this prospect has been removed and without adequate justification. The value of the properties has been significantly reduced without any form of compensation. I purchased my property in September 2009 at a substantial price that clearly reflected the possibility of redevelopment in the future given that the current development is 40 years old. The proposed change in zoning would substantially impair the value of my property without any compensation and without reasonable basis.
4. If the rezoning has been made on the basis of the government's Pokfulam Moratorium prohibiting land exchanges and intensification of uses under leases, then it has been made on a wrong basis. The Moratorium is a temporary administrative measure and not a planning consideration. The Moratorium is also outdated and cannot be justified, particularly in relation to the subject sites which have good access to the major roads and are not really part of Pokfulam.
5. There was no prior consultation with the landowners in relation to this significant change to the zoning of their property. The Town Planning Board should be open and transparent in its dealings with the public, particularly where the effect of its decisions is to reduce people's legitimate expectations in terms of property value.
6. The proposed rationale for this fundamental modification to our property is unreasonable and wholly unsubstantiated. There are two mid-rise apartment buildings immediately next to our property. The proposition that a development of similar height and proportions on our property would impair the landscape value is completely absurd. Again, there is no adequate basis whatsoever supporting the fundamental rationale behind this proposal.

Refusal to Recognize Prior Representation from Mount Davis Village is Unreasonable and Unfair

In addition, I object to the Board's refusal to recognize the prior representation from the owners at Mount Davis Village on the basis that it was received two days late. We are a small development of individual owners. We cannot reasonably be expected to be continually checking for potential zoning modifications to our property. There was no warning whatsoever of this potential change which has a very substantial and fundamental impact on our property. There has been no consultation with the affected owners whatsoever. Rejecting a legitimate representation on such a major issue based on a trivial procedural point of being two days late is absolutely unreasonable and unfair.

It was also unreasonable and unfair to incorporate this fundamental modification to our property as part of a sweeping set of changes, the vast majority of which have nothing to do with the area around our development. Again, these fundamental changes have been

proposed with no prior consultation whatsoever.

Proposed Amendments to Meet this Comment

The points of objection raised in this comment would be met if the Town Planning Board was to re-zone all of the three sites affected by Amendments B2 to B4 to the same zoning. This means that all three sites should be zoned R(B)1 with a maximum building height of 160mPD and a maximum plot ratio of 3.

Yours,

Alexander Schrantz & Jayne Kim Schrantz

TPB/R/S/H1/18-C11
#Standard Comment (Type B)

MASTERPLAN LIMITED

Planning and Development Advisors

領賢規劃顧問有限公司

Ian Brownlee B.A., Dip. TP, MNZPI FHKIP

Registered Professional Planner

Director

The Secretary,
Town Planning Board,
15/F North Point Government Offices,
333 Java Road,
North Point,
Hong Kong.

Our Ref MP/MD/1
Dated 15 July 2011

By Fax and By Hand

Dear Sir,

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

**Comment on Representations by the Incorporated Owners of
Numbers 6 and 8 Mt Davis Road**

I refer to the Notice of the 24 June 2011 inviting Comments on Representations to the Kennedy Town and Mt Davis Outline Zoning Plan.

I attach a Comment which relates to Representation Number 2 and it relates to Amendment Items B2 to B4.

I would be grateful if you could advise me of the date of the hearing

Yours faithfully,



I. T. Brownlee,
For and on behalf of
Masterplan Limited

Cc Client

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Tel: (852) 2540 4887 Fax: (852) 2858 2468 Email: ian@masterplan.com.hk



*Trustees of the Church of England
In the Diocese of Victoria, Hong Kong*

Bishop's House
1, Lower Albert Road
Hong Kong

15 July 2011

The Secretary,
Town Planning Board,
15/F North Point Government Offices,
333 Java Road,
North Point,
Hong Kong.

By Fax and By Hand
(2877 0245)

Dear Sir,

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

Comment on Representations by the Trustees of the Anglican Church

I refer to the Notice of the 24 June 2011 inviting Comments on Representations to the Kennedy Town and Mount Davis Outline Zoning Plan.

I attach a Comment which relates to Representation Number 2 and it relates to Amendment Items B2 to B4.

I would be grateful if you could advise me in due course of the date of the hearing.

Yours sincerely,

The Very Revd Andrew Chan
Trustee

Encl.: as stated

RECEIVED
20 JUL 15 P 2:05
TOWN PLANNING BOARD

TPB/R/S/H1/18-C11

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

Comment on Representation Number 2

**The Incorporated Owners of
Numbers 6 and 10 Mount Davis Road.**

July 2011

Masterplan Limited

**Proposed Amendments to the Draft Kennedy Town and
Mt Davis Outline Zoning Plan Number S/H1/18**

**Comment on Representations :
The Incorporated Owners of Numbers 6 and 10 Mt. Davis Road**

1. Introduction

This Comment is submitted on behalf of the Incorporated Owners of Numbers 6, and 10 Mt Davis Road. This property is adversely affected by Amendment Item B3 shown on the Draft Kennedy Town and Mt Davis Outline Zoning Plan Number S/H1/18.

2. Representation to which this Comment Relates

2.1 This comment is made in support of the Representation lodged by the Real Estate Developers Association of Hong Kong (REDA), Representation Number 2. This is made in support of the principle outlined in paragraph 2.2 of the REDA representation, relating to the need to maintain a fair, efficient and sustainable urban development system, and in particular, to the setting of building height restrictions at levels too low as to unnecessarily constrain the provision of good quality development for the people of Hong Kong.

2.2 In paragraph 2.1, REDA refer to Amendment Items B2 – B4 which relate to the rezoning of sites at 2 Mt. Davis Road, 2A and 4 Mt. Davis Road and 6-10 Mt. Davis Road. These amendments relate to changes of zoning, introduction of building height restrictions and plot ratio restrictions on the subject sites. REDA are opposed to these amendments and this Comment is in support their opposition to these amendments.

2.3 **Figure 1** is an extract from the Kennedy Town & Mt. Davis Outline Zoning Plan and indicates the three amendment Items which are the subject of this submission. The Commentors property is located within amendment Item B3.

3. Reasons for the Comment

3.1 Previous Zoning was Logical and Appropriate

3.1.1 Prior to the Amendment the three adjacent sites were all zoned R(B) and were all treated the same in terms of planning intention being primarily for medium-density residential developments, with a permitted plot ratio of 3. They had no height restriction and no site coverage restriction.

3.1.2 The location of R(B) development on the up-hill side of roads such as Mt. Davis Road is a consistent approach long adopted by the Board in the southern part of Hong

Kong Island, also on such roads as Pok Fu Lam Road and Repulse Bay Road. The down-hill side of such roads generally has low rise development so as to protect public views from these roads. The location of taller developments on the up-hill side of Mt Davis Road is consistent with this approach and for the development to be set in front of a mountain backdrop to be visually compatible with the location. This situation should still apply.

3.2 Introduction of Spot Zoning

3.2.1 The proposed amendments have introduced a situation where three adjacent sites have different zonings. Two sites have been rezoned to R(C)2 with a building height restriction of only 3 storeys, a maximum site coverage of 25%, and with a plot ratio of only 0.75. By contrast, the central site of the three has been rezoned to R(B)1 with a plot ratio of 3 and a maximum building height restriction of 160mPD. These zoning controls and building height restrictions (BHR) are considered illogical and inequitable and to be a bad zoning practice.

3.2.2 The zoning and BHRs introduced in these amendments restrict development to the existing heights by way of "spot" zoning reflecting the existing situation. There are three key reasons why the zoning is opposed :-

- (a) broad zoning and development controls such as those which previously covered these amendments are a permissible form of planning control and allow for a variety of building forms on redevelopment with the same general planning characteristics suitable to the form of land uses and characteristics of the area;
- (b) the "spot" zoning now imposed prevents any creativity or innovative architectural design and makes it difficult to respond to the needs of a changing market. They effectively, and unreasonably, limit the form of the building to the existing situation forever. Further, such "spot" zonings are not permitted under the Town Planning Ordinance (TPO), for the reasons stated below;
- (c) the excessively low building height restrictions imposed in the B2 and B3 amendments will discourage redevelopment of the existing old buildings and the provision of high quality medium density development which is in high demand in Hong Kong.

3.2.3 The Imposition of different zoning on sites with similar planning characteristics constitutes a form of "spot zoning", which is not permitted by sections 3 and 4 of the TPO. The TPO requires a "broad brush" approach, as is emphasized by the title "Outline Zoning Plan". Sections 3 and 4 of the TPO provide that:

- (a) the TPB, in the exercise of its duty to prepare draft plans for the "future layout" of such existing and potential urban areas as the Chief Executive may

direct, may make provision only by way of those matters specifically mentioned in section 4(1); and

- (b) the TPB may also prepare plans *"for the types of building suitable for erection therein"* pursuant to section 3(1).

3.2.4 The TPO permits the prescription of "the types of building" in a "broad brush" manner, but not by way of rigid, site-specific restrictions, which necessarily do not provide *"for the types of building suitable for erection therein"*. While a "broad-brush" approach had been applied through the previous R(B) zoning the amendments shown on the Plan are "spot" zones and are therefore inappropriate and unlawful.

3.2.5 In paragraph 3.1 of the Explanatory Statement, the traditional and established function and purpose of the Outline Zoning Plan is clearly mentioned as *"the object of the Plan is to indicate the broad land use zonings and major transport networks"*. This is also confirmed by the statement in paragraph 3.2 that *"the Plan is to illustrate the broad principles of development within the Planning Scheme Area"*.

3.2.6 In addition to the fundamental lack of power under the TPO to impose site-specific or "spot" zones in the manner as shown in these amendments, the Plan goes further and imposes specific height limits on adjacent sites which are inconsistent with each other and create a situation of inequity and unfairness for those owners impacted by the more restrictive provisions.

3.2.7 There is no reason why all three sites should not be treated the same, given their location and the characteristics of the neighbourhood..

3.3 Insufficient Justification for Rezoning

To Reflect the Existing Development and Lease Conditions

3.3.1 There is inadequate justification for the rezoning of the sites affected by amendment Items B2 and B3. In the MPC Paper No.2/2011 proposing the amendments to the Outline Zoning Plan, the main justification appears to be to rezone the site to reflect the existing development on the site and existing lease (para 14.2). This is considered to be short sighted and lacking in long term vision for the development of the area. It is also unfair to the landowners within B2 and B3 as the redevelopment of their land has been frustrated by the existence of the Pok Fu Lam Moratorium which has prohibited processing of land exchanges. This is addressed in more detail below.

High Landscape Value

3.3.2 In paragraph 10.7 of the MPC Paper reference is made to the "High landscape value and the predominantly low-rise neighbourhood" as reasons for retaining the existing building height profile. The existing mid-rise buildings at 2A and 4 Mt Davis Road have already been developed to 17 and 13 storeys and are the dominant feature of

the area. In this respect the character of the area is established by the height, bulk and location of these buildings. In terms of impact on the landscape quality of the area, the redevelopment of B2 and B3 to the same planning criteria as B4 would not adversely affect the quality of the landscape. This is particularly so as in specific landscape terms any redevelopment of the site would only affect the landscaping within the existing private lots. In more general landscape terms the locality immediately adjacent to the three amendments is zoned Green Belt and Cemetery and would continue to provide a green landscape background. Redevelopment of the sites to R(B) standards would not have any significant negative impact on the landscape.

3.4 Pokfulam Moratorium

- 3.4.1 In the MPC Paper several references have been made to the Pokfulam Moratorium. In paragraph 10.7 it is stated that :-

"The southern part of the area along Mount Davis Road also falls within the Pok Fu Lam Moratorium area where land sale is deferred and no lease modification is allowed for more intensive development to avoid aggravating the traffic condition."

A similar statement is repeated in paragraph 14.2 where the rezoning of the two sites to R(C)2 is proposed.

- 3.4.2 The Moratorium was an administrative measure introduced in the 1970's to prevent leases and land sales in the area until such time as adequate transport infrastructure was provided. Since that time significant new transport infrastructure has been provided in terms of the MTR, the Hill Road flyover, Aberdeen Tunnel and the link from Pok Fu Lam Road to Kennedy Town. However, the Moratorium has remained in force.
- 3.4.3 The Moratorium is a temporary traffic and land administration measure, not a planning measure. Where leases have not needed modification developments have been permitted up to the maximum permitted under the relevant Outline Zoning Plan. This has occurred for the buildings in B4, and for others within the Pok Fu Lam Outline Zoning Plan. The accepted policy has been that the zoning on the Outline Zoning Plan represents the long term planning intention and the lease would be modified to allow development to proceed to the extent that the zoning would permit, in this case to R(B) standards.
- 3.4.4 Attached at Annex 1 is a Legislative Council Question on the Moratorium and the written reply from the Secretary for Housing, Planning and Lands in May 2005 indicates the following :-
- (a) The feasibility of Route 4, the West Island Line and South Island Line was being studied. Once a decision had been made on the way forward the Transport Department will review the need for the Moratorium;

(b) The Lands Department automatically rejects all applications for lease modification unless the Chief Executive in Council orders otherwise;

(c) Cyberport was approved by the Chief Executive in Council and the Moratorium was partially lifted to allow it to proceed.

3.4.5 The owners of the property now rezoned to R(C)2 therefore have been deprived of the opportunity to redevelop to the previous permitted R(B) intensity because of the Moratorium. It can be seen from the reply that the prospect of the Moratorium being lifted is probably greater than it has ever been as the West Island Line and the South Island Line are now committed and proceeding towards construction. The owners of the affected property have long had a reasonable and legitimate expectation that the Moratorium would be lifted and that they would be able to proceed to redevelop their properties to an R(B) standard.

3.4.6 The situation is also rather inequitable as the smaller land owners have been adversely affected by the Moratorium whereas the Government has proceeded to implement the massive Cyberport development.

3.5 No Traffic Study

3.5.1 The basis for the Moratorium is inadequate transport infrastructure. There has been no publicly available study of the transport situation in the area which indicates that the Moratorium is still necessary. Recent traffic studies of the Pok Fu Lam area for private projects have generally indicated that there are no significant traffic issues in the area which justify the Moratorium remaining in force.

3.5.2 At Annex 2 is an extract from the Minutes of the Town Planning Board Meeting held on the 7 9 2010 Consideration of Representation to Draft Kennedy Town & Mt Davis Outline Zoning Plan No. S/H1/17. During that hearing a number of issues arose in relation to transport studies. These include the following relevant points:-

(a) TD would review the effectiveness of the Pok Fu Lam Moratorium after the commissioning of the West Island Line in 2014 to see whether the development induced traffic in the Pok Fu Lam area was properly contained (para 30 (i)).

(b) while development intensity of the Pok Fu Lam area was subject to control under the Pok Fu Lam Moratorium since 1970s due to traffic capacity constraints, TD had undertaken various road improvement works in the area to improve the traffic capacity in the Southern District and Kennedy Town. The WIL currently under construction would also improve the traffic conditions in the areas upon completion.(para 33(c))

(c) Members considered it was important to take into account the transport infrastructure capacity of an area in considering land use proposals. The Board should be provided with detailed assessments on the provision of transport infrastructure during the review of OZPs. (para 35)

(d) Planning Department said that traffic aspect was one of the important factors in considering land use planning. Any restriction on development intensity on traffic grounds should be supported by strong justifications and detailed assessments. The outcome of the traffic studies by TD would provide inputs for review of the relevant OZPs. Since the major projects including the SIL and WIL were still under construction, the impact on traffic capacity in the area could only be fully reviewed on completion of these projects (para 36)

3.5.3 Therefore, contrary to what was stated in the consideration of the previous amendment to the Outline Zoning Plan, no traffic or transport study was provided in the MPC Paper 2/2011. Despite the request from Members for detailed traffic assessments during the review of OZPs amendments, such as those in B2 to B4, none was provided. These amendments are premature as there is no traffic information provided to justify the down zoning that has taken place. By reference to the Moratorium, the reasons for the rezoning must relate to traffic issues.

3.5.4 As it has been clearly stated that the need for the Moratorium will be reassessed with the completion of the WIL and the SIL, any zoning proposal that will result in a loss of potential development rights must be deferred until such time as the study is completed. Because of the nature of the Moratorium, the whole of the area affected by the prohibition on lease modifications should be considered comprehensively in such a study.

3.6 Public Consultation and Openness

There was no prior consultation with the landowners in relation to this significant change to the zoning of their property. The Town Planning Board should be open and transparent in its dealings with the public, particularly where the effect of its decisions is to reduce peoples legitimate expectations in terms of property value. Before making such decision adequate information, such as traffic studies, should be made available to the public so that they can understand the basis of any decision that is to be made.

4. Conclusion

4.1 The previous R(B) zoning covered the whole of this discrete residential development area and was a reasonable and well justified form of zoning. For the reasons outlined above the owners have had reasonable and legitimate expectations that this form and amount of development would be permitted in future. The prospect of achieving that is within sight now that the new transport infrastructure is being built.

4.2 In view of the lack of information on transport impacts the decision to down zone these sites is premature and completely unjustified. The zoning and amount of development permitted on these areas should be returned to what it was previously and the 'spot' zoning removed.

5. Proposed Amendments to Meet this Comment

The points of objection raised in this comment would be met if the Town Planning Board was to re-zone all of the three sites affected by Amendments B2 to B4 to the same zoning. This means that all three sites should be zoned R(B)1 with a maximum building height of 160mPD and a maximum plot ratio of 3.

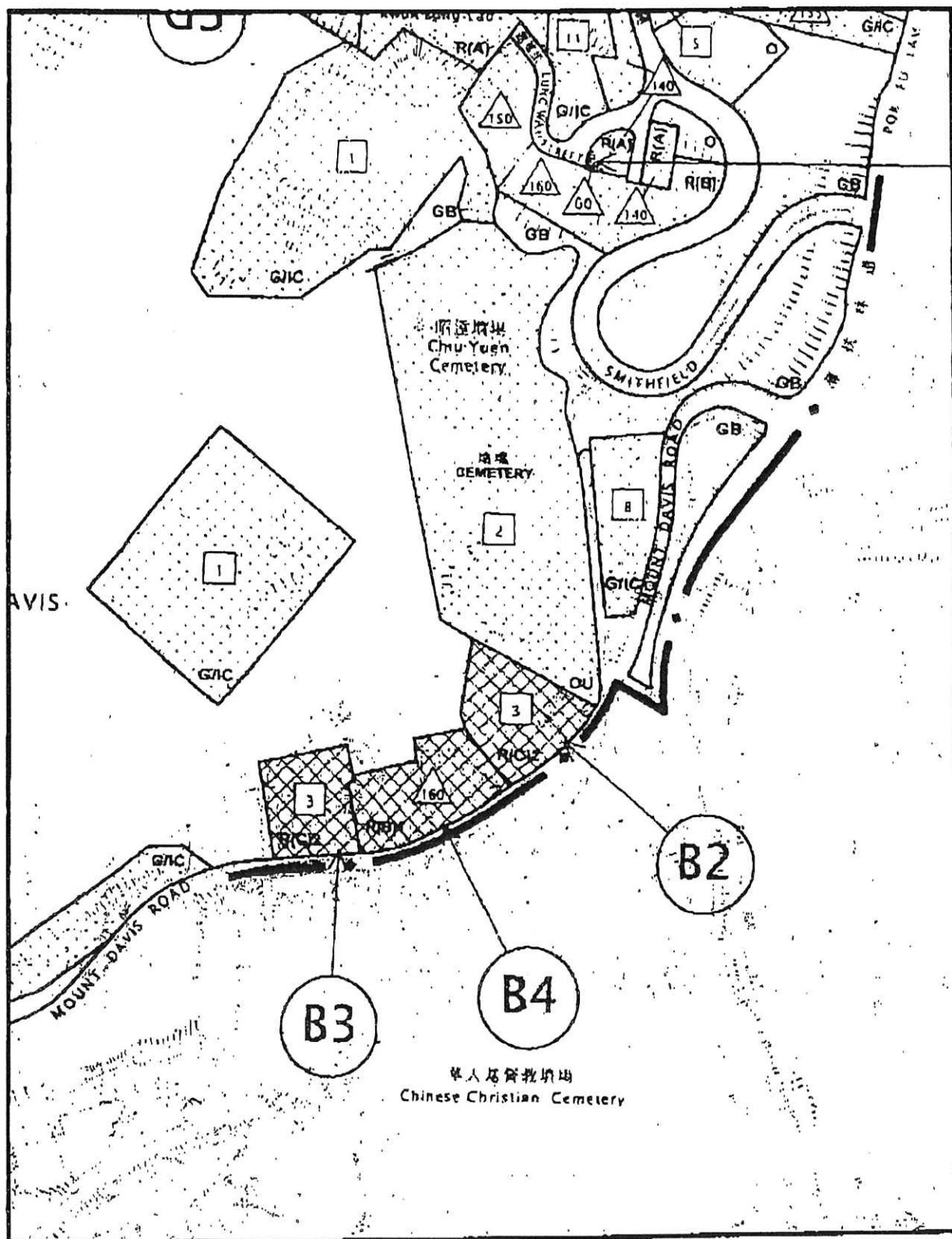


Figure 1: The Commentators site is located within Amendment Item B3.
An extract from the Kennedy Town & Mount Davis Outline Zoning Plan Number S/H1/18.

ANNEXES

ANNEX 1

Legislative Council Question 17: "Pok Fu Lam Moratorium" by the Hon Emily Lau and a written reply by the Secretary for Housing, Planning and Lands, Mr. Michael Suen, in the Legislative Council

Following is a question by the Hon Emily Lau and a written reply by the Secretary for Housing, Planning and Lands, Mr. Michael Suen, in the Legislative Council today (May 18 2005):

Question:

It is learnt that the Executive Authorities introduced an administrative measure in 1970s, called the Pok Fu Lam Moratorium, which prohibited the Government from granting new leases for land or modification to existing leases which would result in an increase of traffic in the area until such time as the transport infrastructure had been improved sufficiently. In this regard, will the Executive Authorities inform this Council:

- (a) whether the Pok Fu Lam Moratorium is still in force;
- (b) of the number of applications received in the past 10 years from private leaseholders for lease modifications to enlarge, within the limits permissible under the relevant Outline Zoning Plans, the development acreage of their developments in Pok Fu Lam, and the number of such applications rejected; and
- (c) of the reasons of the Cyberport project not affected by the Pok Fu Lam Moratorium in terms of the granting of leases and the measures in place to ensure a level playing field for everybody?

Reply:

Madam President,

My reply to the 3-part question is as follows:

- (a) Based on traffic/transport policy considerations, the Pokfulam Moratorium restricts lease modification and the sale of Government land to control the amount of traffic generated within the Pokfulam area. It is still in force.

The Environment, Transport and Works Bureau is now studying the feasibility of Route 4, West Island Line and South Island Line. Once a decision has been made on the way forward, the Transport Department will review the need for the Moratorium.

- (b) In pursuance of the Moratorium, the Lands Department would automatically reject all such applications within the area which the Moratorium applies, unless the Chief Executive in Council orders otherwise. Therefore, the Lands Department has not got dedicated record on the number of applications within the area which the Moratorium applies. Due to time constraint, we are not able to provide the number of cases that were rejected in the past 10 years.
- (c) The Town Planning Board (TPB) agreed the zoning amendment in relation to the Cyberport development in April 1999. In considering the application, the

TPB made reference to the Transport Department's advice that the existing transport infrastructure with the completed and planned road improvement and extension project, together with some further recommended improvements of a number of existing junctions, would be capable of coping with the traffic generated from the Cyberport development.

In May 2000, the Chief Executive in Council considered the Cyberport project. Since the traffic impact assessment concluded that the Cyberport project would not create adverse traffic impact on the existing road network, it agreed to partially lift the Pokfulam Moratorium for the purpose of the Cyberport Project, with a view to creating a strategic cluster of information technology and information services companies and a critical mass of professional talents in Hong Kong in the shortest possible time.

The Pokfulam Moratorium was imposed on traffic grounds. The partial lifting of the Moratorium for projects where the assessment of traffic implications is acceptable and with overriding public needs is not unprecedented. In 1985, the Government identified the site within Pokfulam area for public housing development to meet pressing demand. The Moratorium was then partially lifted to enable the development of Wah Kwai Estate, considering that the traffic implications of the housing project are manageable.

The Government has considered the traffic impact that would be brought about by individual projects before making the above decisions. Provided that the traffic impacts are assessed to be acceptable and the projects are considered as necessary to fulfill public needs, the Government would then consider approving the development or redevelopment projects within the Pokfulam area. Therefore, the Cyberport project is neither a unique nor an unprecedented case for which the Pokfulam Moratorium is partially lifted. The issue of not ensuring a level playing field for everybody does not arise.

(Emphasis Added)

ANNEX 2

Extract from Minutes of TPB Meeting on the 17 9 2010

Consideration of Representation to Draft Kennedy Town & Mt Davis Outline Zoning Plan No. S/H1/17

- 30(i) TD would also review the effectiveness of the Pok Fu Lam Moratorium after the commissioning of the WIL in 2014 to see whether the development-induced traffic in the Pok Fu Lam area was properly contained;
33. In response to the Vice-chairman's request, Ms. Ying Fun Fong provided the following information on the overall transport plan for the Southern District:
- (a) there were regular reviews on the need for Route 4 by TD, the recent one was completed early this year. The review concluded that there was no urgent need for the construction of Route 4. The need and timing for the construction of Route 4 would continue to be reviewed under the Strategic Highway Project Review System on a regular basis;
 - (b) at present, Aberdeen Tunnel was the main route connecting the Southern District to the northern part of Hong Kong Island. The north-south connection would be substantially improved upon the completion of the SIL (East), which was a more reliable mode of transport. The traveling time from the Southern District to the Wan Chai and Admiralty areas would then be substantially reduced from 30 minutes now to about 9 minutes in future; and
 - (c) while development intensity of the Pok Fu Lam area was subject to control under the Pok Fu Lam Moratorium since 1970s due to traffic capacity constraints, TD had undertaken various road improvement works in the area to improve the traffic capacity in the Southern District and Kennedy Town. The WIL currently under construction would also improve the traffic conditions in the areas upon completion.
34. In response to a Member's question, Ms. Brenda Au said that the Pok Fu Lam Moratorium was an administrative measure to restrict the Government not to dispose any land for new development or to modify existing leases which would increase the development intensities in the area. With the completion of the various road improvement works and the WIL, TD would review the effectiveness of the Pok Fu Lam Moratorium to see whether the development-induced traffic in the area was properly contained. In response to another Member's question, Ms. Brenda Au said that in the past years, there were some redevelopments in the Pok Fu Lam area, as the redevelopments did not involve any lease modification. The Executive Council had also approved partial uplifting of the restrictions under the Moratorium on individual merits of particular sites. The redevelopment of Wah Kwai Estate was a result of the partial uplifting.
35. A Member said that it was important to take into account the transport infrastructure capacity of an area in considering land use proposals. This Member opined that the Board should be provided with detailed assessments on the provision of transport infrastructure during the review of OZPs.
36. Ms. Brenda Au said that traffic aspect was one of the important factors in considering land use planning. Any restriction on development intensity on traffic grounds should be supported by strong justifications and detailed assessments. The outcome of the traffic studies by TD would provide inputs for review of the relevant OZPs. Since the major

projects including the SIL and WIL were still under construction, the impact on traffic capacity in the area could only be fully reviewed on completion of these projects

(Emphasis Added)

Buildings Department	Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers	APP-151
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Building Design to Foster a Quality and Sustainable Built Environment

There has been rising public concern over the quality and sustainability of the built environment, including issues regarding building bulk and height, air ventilation, greening and energy efficiency in buildings. In 2009, the Council for Sustainable Development launched a public engagement process entitled “Building Design to Foster a Quality and Sustainable Built Environment” in collaboration with the Government. The exercise has pointed to a need for putting in place a package of new measures to foster a quality and sustainable built environment. This practice note sets out a package of measures, covering the following major elements, to promote a quality and sustainable built environment:

- (a) sustainable building design guidelines (SBD Guidelines) on building separation, building set back and site coverage of greenery;
- (b) gross floor area (GFA) concessions; and
- (c) energy efficiency of buildings.

Sustainable Building Design Guidelines

2. The Buildings Department (BD) has commissioned a consultancy study on “Building Design that Supports Sustainable Urban Living Space in Hong Kong”. Based on the study, a set of SBD Guidelines has been developed to promote building separation, building set back and site coverage of greenery as promulgated in the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152.

3. To enhance the quality and sustainability of the built environment, the Building Authority (BA) will take account of the compliance with the SBD Guidelines as promulgated in the PNAP APP-152, where applicable, as a pre-requisite in exempting or disregarding green / amenity features and non-mandatory / non-essential plant rooms and services from GFA and/or site coverage calculations (GFA concessions) in new building developments. Such green / amenity features and non-mandatory / non-essential plant rooms and services and the relevant practice notes promulgating the criteria and requirements for granting GFA concessions are summarised in Appendix A.

Overall Cap on GFA Concessions

4. To contain the effect on the building bulk while allowing flexibility in the design for incorporating desirable green / amenity features and non-mandatory / non-essential plant rooms and services, an overall cap will be imposed on the total amount of GFA concessions for these features, except those features described in paragraph 5 below. This cap is set at 10 % of the total GFA of the development. If a development comprises both domestic and non-domestic buildings or in the case of a composite building, GFA concessions for features serving the domestic part or the non-domestic part of the development will be calculated separately such that GFA concessions for each part will be capped at 10%, based on the total GFA of the respective part of the development. Features that are subject to this overall cap of GFA concessions are listed in the table at Appendix A.

5. GFA concessions for the following features, which may have to satisfy their own individual acceptance criteria, will not be subject to the overall cap:

- (a) Mandatory features and essential plant rooms such as refuse storage chamber, telecommunications and broadcasting rooms;
- (b) Communal podium gardens and sky gardens that improve permeability of a development to its neighbourhood;
- (c) Floor space used solely for parking motor vehicles and loading and unloading of motor vehicles which is separately controlled given its significant impact on building bulk and height and the relevant transport, planning and environmental policies;
- (d) Voids in front of cinemas or in shopping arcades, etc. with operational needs in non-domestic developments;
- (e) Bonus GFA and / or GFA exemptions relating to dedication for public passage or surrender for road widening and building set back in accordance with the SBD Guidelines; and
- (f) Hotel concessions granted under regulation 23A of the Building (Planning) Regulations.

Pre-requisites for Granting GFA Concessions

6. To promote sustainable building designs and energy efficient features in new developments, compliance with the following requirements will be pre-requisites for the granting of GFA concessions for all green / amenity features and non-mandatory / non-essential plant rooms and services provided in a proposed development as described in Appendix A:

- (a) Compliance with the SBD Guidelines on building separation, building set back and site coverage of greenery in PNAP APP-152, where applicable;
- (b) For domestic or composite development, compliance with the requirements of PNAP APP-156 on Design and Construction Requirements for Energy Efficiency of Residential Buildings, where applicable;
- (c) Submission of the official letter issued by the Hong Kong Green Building Council (HKGBC) acknowledging the satisfactory completion of project registration application for BEAM Plus certification;
- (d) Submission of a letter by the developer or owner undertaking to submit to the BD the following documents:
 - (i) Result of the Provisional Assessment under the BEAM Plus certification conferred / issued by the HKGBC to be submitted prior to the application for consent to commence the building works shown on the approved plans (consent);
 - (ii) Information on the estimated energy performance / consumption for the common parts (for domestic developments) or for the entire building (for non-domestic developments including hotels) to be submitted in the standard form (Appendix B) prior to the consent application;
 - (iii) Information specified in item (ii) above to be updated and submitted at the time of submitting application for occupation permit (OP);
 - (iv) Result of the Final Assessment under the BEAM Plus certification conferred / issued by the HKGBC, within 18 months of the date of issuance of the OP by the BA;
 - (v) Provisional energy efficiency report prior to the consent application in accordance with PNAP APP-156, where applicable; and
 - (vi) Final energy efficiency report upon application for an OP in accordance with PNAP APP-156, where applicable;
- (e) Compliance with the overall cap on GFA concessions as described in paragraph 4 above, where applicable; and
- (f) Compliance with the relevant acceptance criteria for the individual green and amenity features.

Conditions for Granting GFA Concessions

7. In addition to the acceptance criteria and conditions that may be imposed for granting GFA concessions as detailed in the relevant practice notes for the green / amenity features and non-mandatory / non-essential plant rooms and services described in paragraph 6 above, the following conditions may be imposed:

- (a) The modification is given in recognition of the undertaking submitted by the developer or owner as described in paragraph 6(d) above;
- (b) Information described in paragraph 6(d)(i), (ii) and (v) above shall be submitted to the BD prior to the consent application;
- (c) Information described in paragraph 6(d)(iii) and (vi) above shall be submitted to the BD at the time of submitting application for OP;
- (d) Information described in paragraph 6(d)(iv) above shall be submitted to the BD within 18 months of the date of the OP; and
- (e) The modification will be revoked if the consent application is submitted prior to the submission of information specified in item (b) above.

8. Authorized persons should consult a registered professional engineer under the Engineers Registration Ordinance of the relevant discipline in assessing the energy efficiency of the building and in completing the standard form at Appendix B.

Disclosure for Public Information

9. To increase the transparency of information to the public, the following information will be uploaded onto the BD website after the issuance of the occupation permit:

- (a) The estimated energy performance / consumption information as described in paragraph 6(d)(iii) above;
- (b) The results of the Provisional Assessment under the BEAM Plus certification as described in paragraph 6(d)(i) above, which will be replaced by the results of the Final Assessment described in paragraph 6(d)(iv) above, upon receipt; and

/(c) ...

- (c) The finalised RTTV and OTTV for RRF as recorded in the final energy efficiency report.

(YU Tak-cheung)
Building Authority

Ref. : BD GP/BREG/P/49 (XIV)

First issue January 2011

Last revision May 2019

This revision August 2020 (AD/NB1) (Appendix A amended)

List of GFA Concessions

		Practice Notes	Features subject to compliance with the pre-requisites in para. 6 & 7 of PNAP APP-151	Features Subject to the Overall Cap of 10% in para.4 of PNAP APP-151
Disregarded GFA under Regulation 23(3)(b) of the Building (Planning) Regulations (B(P)R)				
1.	Carpark and loading/unloading area excluding public transport terminus	PNAP APP-2 and APP-111		
2.	Plant rooms and similar services			
2.1	Mandatory feature or essential plant room, area of which is limited by respective PNAP or regulation, such as lift machine room, TBE room, refuse storage chamber, etc. ¹	PNAP APP-35 & APP-84		
2.2	Mandatory feature or essential plant room, areas of which is NOT limited by any PNAP or regulation, such as room occupied solely by FSI and equipment, meter room, transformer room, potable and flushing water tank, etc. ²	PNAP APP-2 and APP-42		
2.3	Non-mandatory or non-essential plant room, such as A/C plant room, AHU room, etc. ³	PNAP APP-2 and APP-42	✓	✓
Disregarded GFA under Regulation 23A(3) of the B(P)R				
3.	Area for picking up and setting down persons departing from or arriving at the hotel by vehicle	PNAP APP-40		
4.	Supporting facilities for a hotel	PNAP APP-40		
Green Features under Joint Practice Notes (JPNs)				
5.	Balcony for residential buildings	JPN1	✓	✓
6.	Wider common corridor and lift lobby	JPN1	✓	✓
7.	Communal sky garden	JPN1 & 2 PNAP APP-122	✓	
8.	Communal podium garden for non-residential buildings	JPN1	✓	
9.	Acoustic fin	JPN1	✓	
10.	Wing wall, wind catcher and funnel	JPN1	✓	
11.	Non-structural prefabricated external wall	JPN2	✓	✓
12.	Utility platform	JPN2	✓	✓
13.	Noise barrier	JPN2	✓	
Amenity Features				
14.	Caretakers' quarters, counter, office, store, guard room and lavatory for watchman and management staff and owners' corporation office	PNAP APP-42	✓	✓
15.	Residential recreational facilities including void, plant room, swimming pool filtration	PNAP APP-2, APP-42 and APP-104	✓	✓

	plant room, covered walkway, etc. serving solely the recreational facilities			
16.	Covered landscaped and play area	PNAP APP-42	✓	
17.	Horizontal screen/covered walkway and trellis	PNAP APP-42	✓	✓ ⁹
18.	Larger lift shaft	PNAP APP-89	✓	✓
19.	Chimney shaft	PNAP APP-2	✓	✓
20.	Other non-mandatory or non-essential plant room, such as boiler room, SMATV room ⁴	PNAP APP-2	✓	✓
21.	Pipe duct, air duct for mandatory feature or essential plant room ⁵	PNAP APP-2 & APP-93		
22.	Pipe duct, air duct for non-mandatory or non-essential plant room ⁶	PNAP APP-2	✓	✓
23.	Plant room, pipe duct, air duct for environmentally friendly system and feature ⁷	PNAP APP-2	✓	
24.	High headroom and void in front of cinema, shopping arcade etc. in non-domestic development ⁸	PNAP APP-2	✓	
25.	Void over main common entrance (prestige entrance) in non-domestic development	PNAP APP-2 & APP-42	✓	✓
26.	Void in duplex domestic flat and house	PNAP APP-2	✓	✓
27.	Sunshade and reflector	PNAP APP-19, APP-67 & APP-156		
28.	Minor projection such as A/C box, A/C platform, window cill and projecting window	PNAP APP-19 & APP-42		
29.	Other projection such as air-conditioning box and platform with a projection of more than 750mm from the external wall	PNAP APP-19	✓	✓
Other Items				
30.	Refuge floor including refuge floor cum sky garden	PNAP APP-2 & APP-122		
31.	Covered area under large projecting/overhanging feature	PNAP APP-19		
32.	Public transport terminus (PTT)	PNAP APP-2		
33.	Party structure and common staircase	PNAP ADM-2		
34.	Horizontal area of staircase, lift shaft and vertical duct solely serving floor accepted as not being accountable for GFA	PNAP APP-2		
35.	Public passage	PNAP APP-108		
36.	Covered set back area	PNAP APP-152		
Bonus GFA				
37.	Bonus GFA	PNAP APP-108		
Additional Green Features under JPN				
38.	Buildings adopting Modular Integrated Construction	JPN2 and PNAP APP-161		

Notes:

- 1 Mandatory feature or essential plant room, area of which is limited by respective PNAP or regulation, include duct for basement smoke extraction system, lift machine room, telecommunications and broadcasting room, refuse storage chamber, refuse storage and material recovery chamber, material recovery chamber, refuse storage and material recovery room, or similar feature / plant room, and pipe and air ducts which are part of the distribution network for such mandatory feature or essential plant and contained within such room.

- 2 Mandatory feature or essential plant room, area of which is NOT limited by any PNAP or regulation*, include electrical switch room, meter room, transformer room, generator room, potable and flushing water tank and pump room, sewage treatment plant room, refuse chute, refuse hopper room, room occupied solely by fire service installations and equipment such as fire service / sprinkler water tank and pump room, fire control centre, CO2 room, fan for smoke extraction system / staircase pressurization system, hose reel closet, sump pump room/ pump room for rainwater, soil and waste disposal, or similar feature / plant room and pipe and air ducts which are part of the distribution network for such mandatory feature or essential plant and contained within such room.
- 3 Non-mandatory feature or non-essential plant room, area of which may be disregarded under regulation 23(3)(b) of the B(P)R, include plant room occupied solely by machinery or equipment for air-conditioning or heating system such as AC plant room, air handling unit room, or similar plant room, and pipe and air ducts which are part of the distribution network for such feature or plant and contained within such room.
- 4 Other non-mandatory feature or non-essential plant room, area of which may be exempted under regulation 23(3)(a) of the B(P)R, include hot water boiler room, filtration plant room for swimming pool in a hotel or for a water feature in a communal garden/landscape area, SMATV room, or similar plant room, and pipe and air ducts which are part of the distribution network for such feature or plant and contained within such room.
- 5 Pipe duct, air duct for mandatory feature or essential plant room, include pipe duct for rainwater, soil and waste disposal and individual pipe and air ducts which are part of the distribution network for such mandatory feature or essential plant as described in notes 1 and 2 above, and located outside such plant room.
- 6 Pipe duct, air duct for non-mandatory feature or non-essential plant room, include individual pipe and air ducts which are part of the distribution network for such non-mandatory feature or non-essential plant as described in notes 3 and 4 above and located outside such plant room.
- 7 Plant room for environmentally friendly system and feature, area of which may be exempted under regulation 23(3)(a) of the B(P)R, include plant room for rainwater harvesting / grey water recycling system, battery room for solar panels, or similar system / feature, and pipe and air ducts which are part of the distribution network for such system and feature.
- 8 High headroom and void in front of cinema, shopping arcade etc. in non-domestic development include void in front of cinema, theatre balcony, banking hall, shopping arcade, cockloft floor for storage within the ground storey in single-staircase building, auditorium, sporting hall, school hall and religious institution that have operational justifications.
- 9 Horizontal screen / covered walkway / trellis may be excluded from the overall cap on GFA concessions subject to provision of greenery to BA's satisfaction as stipulated under PNAP APP-42.
- * Although the feature or plant room, area of which is not limited by any PNAP or regulation, only the minimum amount of GFA necessary for accommodating and maintaining the services and commensurate with the the development would be allowed to be disregarded as stated in PNAP APP-2.

Buildings Department	Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers	APP-152
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Sustainable Building Design Guidelines

This practice note promulgates guidelines on building design which will enhance the quality and sustainability of the built environment in Hong Kong. These guidelines are the Sustainable Building Design Guidelines (SBD Guidelines) referred to in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151, the compliance with which the Building Authority (BA) will take into account, where applicable, as a pre-requisite in exempting or disregarding green and amenity features and non-mandatory / non-essential plant rooms and services from gross floor area and/or site coverage calculations (GFA concessions) for new building developments. Terminology used in the SBD Guidelines is listed in Appendix A.

Objectives

2. The SBD Guidelines establish 3 key building design elements to enhance the environmental sustainability of our living space. They are building separation, building setback and site coverage of greenery. The objectives are to achieve better air ventilation, enhance the environmental quality of our living space, provide more greenery, particularly at pedestrian level; and mitigate the heat island effect.

Building Separation

3. In order to improve air ventilation, enhance the environmental quality at pedestrian level and mitigate heat island effects arising from the undesirable screening effect of long buildings at different levels, building sites of the following categories should comply with the building separation requirements:

- (a) sites that are 20,000m² or above; or
- (b) sites that are less than 20,000m² and proposed with building or group of buildings having a *continuous projected façade length (L_p)* of 60m or above.

4. Building separation requirements for each *assessment zone*:

- (a) Design Requirement (1) – *L_p*

The *L_p* of a building or group of buildings along a *street* should not exceed the maximum permissible¹ which is calculated based on 5 times the *mean width of street canyon (U)*; and

/(b)

¹ See Appendix B for computation of maximum permissible *L_p*

(b) Design Requirement (2) – *Separating Distance (S)* and *Permeability (P)*

- (i) The *P*, comprising a minimum of 2/3 *Intervening Space (IS)* and a maximum of 1/3 *Permeable Element (PE)*, assessed on two vertical projection planes for the two categories of sites should not be less than those as shown in Table 1.
- (ii) Along the chosen projection planes, the *S* for the *IS* between the projected façade of the building and the site boundaries or the centreline of adjoining *streets* / lanes should not be less than 7.5m wide; and
- (iii) If such *IS* are not sufficient to meet 2/3 of the *P*, additional *IS* with *S* not less than 15m wide can be provided between 2 projected building façades for making up.

Table 1

Height (H) of the tallest building	Minimum P of buildings in each <i>assessment zone</i> on two projection planes		
	Site area < 20,000m ² and with Lp ≥ 60m	Site area ≥ 20,000m ²	
		Plane 1	Plane 2
H ≤ 60m	20%	20%	25%
H > 60m	20%	20%	33.3%

5. Detailed requirements and method of measurement on *Lp*, *S* and *P* are given in Appendix B.

6. Standalone residential building blocks of height not exceeding 15m can be exempted from the building separation requirements and disregarded in the assessment of such for other buildings.

Building Setback

7. In order to improve air ventilation, enhance the environmental quality at pedestrian level and mitigate street canyon effect, buildings fronting a *street* less than 15m wide should be set back to comply with one of the following requirements:

- (a) For maintaining a ventilation corridor with minimum section of 15m x 15m, no part of the building up to a level of 15m above the *street* level should be within 7.5m from the centreline of the *street* as shown in Figures C1 and C2 of Appendix C. Where level of a *street* varies, the minimum sectional area should be kept along the full frontage following the profile of the *street*.

/(b).....

- (b) Where a cross-ventilated communal podium garden with a clear height of not less than 4.5m is provided, no part of the building up to a level of 15m above the *street* level, should protrude above the 45° inclined plane, the base of which is placed at *street* level at the site boundary line on the opposite side of the *street* as shown in Figures C3 and C4 of Appendix C.

Typical examples on the application of building setback requirements are given in Figures C5 to C9 of Appendix C.

8. In determining the compliance with the setback requirement, the BA may take into account the following factors:

- (a) Structures higher than 15m above the *street* level may be allowed to build over the setback area². If the setback area is uncovered, a canopy that complied with regulation 10 of the B(P)R may be permitted;
- (b) Minor projecting features and signboards projecting not more than 600mm from the external walls and at a clear height of not less than 2.5m above the *street* level; and single-storey footbridges across the setback area may also be permitted;
- (c) Columns supporting the building above may be permitted within the setback areas subject to requirements as shown in Figure C2 of Appendix C; and
- (d) The setback area should be properly landscaped and paved, and be open without any permanent building structures other than landscaped features, perforated balustrades, perforated boundary walls and structural columns.

9. Buildings may be exempted from whole or parts of the building setback requirement with reference to a *street* where its height³ is less than 2 times the mean width of the *street*.

Site Coverage of Greenery

10. In order to improve the environmental quality of the urban space, particularly at the pedestrian level and to mitigate the heat island effect, sites with areas of 1,000m² or more should be provided with *greenery areas* in accordance with Table 2. Detail guidelines are provided in Appendix D.

/Table....

² The setback area at ground level under the footprint of such structures or the covered areas under the canopy may be exempted from GFA calculation if it is designated as common parts accessible by occupants of the building and without any commercial activities.

³ Height of the building in this context is measured from the mean level of the *street* on which the building abuts to the mean height of the roof over the highest usable floor space in the building.

Table 2

Site Area	Minimum Site Coverage of Greenery	
	<i>Primary zone</i>	Overall
1,000 m ² – 20,000 m ²	10 %	20 %
≥ 20,000 m ²	15 %	30 %

11. This requirement is not applicable to sites with a single family house only.

Special Considerations

12. There are special circumstances in which genuine difficulties in complying with the SBD Guidelines may be encountered. Examples include new buildings serving special functions such as ferry piers, railway terminals, stadia; and conversion of existing buildings to new buildings especially the adaptive reuse of historic buildings where building façades or even layout are character defining elements. In recognition of such genuine constraints in meeting the prescriptive requirements, the BA takes a flexible and pragmatic stance when considering applicants' proposals holistically to achieve the objectives of the SBD Guidelines. Alternative approaches are provided in Appendix E.

Conditions for Approval

13. PNAP APP-151 specifies the compliance with the SBD guidelines as one of the pre-requisites for granting GFA concessions. When granting such modifications under section 42 of the Buildings Ordinance, the BA may impose relevant conditions for assuring the sustainability of the approved building design.

Information to be Submitted

14. To demonstrate compliance with the building separation, building setback and site coverage of greenery requirements, information as detailed in Appendix F should be submitted.

15. To increase the transparency of information to the public, plans and details showing the site coverage of greenery as described in Appendix F will be uploaded to the BD's website after the occupation permit is issued.

(HUI Siu-wai)
Building Authority

Ref. : BD GR/1-55/187/1
BD GP/BREG/P/49

First issue January 2011
This version January 2016 (AD/NB1) (General revision)

Terminology

<i>Air Ventilation Assessment (AVA)</i>	<i>Air ventilation assessment (AVA)</i> is a protocol to objectively assess the effects of planning and development proposals on external air movement for achieving a better pedestrian wind environment. An advisory framework for the methodology to undertake AVA has been outlined in the Technical Guideline for Air Ventilation Assessment available in the Planning Department's website under the Hong Kong Planning Standard and Guidelines.
<i>Assessment Zones</i>	<i>Assessment zones</i> demarcate the vertical spatial division for assessing fulfilment of the building separation requirement. The zonal division consists of low zone (within 20m from level zero), middle zone (20-60m from Level Zero) and high zone (higher than 60m from Level Zero). [Building Separation]
<i>Computational Fluid Dynamics (CFD)</i>	<i>CFD</i> is a branch of fluid mechanics using numerical methods and algorithms to solve and analyze problems that involve fluid flows. Computers are used to perform the millions of calculations required to simulate the interaction of fluids and gases with the complex surfaces used in engineering.
<i>Continuous projected facade length (L_p)</i>	The total projected length of facade of a building or a group of buildings if separation between them is less than 15m. (see Figures B2 & B3 of Appendix B) [Building Separation]
<i>Grass paving</i>	Paving having not less than 50% of floor designed for the growth of grass or groundcovers. [Site Coverage of Greenery]
<i>Greenery area</i>	Area with live plants and soil or similar base. Such area may include other greening features as per Appendix D. [Site Coverage of Greenery]
<i>Intervening Space (IS)</i>	Space that is open to above or have a clear height of not less than 2/3 of the height of the respective assessment zone. [Building Separation]
<i>Level Zero</i>	The mean <i>street</i> level on which the site abuts or where the site abuts <i>streets</i> having different levels, the mean level of the lower or lowest <i>street</i> . [Building Separation]
<i>Mean Width of Street Canyon (U)</i>	The mean distance between (i) an external wall of the subject building which is within 30m perpendicular from the centre line of a <i>street</i> and (ii) the boundary of the other site on the opposite side of the <i>street</i> , as shown in Figures B4 to B7 of Appendix B. It forms the basis for assessing the maximum permissible L _p of the building in the assessment zone, which is 5xU. [Building Separation]
<i>Primary Zone</i>	The 15m vertical zone of a site along the abutting street level. The greenery in this zone is for providing visual contacts or access from a street through common parts of the building for enhancing the walkability of urban space to the public, visitors or occupiers. The top level of soil or similar base for planting should be taken as the reference level for inclusion in the Primary Zone. [Site Coverage of Greenery].
<i>Permeability (P)</i>	A percentage indicating how permeable a building or group of buildings in that assessment zone is. It is obtained by dividing the sum of the areas recognized as <i>intervening space</i> or <i>permeable elements</i> by the area of the assessment zone as shown in Figure B9 of Appendix B. [Building Separation].
<i>Permeable Element (PE)</i>	Space provided within, above, below or between buildings within the same site

with a minimum clear width and clear height of 3m as projected onto the chosen projection plan, e.g. refuge floors, communal sky gardens etc. [Building Separation]

Separating Distance (S)

This is the minimum width of an *IS* in the following scenarios:-

- (i) between end of the projected building façade and the site boundary;
- (ii) between end of the projected building façade and the centerline of adjoining *street*/lane where the site abuts; or
- (iii) between 2 projected building facades.

Where such distance varies for an *IS*, the method of arriving at the mean of such distance is shown in Figure B12 of Appendix B.

[Building Separation]

Site Coverage of Greenery

The percentage of total live *greenery area* divided by the area of the site.

Street

A *street* of width not less than 4.5m vested in the Government and maintained by the Highways Department or a private street on land held under the same Government lease as the site and under the terms of the lease, the lessee has to surrender (when required to do so) the land on which the street is situated to the Government, as described under B(P)R18A(3)(a)(i) & (ii). [Building Separation and Building Setback]

Vertical greening

Greenery that grows within the primary zone on a vertical surface abutting a street or public pedestrian way/public open space accessible from a street, and the top level of the soil or similar base including the frame for greenery is within the primary zone. [Site Coverage of Greenery]

Building Separation Requirements

1. Assessment and Method of Measurement

1.1 The design of building(s) above *Level Zero* of the site shall comply with the Design Requirements (1) and (2) below. They shall be assessed separately for each of the three *assessment zones* i.e. the low, middle and high zones.

1.2 In general, all measurements for building separation are taken from the external walls of the building. Minor building features that will not materially affect air ventilation around buildings, including single-storey footbridges across buildings (not shadowed vertically by other footbridges), signboards, minor projecting features as described in paragraph 3 of PNAP APP-19, open sided features such as balconies, utility platforms, covered walkways, trellises and other highly permeable features such as railing and perforated fence walls (with free area $\geq 2/3$ or equivalent) may be disregarded in the building separation assessment. Minor noise barriers that are not extensive in height and designed to permit air flow through or over the barriers may also be disregarded subject to the provision of appropriate building features or permeable elements such as communal podium gardens to compensate for the barrier's obstruction to free air flow to the satisfaction of the BA.

1.3 Effect on air ventilation around buildings due to topographical features in a site including any slope features and retaining walls may be disregarded. Any parts of a building that are below the original site topography may therefore be disregarded from the *assessment zone* (see Figure B1).

2. Design Requirement (1) - *L_p* of building(s) abutting a street

2.1 Design Requirement (1) controls the maximum *L_p* of a building or a group of buildings if any part of the building is within 30m from the centreline of the *street* on which the building(s) abuts.

2.2 The *L_p* of a building or a group of buildings along its long side shall not exceed the maximum permissible *L_p* which is obtained by multiplying 5 and the *U* on which the building(s) abuts. The *U* of such a street canyon in the *assessment zone* is measured perpendicular to the centreline of the *street* from the external wall of the building that is within 30m from the centreline of the *street*, to the site boundary of the other site on the opposite side of the *street* (see Figures B2 to B6). If the building or group of buildings abuts two or more *streets* having different *U*, the least *U* shall be adopted.

2.3 If the width of a street canyon varies (on plan), *U* is the width obtained by dividing the area of such a street canyon by its length as measured along the centreline of the *street*. If only a part of the building is within 30m from the centreline of the *street*, *U* is the mean width of the street canyon that abuts such part of the building. If there is more than one such street canyon along the same *street*, *U* is the width obtained by dividing the sum of the areas of such street canyons by the sum of the lengths, as measured along the centreline of the *street*, of such street canyons (see Figure B7).

2.4 For the purpose of measuring *L_p* of a building or a group of buildings along its long side, the part of the building(s) that is within the low zone and of a height of not more than 6.67m (i.e. 1/3 of 20m which is the height of the low zone) may be disregarded.

2.5 Maximum permissible *L_p* is not applicable for Design Requirement (1) in the following circumstances:

- (a) The subject site does not abut a *street*;
- (b) There is no building or no parts of building in the *assessment zone* within 30m from the centreline of any *streets* on which the site abuts.

3. Design Requirement (2) - *S* & *P* of Buildings (Projection Planes for Assessment)

3.1 Assessment on compliance with Design Requirement (2) shall be made through a pair of vertical projection planes (x, y) at an orthogonal relationship to each other (see Figure B8). At least one of the projection planes for the low zone shall be set parallel to a *street* on which the site abuts. For a site that abuts on a curvilinear *street*, the projection plane for the low zone shall be set along any tangent of the *street*. For the middle/high zones, such pair of projection planes may be set to suit the building disposition or the site wind environment.

3.2 To allow more flexibility in building design, the angle between each pair of projection planes may vary from 75 to 105 degrees.

3.3 For a site that is less than 20,000 m² and the total width of all projected building facades exceeds 60m along one projection plane only, assessment on compliance with Design Requirement (2) is only required for that projection plane.

4. Assessment of *S* and *P*

4.1 Elevation of all buildings within the site shall be projected onto the chosen projection planes. On each projection plane, the required *P* of buildings as stipulated in Table 1 of this PNAP shall be achieved (see Figure B9).

4.2 Not less than 2/3 of the required *P* shall be provided by *IS* between the ends of the projected building facades and the adjacent site boundaries or, where the site abuts a street or a lane, the centreline of adjoining *street* or lane¹. Save for the part of building disregarded in paragraph 2.4 above, such *IS* shall provide a *S* of not less than 7.5m wide. For *S* involving site boundary or adjoining street/lane, if it varies on plan, the mean of *S* shall not be less than 7.5m and no part of the building shall be within 3m from the boundary line. If such *IS* cannot meet 2/3 of the required *P*, additional *IS* can be provided between buildings. Such additional *IS* shall have an *S* of not less than 15m (see Figures B10 to B12).

¹ The *street*/lane of width less than 4.5m may also be included in the assessment of *S* and *P*. Open space outside the site boundary is not accountable for *P*. However, where an area is zoned as open space on the Outline Zoning Plan / Development Permission Area Plan and provided such area is a nullah or designated as promenade or non-building area on the aforesaid plan and / or in the explanatory notes of the aforesaid plan, such area may be treated as a lane for the purpose of assessing *S* and *P*.

4.3 Not more than 1/3 of the required *P* may be provided by *PE*. (see Figures B10 & B11)

4.4 To allow more design flexibility, the projection line of the *IS* within an *assessment zone* may follow the path of a notional air corridor that starts at 90° from the projection plane (on plan). The air corridor may flow between buildings and may change direction without changing its width, when it meets the boundary line or anywhere within the site, by not more than 15° provided the direction of the air corridor after the change of course is always within 15° from its original path before it enters the site. The minimum width of the air corridor along its path between buildings shall not be less than 15m (see Figures B13 to B16).

4.5 When the site is large and / or of irregular shape, the site may be subdivided into two or more notional sites provided that the line of the sub-division is located along the centreline of a notional wind path that complies with the following requirements:

- (a) the wind path is open to above from the lowest level of the subject *assessment zone* (disregarding the minor projecting features and permeable features mentioned in paragraph 1.2 above);
- (b) it is of a width of not less than 15m;
- (c) it is continuous across the site in one direction or it may change in direction by not more than 15 degrees provided its direction after the change of course is always within 15 degrees from its original path²;
- (d) where it meets the site boundaries, there is a street or lane with a mean width of not less than 7.5m.

4.6 After subdividing the site, the *P* may be assessed separately for each subdivided site using the same or a different pair of orthogonal projection planes (see Figures B17 & B18).

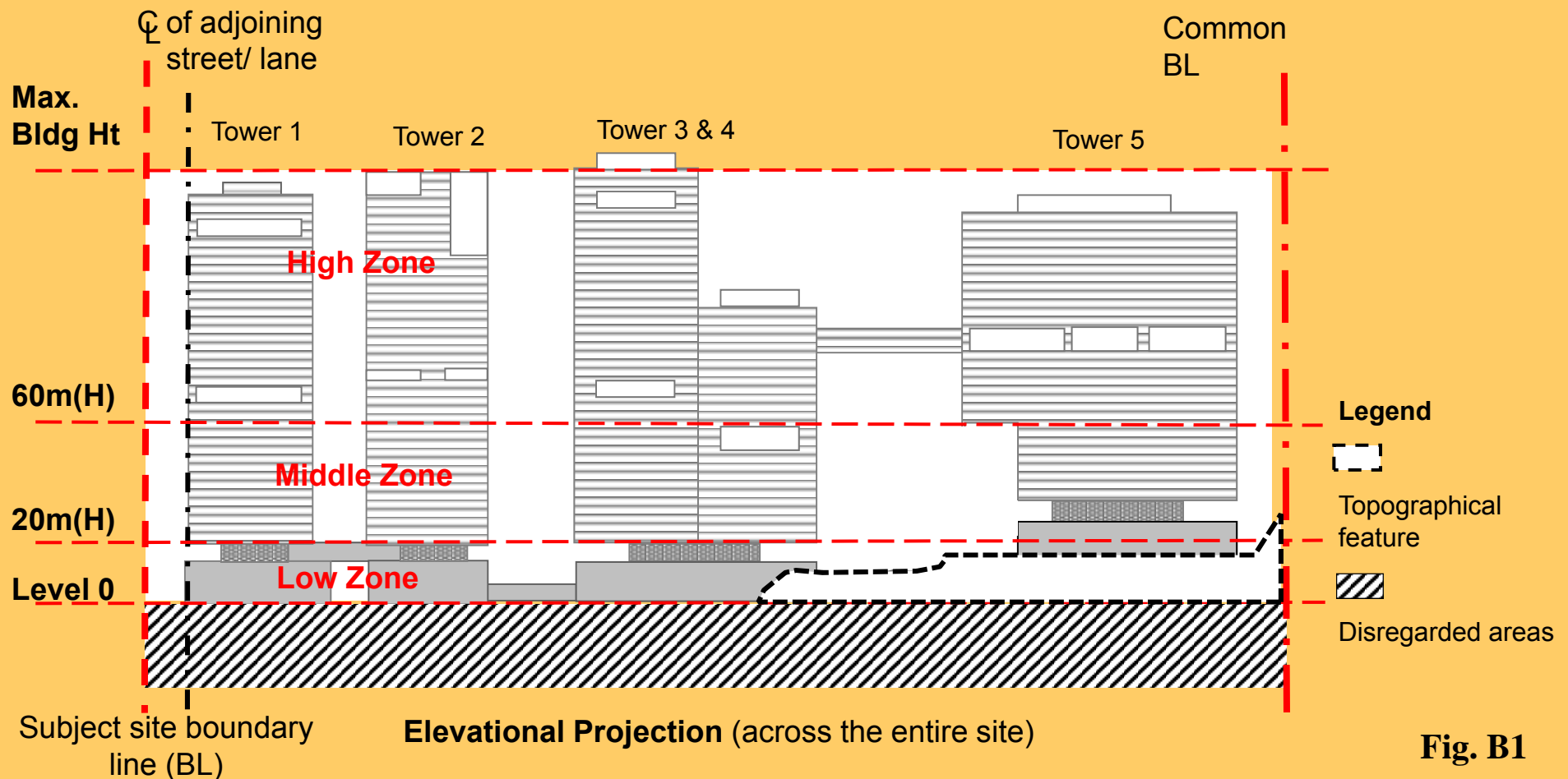
4.7 A sample case on assessment of building separation provisions is given in Figures B19 to B21.

(Rev. 1/2016)

² The wind path should preferably align with the summer prevailing wind direction or existing street pattern.

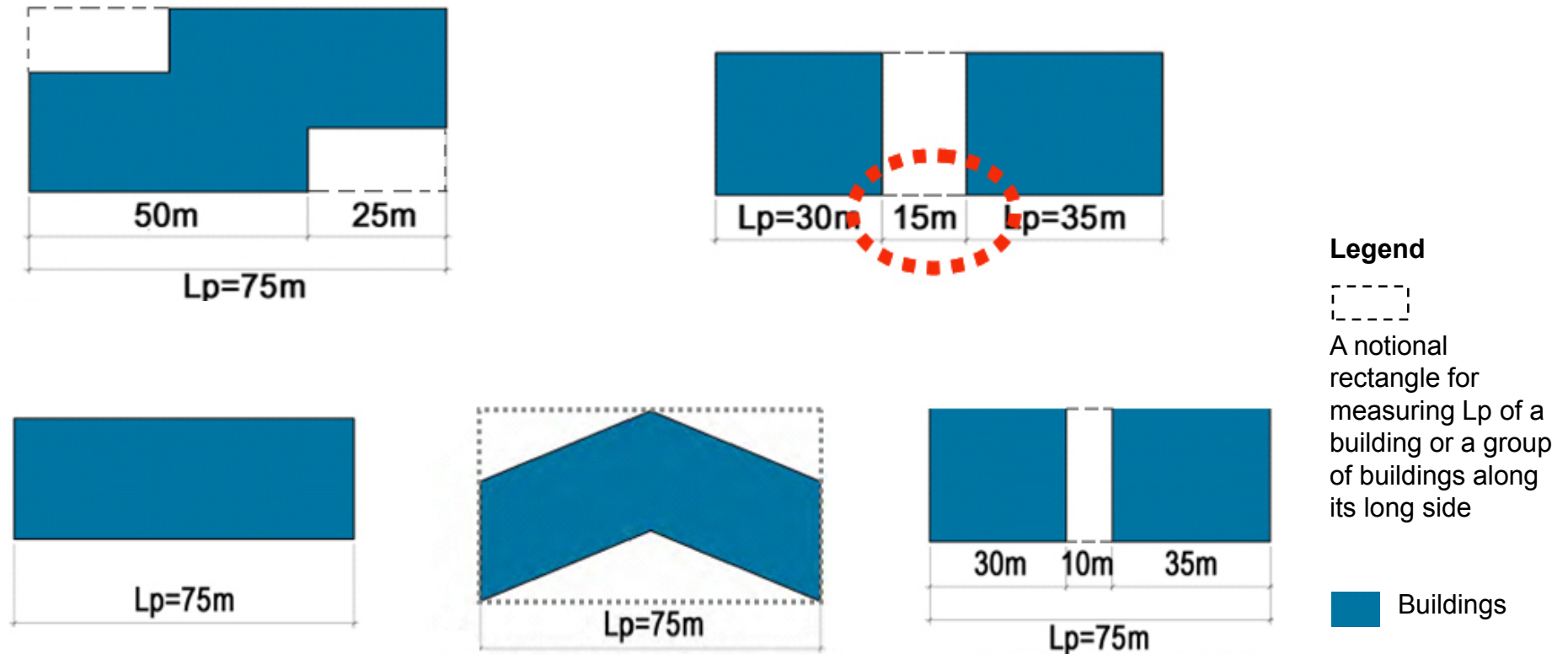
Site Topography & Sunken Buildings

- “Level Zero” is the mean level of the lower or lowest street(s).
- The height of a building shall be measured from Level Zero to the mean height of the roof over the highest usable floor space.
- The effect on air ventilation around buildings due to topographical features or sunken part of a building below Level Zero shall be disregarded. (See Fig.B9-Fig.B11)



L_p Examples of determining L_p

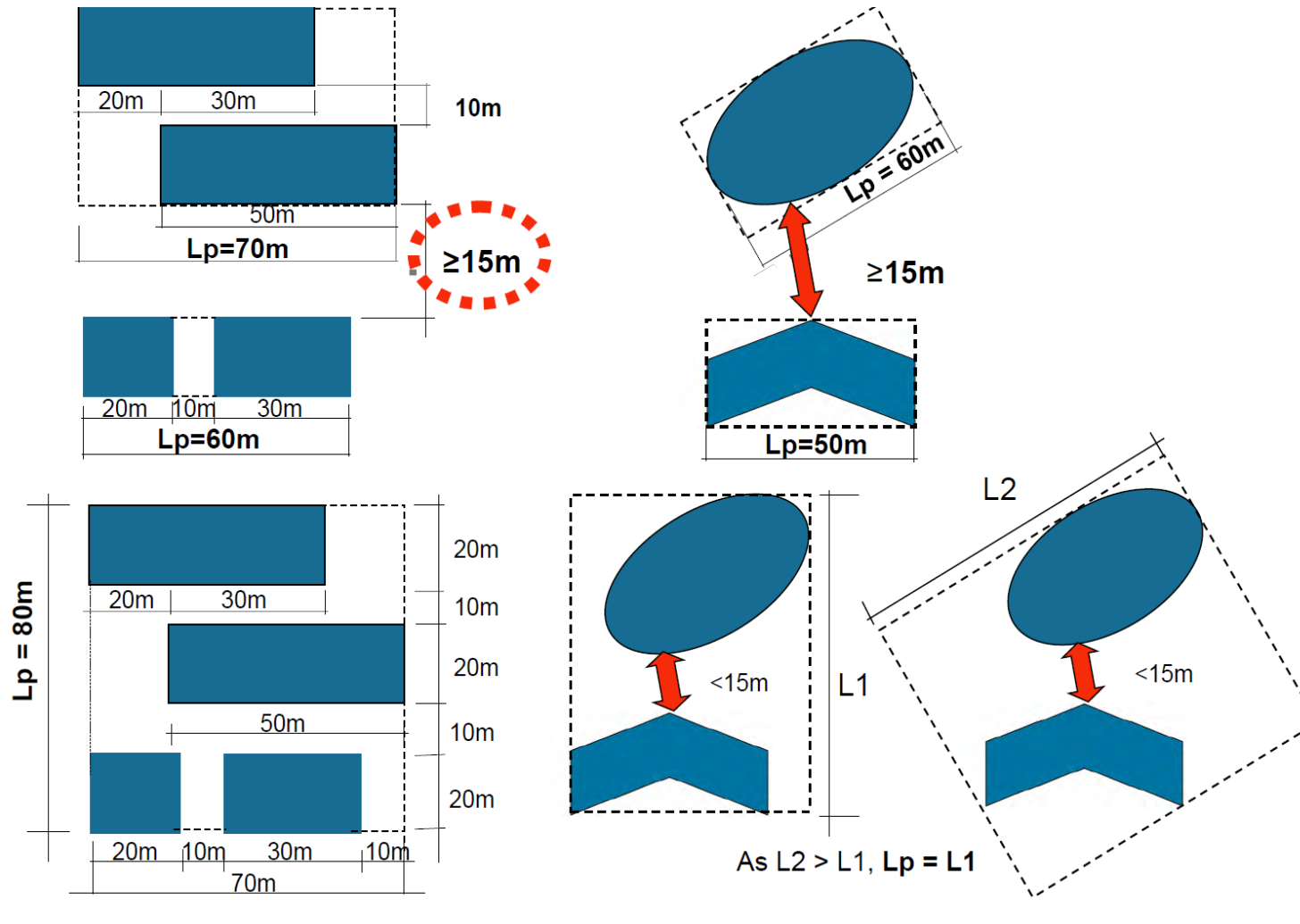
- Building portions at low zone of height $\leq 6.67\text{m}$ ($1/3H$ of low zone) are disregarded in L_p measurement



Diagrammatic Plans of Buildings

Fig. B2

L_p Examples of L_p of a building or group of buildings along its long side

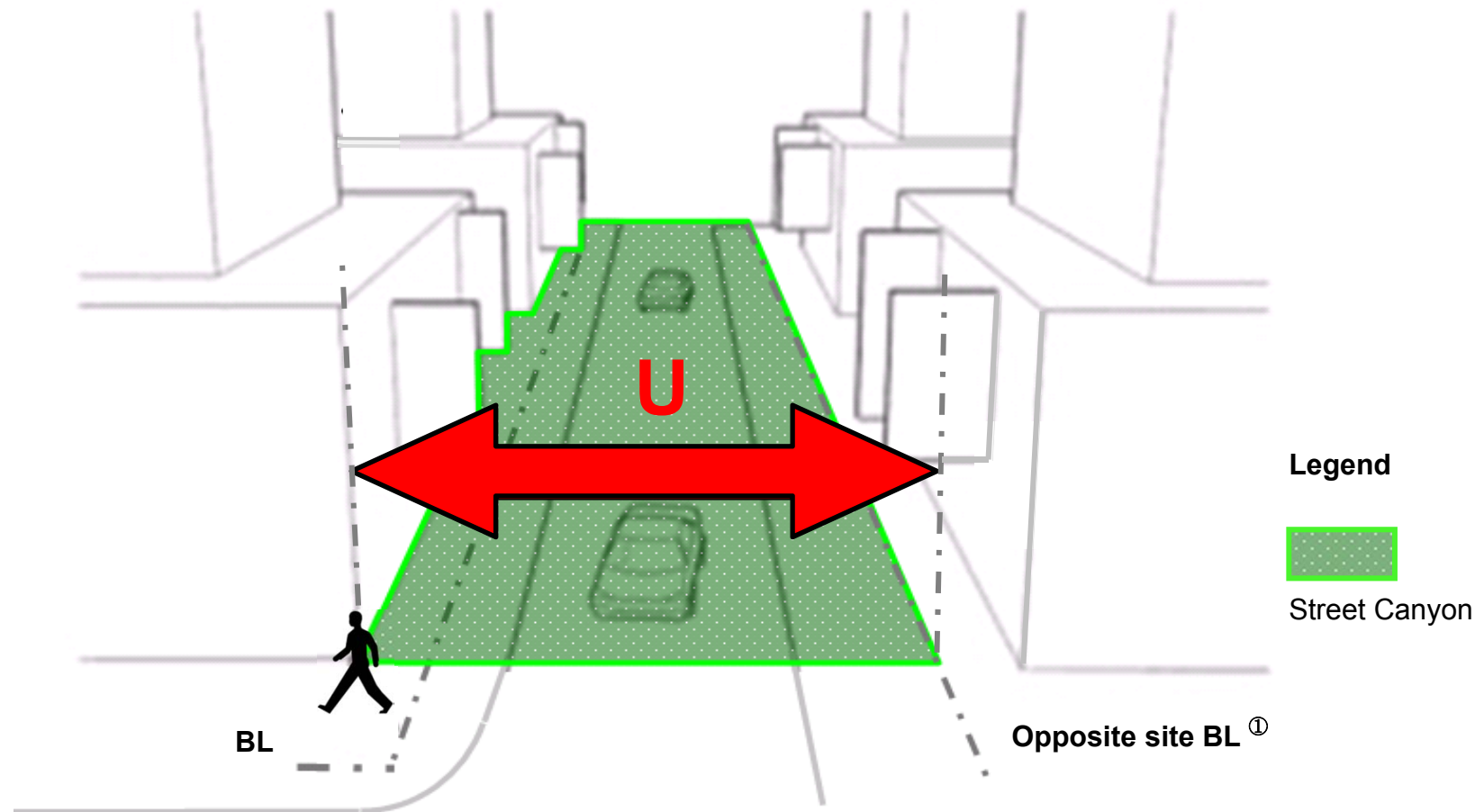


Diagrammatic Plans of Buildings

Fig. B3

Showing U

- Street canyon shall be vertically unobstructed. Minor projecting features, such as signboard, a covered footbridge and open sided features (balconies, utility platforms, covered walkways, trellises, etc.) may be disregarded.



① Opposite side of the street if no opposite site

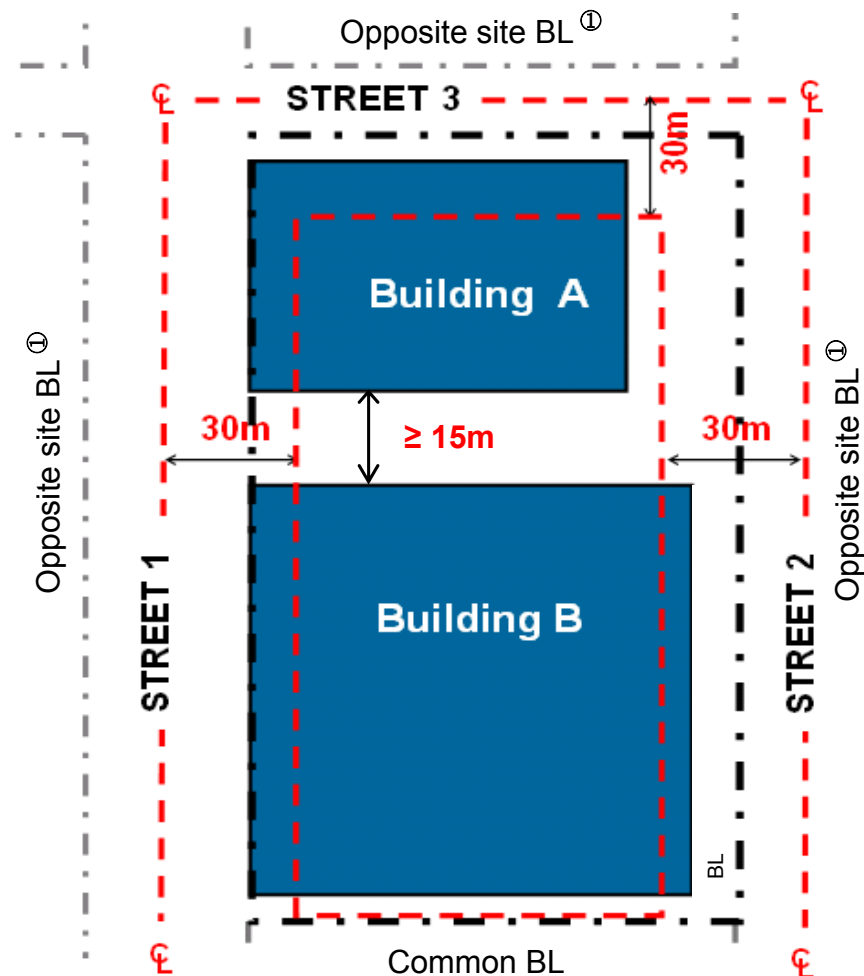
Perspective Showing Width of Street Canyon

Fig. B4

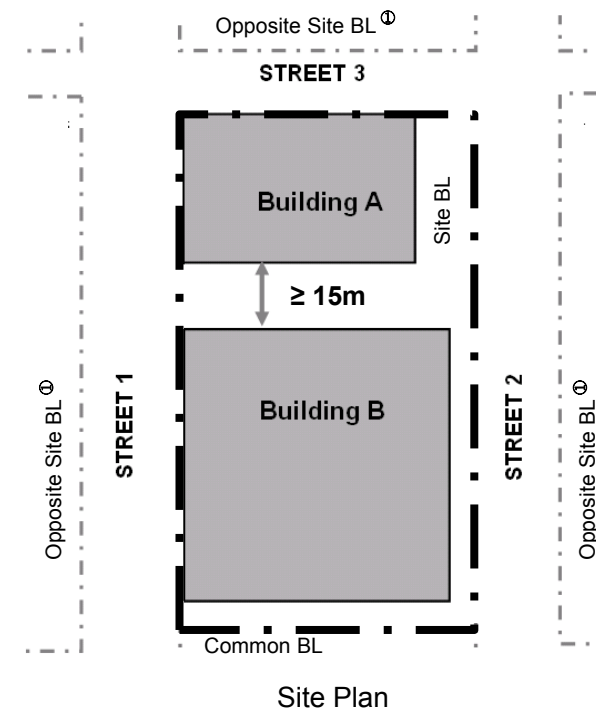
Adjoining Street Canyons

Buildings subject to control on Lp

- Buildings/groups of buildings wholly or partly **within 30m** from the centreline of an adjoining street.



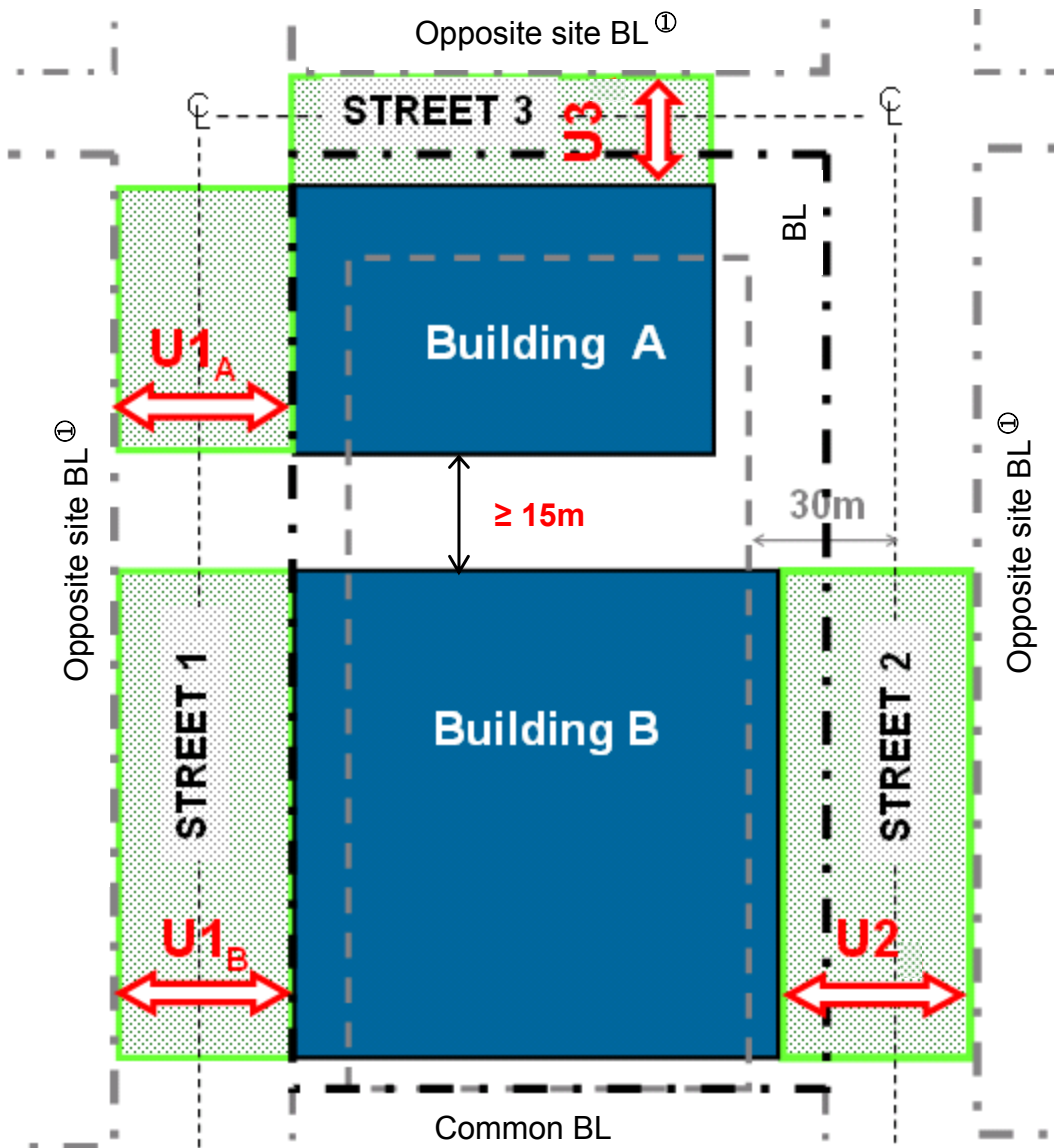
① Opposite side of the street if no opposite site.



Diagrammatic Plans

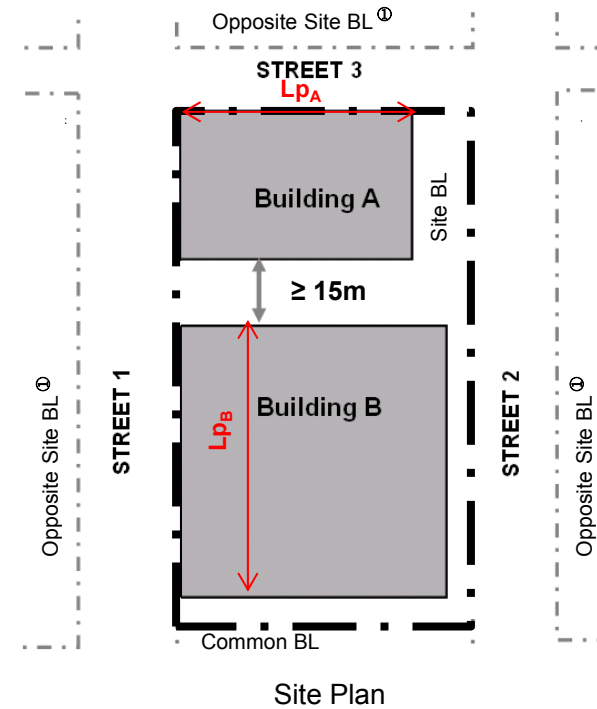
Fig. B5

U & Max. Permissible Lp



① Opposite side of the street if no opposite site.

Diagrammatic Plans



Max. Lp = 5 x U

- If a building abuts two or more streets, use the least U.

• Building A

When $U3 < U1_A$, max. $Lp_A = 5 \times U3$

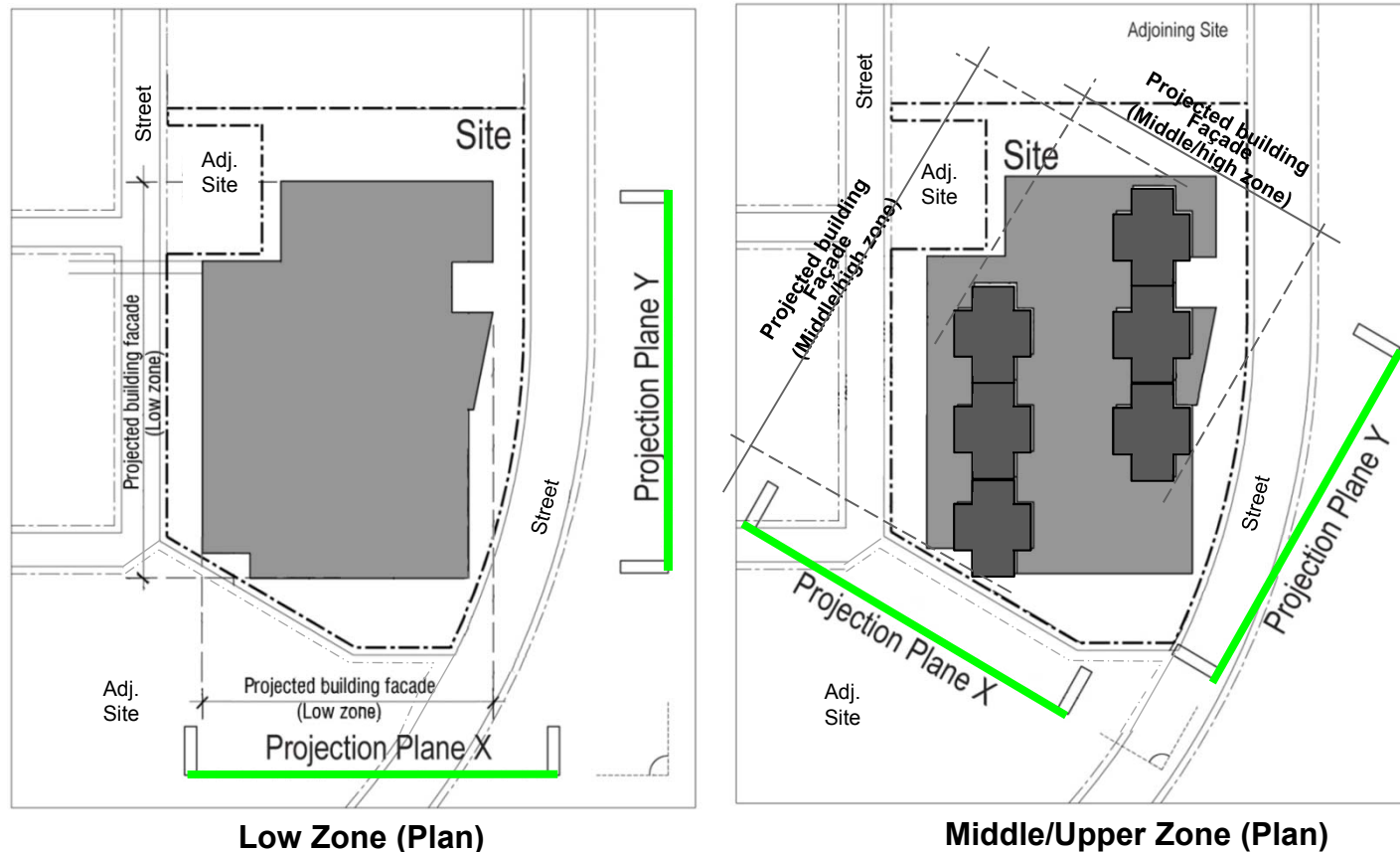
• Building B

When $U1_B < U2$, max $Lp_B = 5 \times U1_B$

Fig. B6

Diagrammatic Plan Fig. B7

Pair of Projection Planes for Assessment of P



Low Zone

- One of the planes^① parallel to an adjoining street

Middle/High Zone

- Any pair of chosen planes^① to suit the building disposition or environmental context e.g. prevailing wind direction

P assessment on one plane only if:

- Site < 2ha and $L_p > 60\text{m}$ on one projection plane only.

^① The angle between each pair of projection planes is **75-105°**.

Fig. B8

Assessment of P

Appendix B
(PNAP APP-152)

$$P = \frac{\text{Sum of areas of IS and PE}}{\text{Area of the assessment zone}} \times 100\%$$

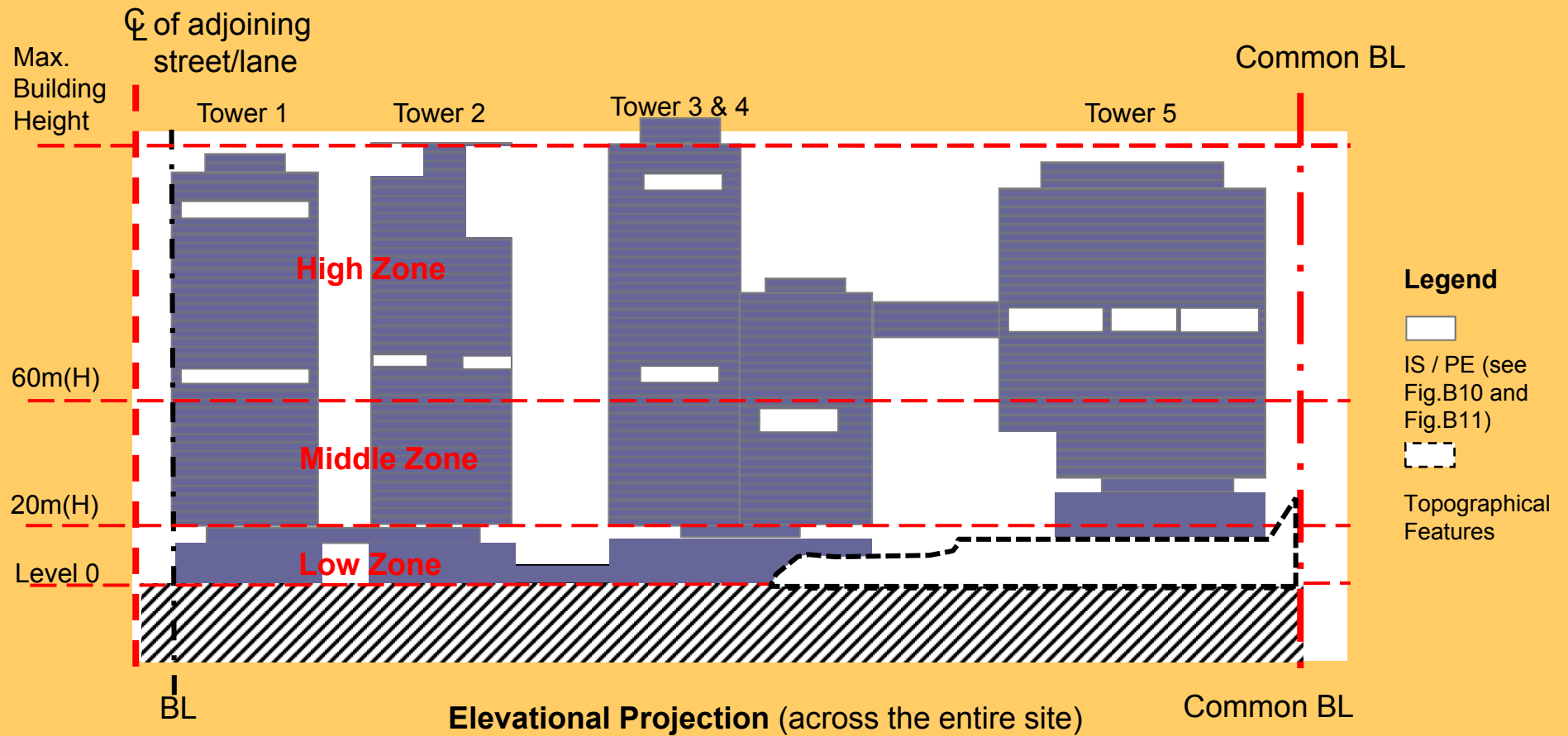


Fig. B9

IS & PE

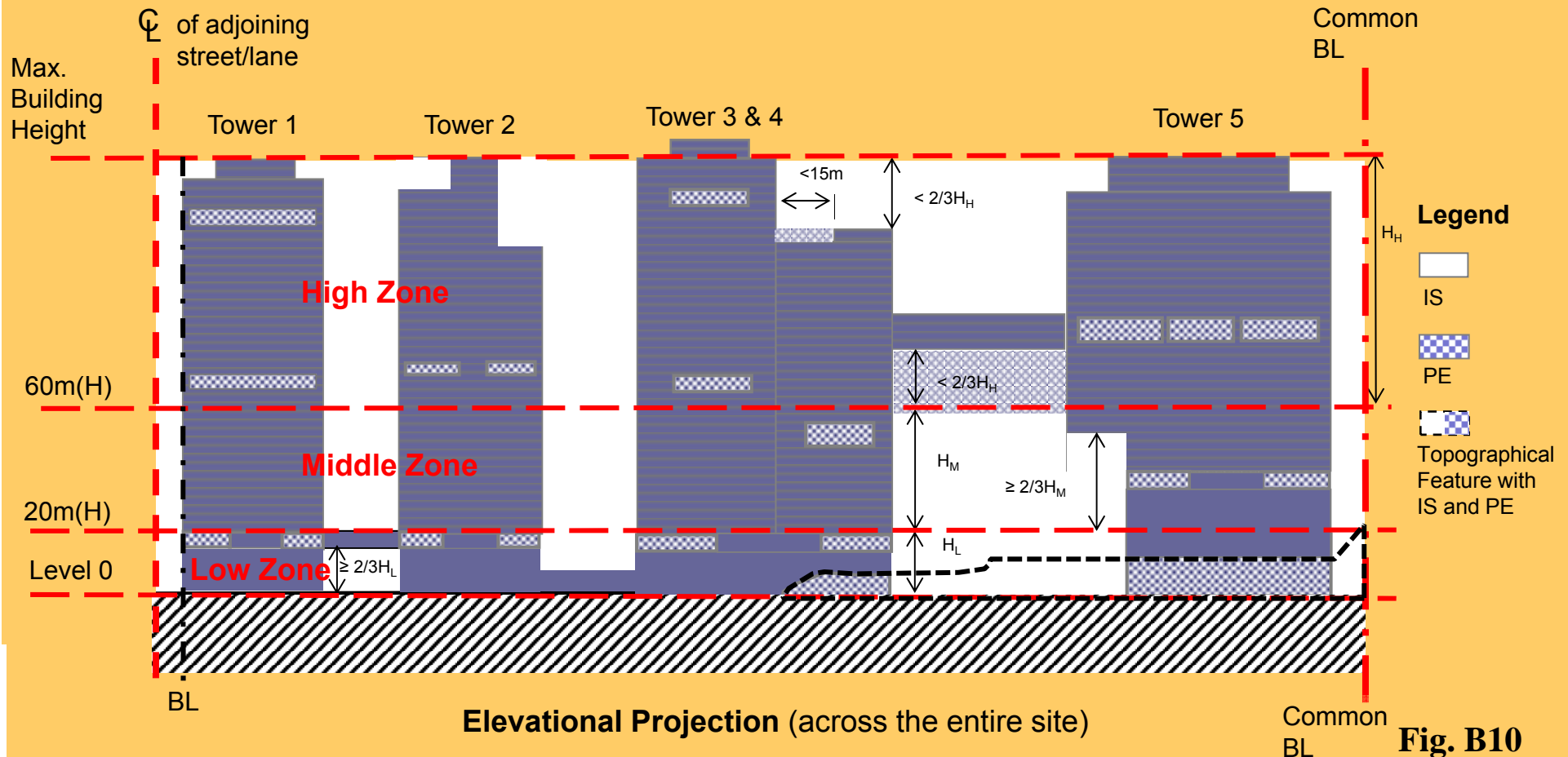
Appendix B (PNAP APP-152)

IS shall account for min. 2/3 of the required P

PE may contribute to maximum 1/3 of the required P

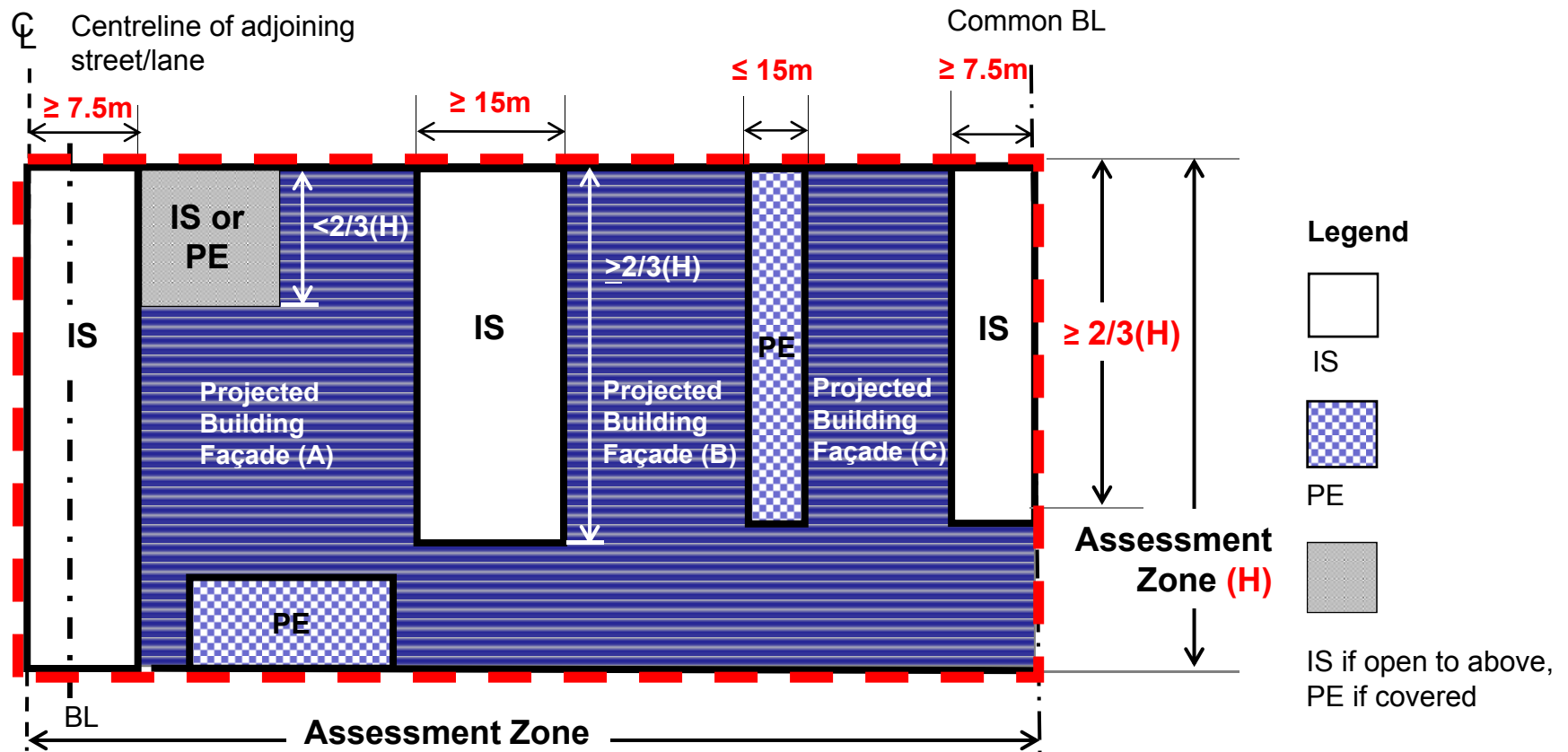
$$\frac{\text{Sum of areas of IS}}{\text{Area of the assessment zone}} \times 100\% \geq 2/3 P$$

$$\frac{\text{Sum of areas of PE}}{\text{Area of the assessment zone}} \times 100\% \leq 1/3 P$$



IS and PE

- IS shall be provided between end of a projected façade and adjacent common BL / centreline of adjoining street/lane and has a width or mean width $\geq 7.5\text{m}$ (see Fig.B12, Fig.B14, Fig.B15 and Fig.B16).
- Additional IS between end of projected façades shall be $\geq 15\text{m}$.
- Height of IS shall be $\geq 2/3H$ of the Assessment Zone or open to above.
- PE shall have clear width and clear height $\geq 3\text{m}$.



Elevation Projection (across the entire site)

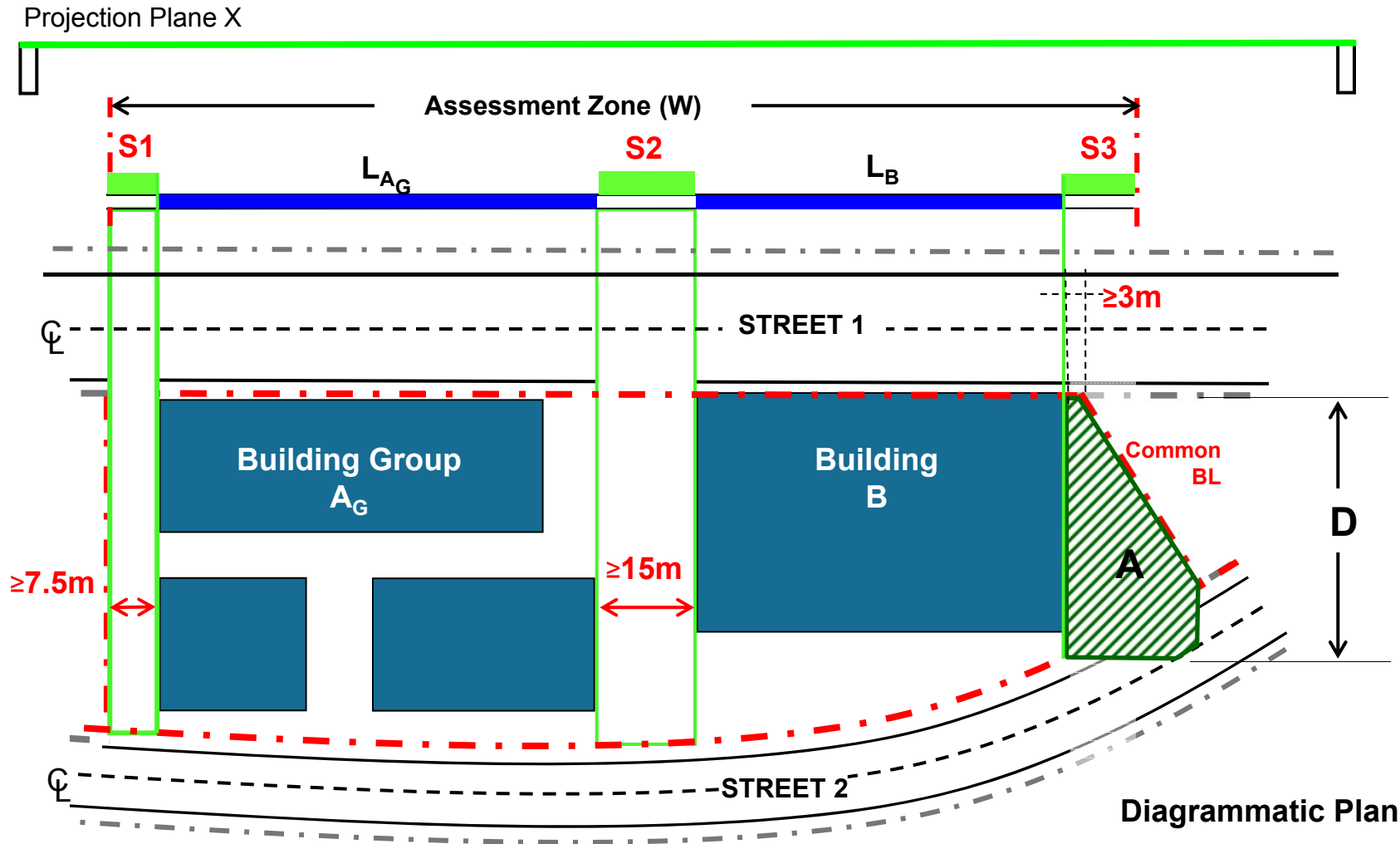
Fig. B11

Assessment of S

$$S1 \geq 7.5m$$

$$S2 \geq 15m$$

$$S3^{①} = \frac{\text{Area (A)}}{\text{Depth (D)}} (\geq 7.5m)$$



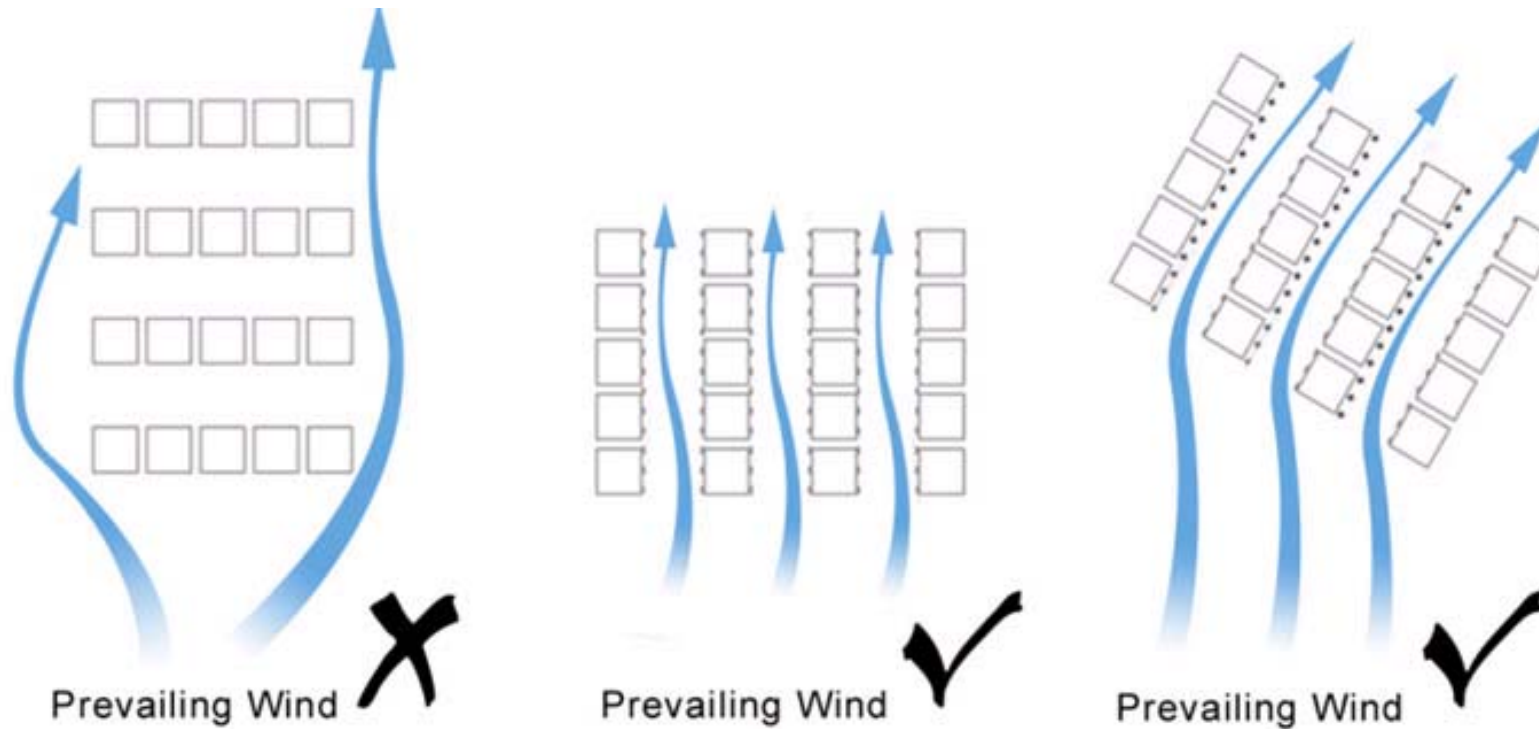
① No part of the building within 3m from the BL.

Fig. B12

Notional Air Corridor

Provided that the minimum required width of the IS / notional air corridor is maintained,

- Change in direction is permissible $\leq 15^\circ$ when it meets the BL or anywhere within the site, and
- Overall direction deviate $\leq 15^\circ$ from the original path



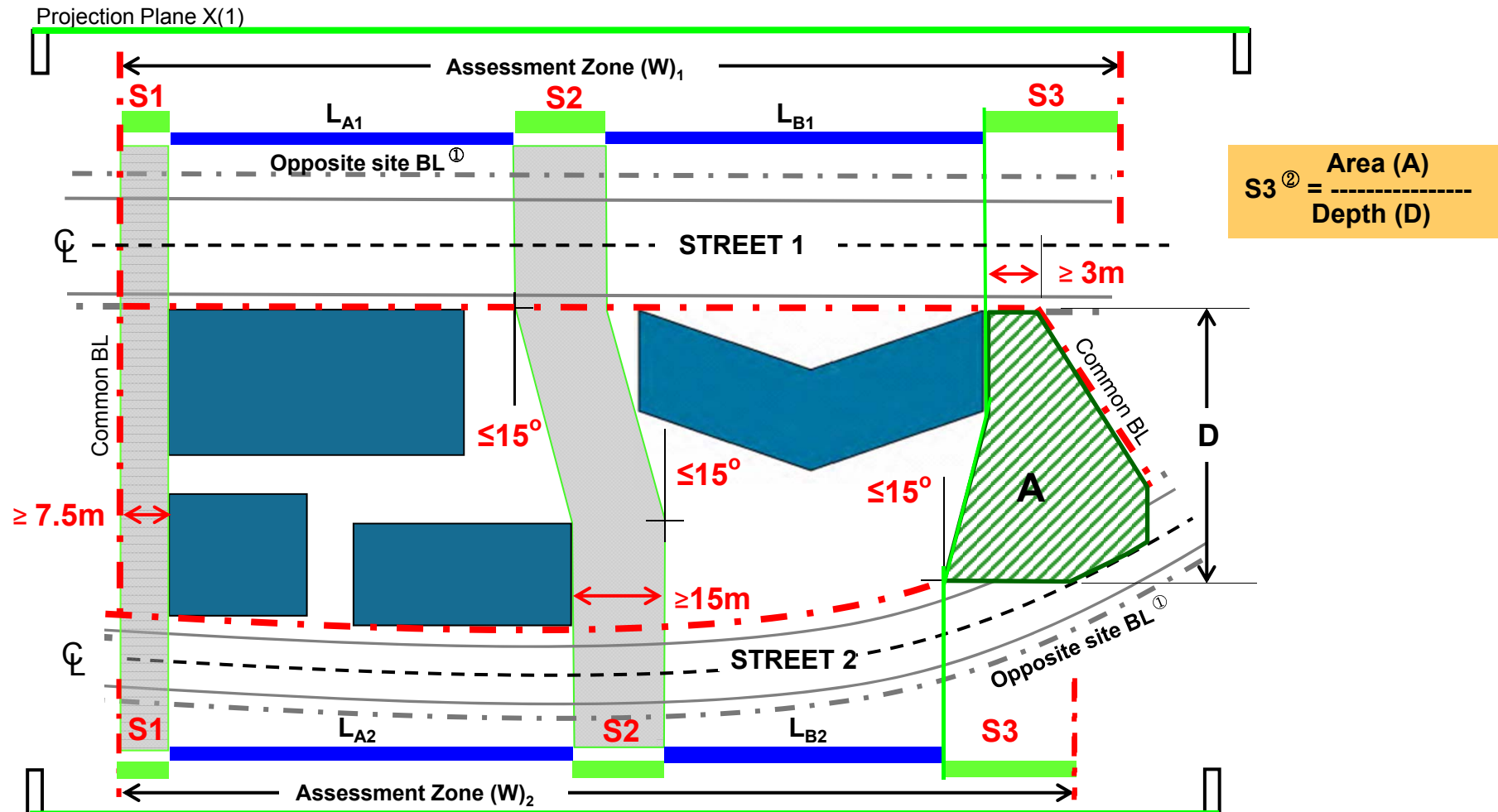
Diagrammatic Plan

Fig. B13

Notional Air Corridor S between buildings & at façade ends

Appendix B
(PNAP APP-152)

- When projection plane X is placed on either side of the site, length of a building façade so projected on the planes may vary.
- Assessment of P may be based on the projection on either Plane X(1) or X(2).
- S1 & S3^② **≥7.5m.**
- S2 **≥15m**



Diagrammatic Plan

Fig. B14

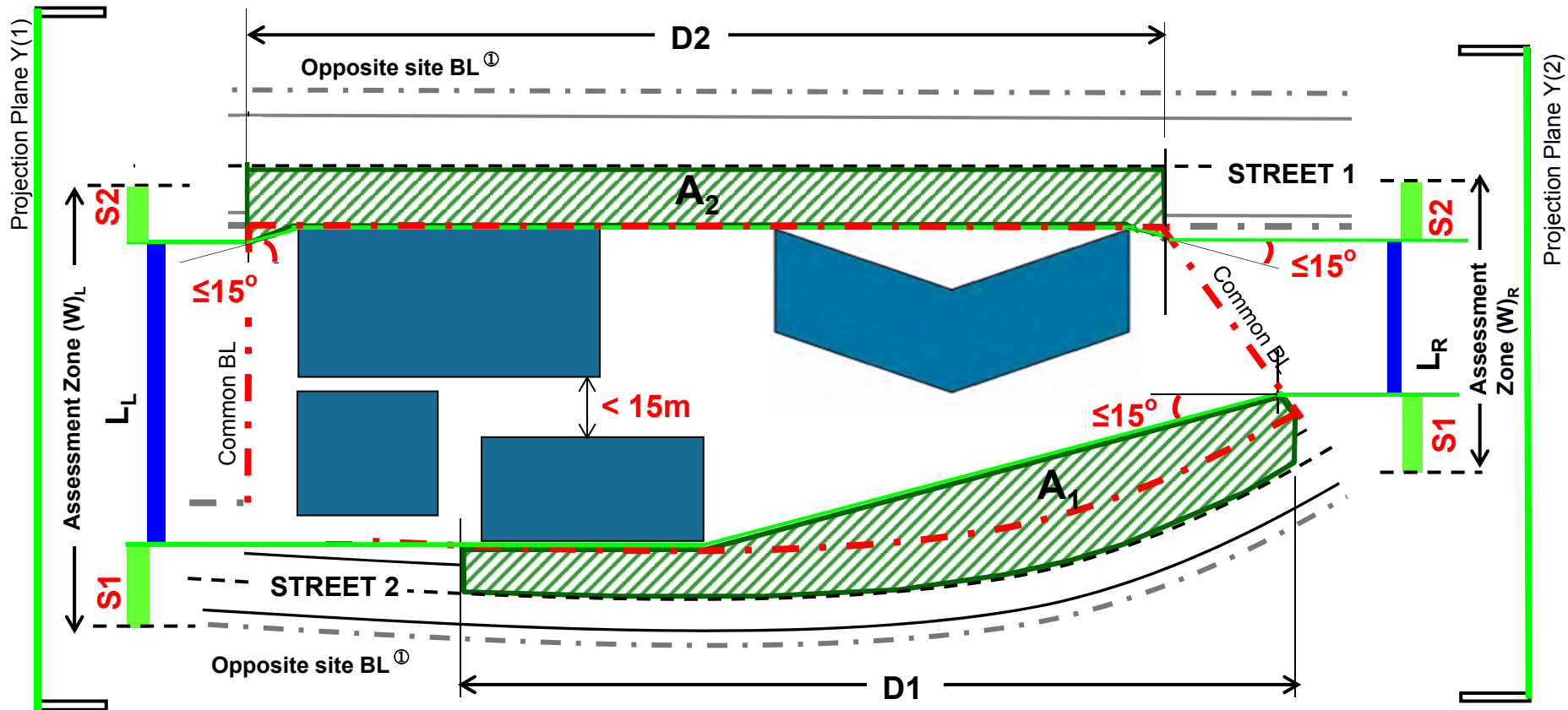
- ① Opposite side of the street if no opposite site.
② No part of the building within 3m from the BL.

Notional Air Corridor S at façade ends

Appendix B
(PNAP APP-152)

- When projection plane Y is placed on either side of the site, length of a building façade so projected on the planes may vary.
- Assessment of P may be based on the projection on either Y(1) or Y(2) as chosen.
- S1 & S2 between adjoining street/lane $\geq 7.5\text{m}$

$$S = \frac{\text{Area (A)}}{\text{Depth (D)}} \quad (\geq 7.5\text{m})$$



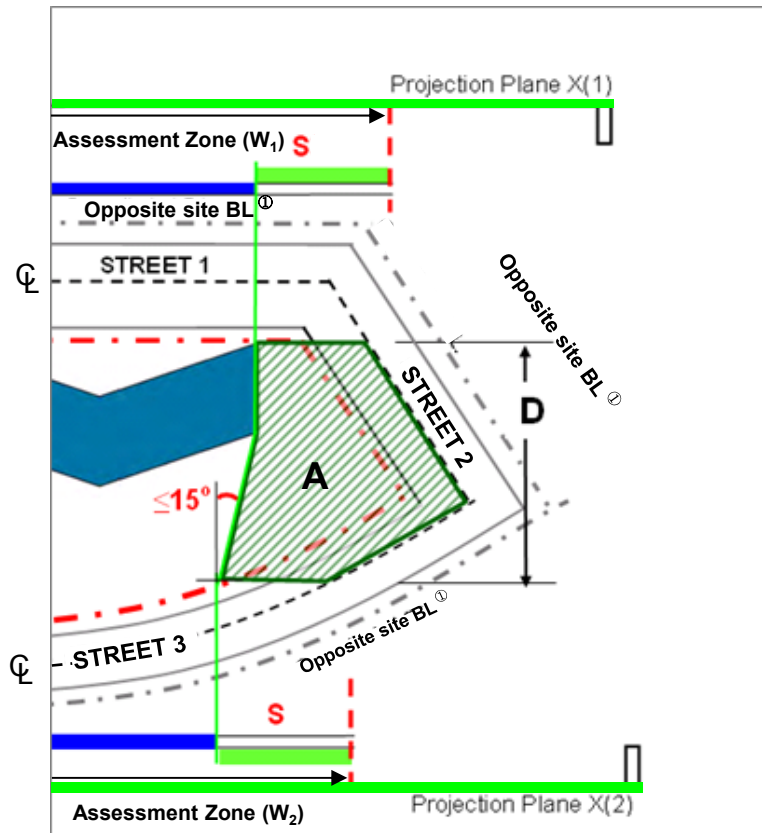
① Opposite side of the street if no opposite site.

Diagrammatic Plan Fig. B15

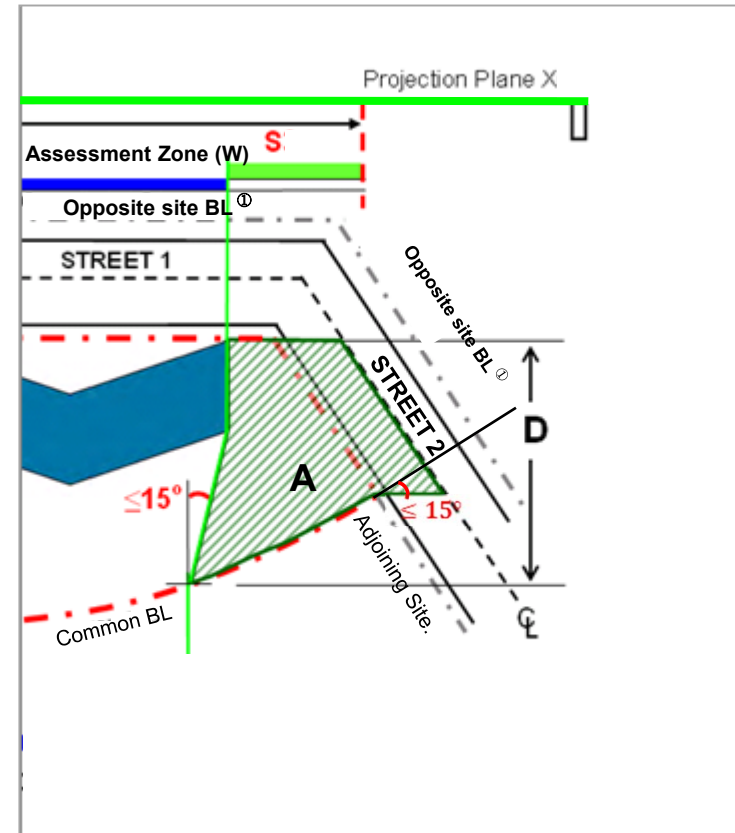
Notional Air Corridor S at façade ends

Appendix B
(PNAP APP-152)

$$S^{②} = \frac{\text{Area (A)}}{\text{Depth (D)}} \quad (\geq 7.5\text{m})$$



- When the site abuts three adjoining streets



- When the site abuts two adjoining streets

- ① Opposite side of the street if no opposite site.
② No part of the building within 3m from the BL.

Diagrammatic Plans Fig. B16

- vertically uncovered and unobstructed above the lowest level of the assessment zone
- width $\geq 15\text{m}$
- leading to a street or lane of mean width $\geq 7.5\text{m}$ at both ends



Sub-divided Notional Sites for Assessment of P

- S at the projected facade end shall be measured to the notional BL at centreline of the wind path.
- Individual pair of projection planes may be chosen for each of the TWO sub-divided sites for P assessment.
- "Level Zero" of the original undivided site shall be used for all notional sites.

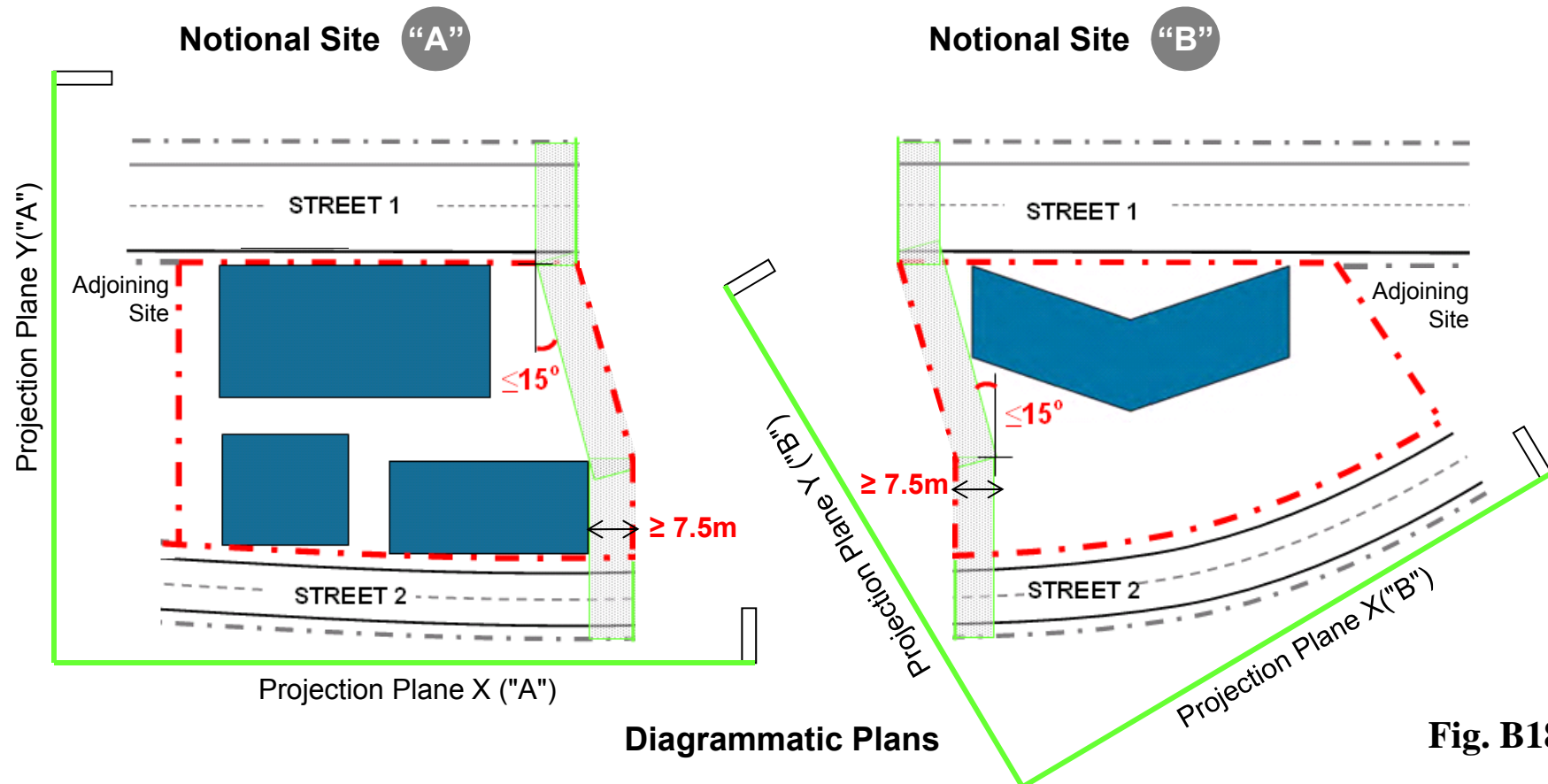
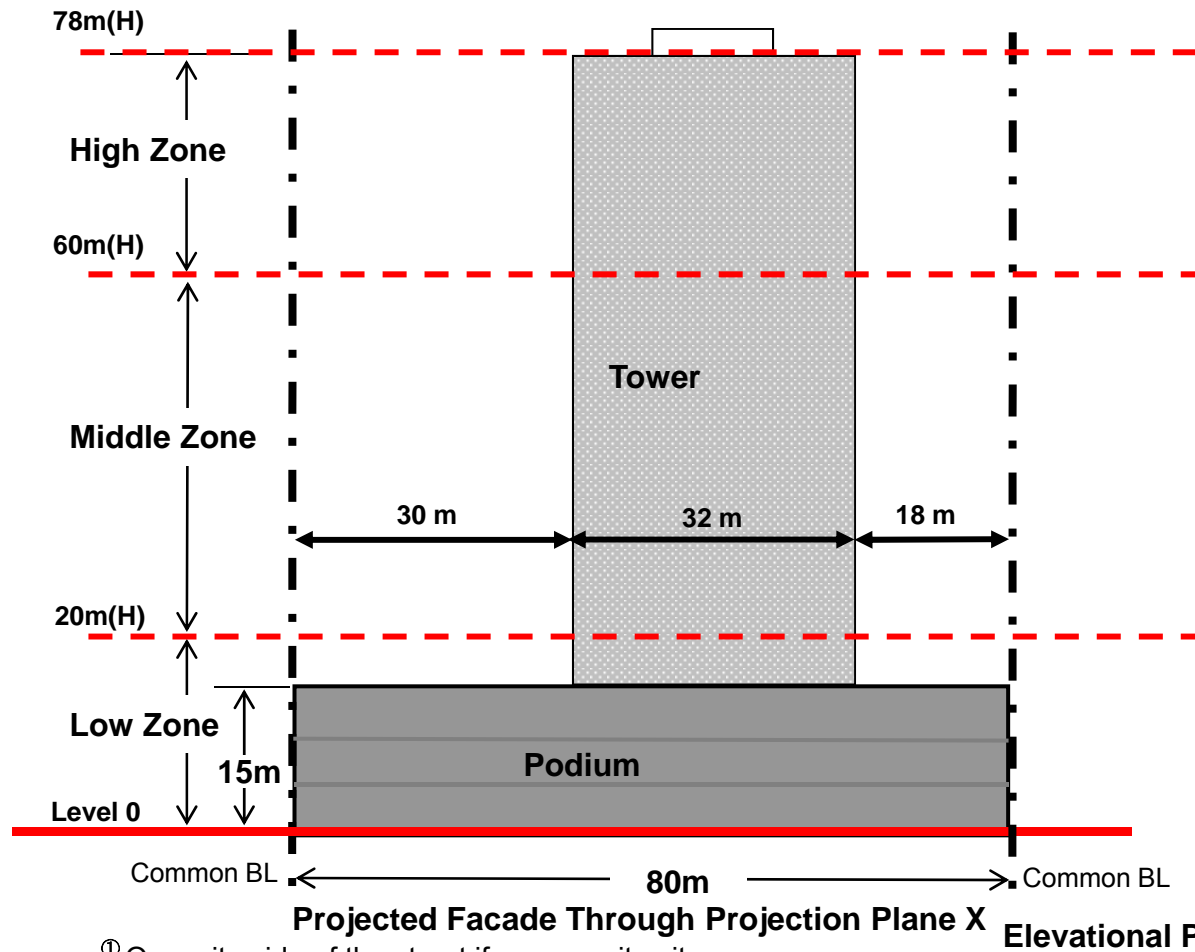


Fig. B18

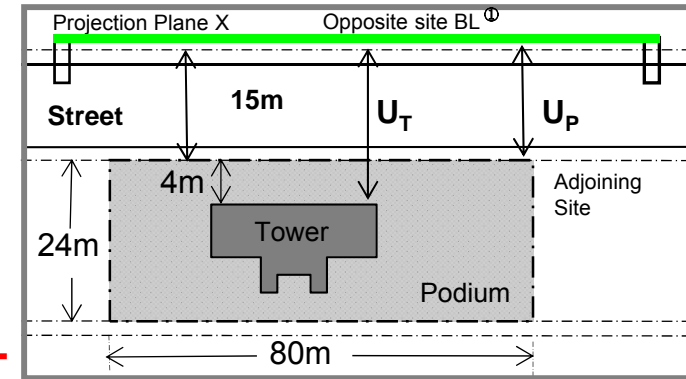
Building Separation Assessment

Sample Case

- Site area = 1,920m² (< 20,000 m²)
- Proposed building: one tower above a podium of 15m(H)
- Max. building height = 78m (> 60m)
- The site abuts a street of 15m wide
- Lp of podium with full site coverage = 80m(>60m, *assessment required*)



① Opposite side of the street if no opposite site



Plan

Design Requirement (1)

Max. Lp = 5 x U

Building at Low Zone

- U_P = 15m, max. L_P = U_P x 5 = 75m
- Lp of proposed podium = 80 m (> 75m)
(i.e. *NOT OK*)

Building at Middle Zone

- U_T = 19m, max. L_T = U_T x 5 = 95m
- Lp of proposed tower = 32m (< 95m)
(i.e. *OK*)

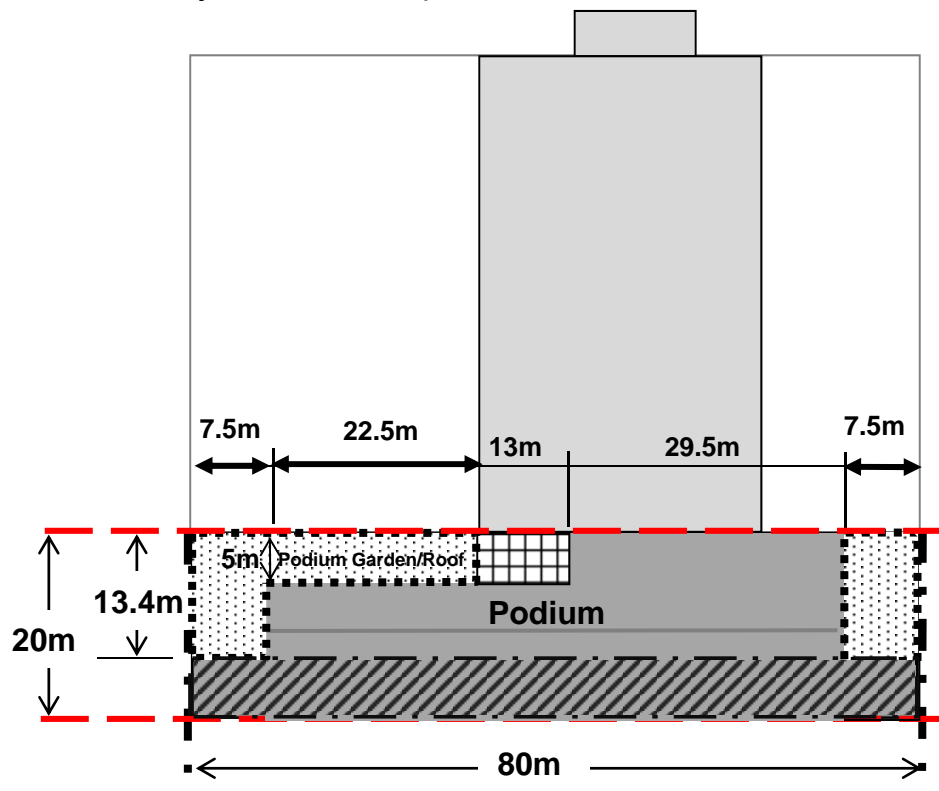
Building at High Zone

- U_T = 19m, max. L_T = U_T x 5 = 95m
- Lp of proposed tower = 32m (< 95m)
(i.e. *OK*)

Fig. B19

- $U_p = 15\text{m}$, max. $L_p = U_p \times 5 = 75\text{m}$
- $L_p = 80\text{m} - 7.5\text{m} \times 2 = 65\text{m} < 75\text{m}$

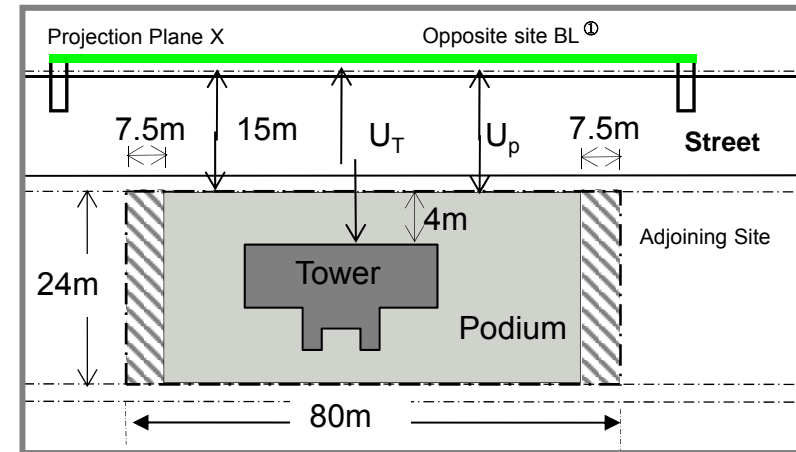
- Minimum P = 20% (from Table 2)
- Set Projection Plane X parallel to a Street



Projected Facade Through Projection Plane X Elevational Projection



① Opposite side of the street if no opposite site



Plan

IS & S

- min. 7.5m to common B.L.
- height $\geq 2/3$ of the Assessment Zone **or** open to above

Total facade area of the IS

$$= (7.5 \times 13.4) \text{m}^2 + (7.5 \times 13.4 + 22.5 \times 5) \text{m}^2 = 313.5 \text{m}^2$$

P achieved by the IS

$$= 313.5\text{m}^2 / (20 \times 80)\text{m}^2 \times 100\%$$

$$= 19\% \text{ (< } 20\%, \text{ but not less than } (2/3) \times 20\% = 13.33\%)$$

Facade area of the PE

$$= 13\text{m} \times 5\text{m} = 65\text{m}^2$$

P achieved by the PE

$$= 65\text{m}^2 / (20 \times 80)\text{m}^2 \times 100\%$$

$$= 4\% \text{ } (< (1/3) \times 20\% = 6.66\%, \text{ i.e. all accountable})$$

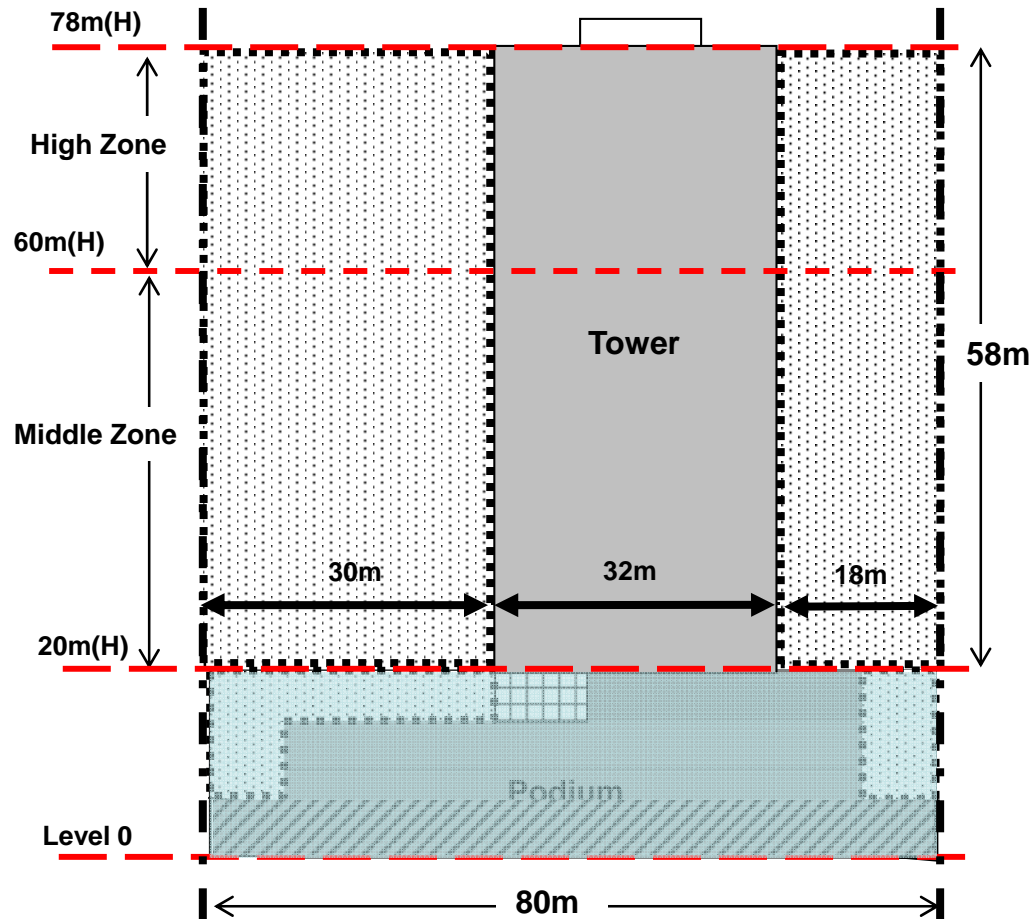
Overall P achieved at low zone

$$= 19\% + 4\% = 23\% \text{ } (> 20\%, \text{ i.e. OK})$$

Fig. B20

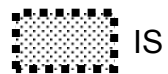
Building Separation Assessment

Design Requirement (2) - Middle and High Zone

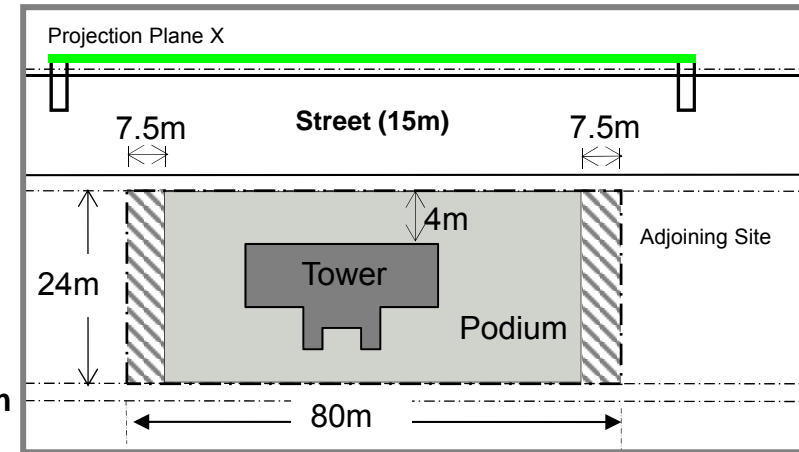


Projected Facade Through Projection Plane X

Elevational Projection



(Rev. 1/2016)



Plan

IS & S for middle & high zone

- min. 7.5m to common BL
- height $\geq 2/3$ of the Assessment Zone **or** open to above

Middle zone:

Total facade area of the IS

$$= (18 \times 40) \text{m}^2 + (30 \times 40) \text{m}^2 = 1920 \text{m}^2$$

P achieved by IS

$$= 1920 \text{m}^2 / (80 \times 40) \text{m}^2 \times 100\% \\ = 60\% (> 20\%, \text{ i.e. OK})$$

High zone:

Total facade area of the IS

$$= (18 \times 18) \text{m}^2 + (30 \times 18) \text{m}^2 = 864 \text{m}^2$$

P achieved by IS

$$= 864 \text{m}^2 / (80 \times 18) \text{m}^2 \times 100\% \\ = 60\% (> 20\%, \text{ i.e. OK})$$

Fig. B21

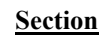


Fig. C3 Stepped building profile with communal podium garden as detailed in paragraph 7(b)

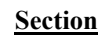


Fig. C4 Stepped building profile with communal podium garden as detailed in paragraph 7(b)

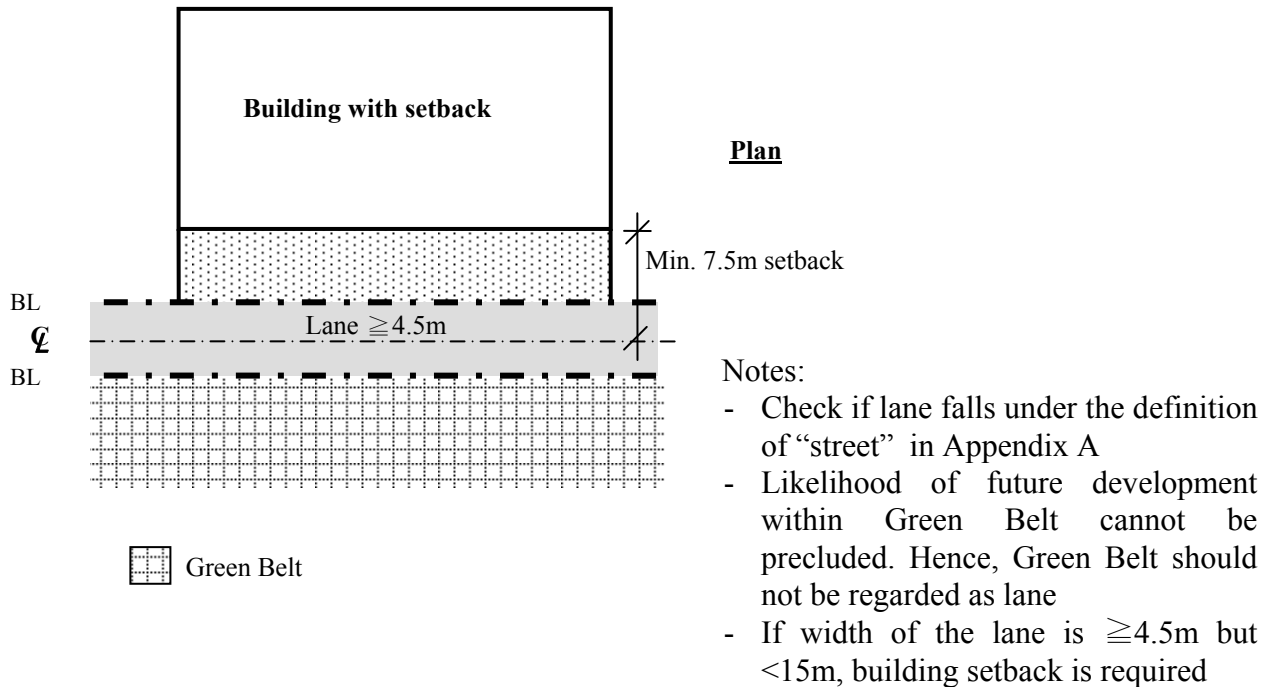


Fig. C5 Example (1) of Building Setback - Site abutting narrow lane with Green Belt beyond

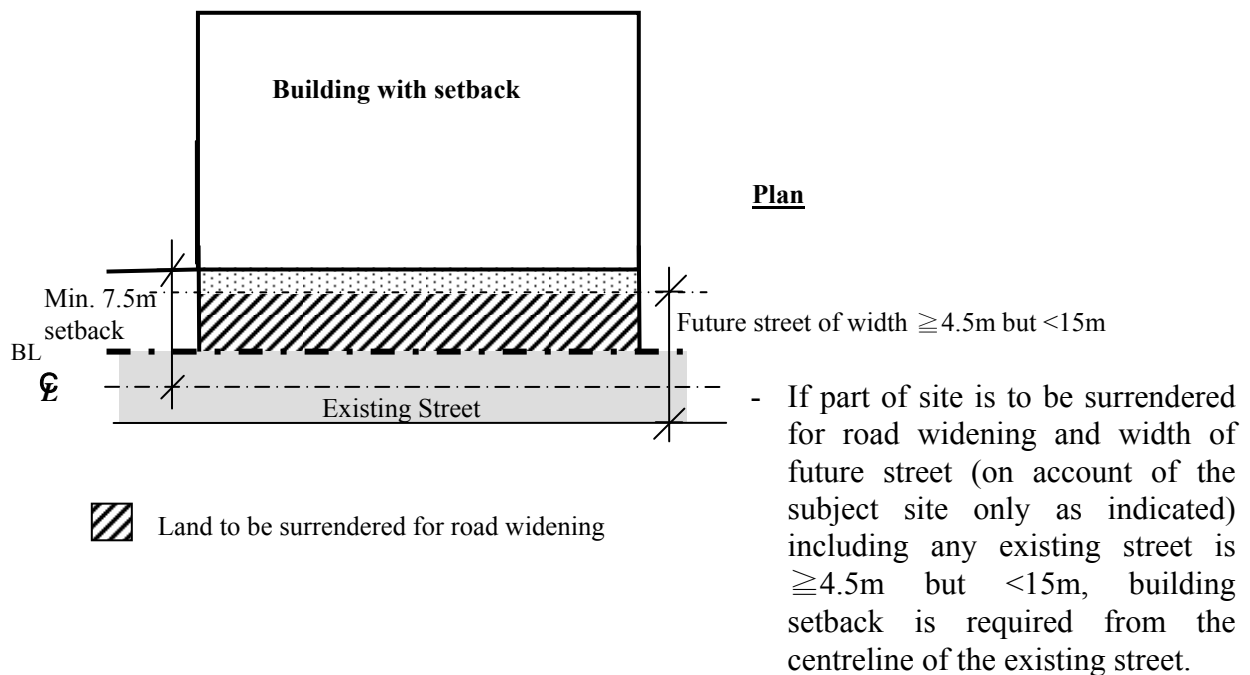


Fig. C6 Example (2) of Building Setback – Portion of Site will be surrendered to form a future street

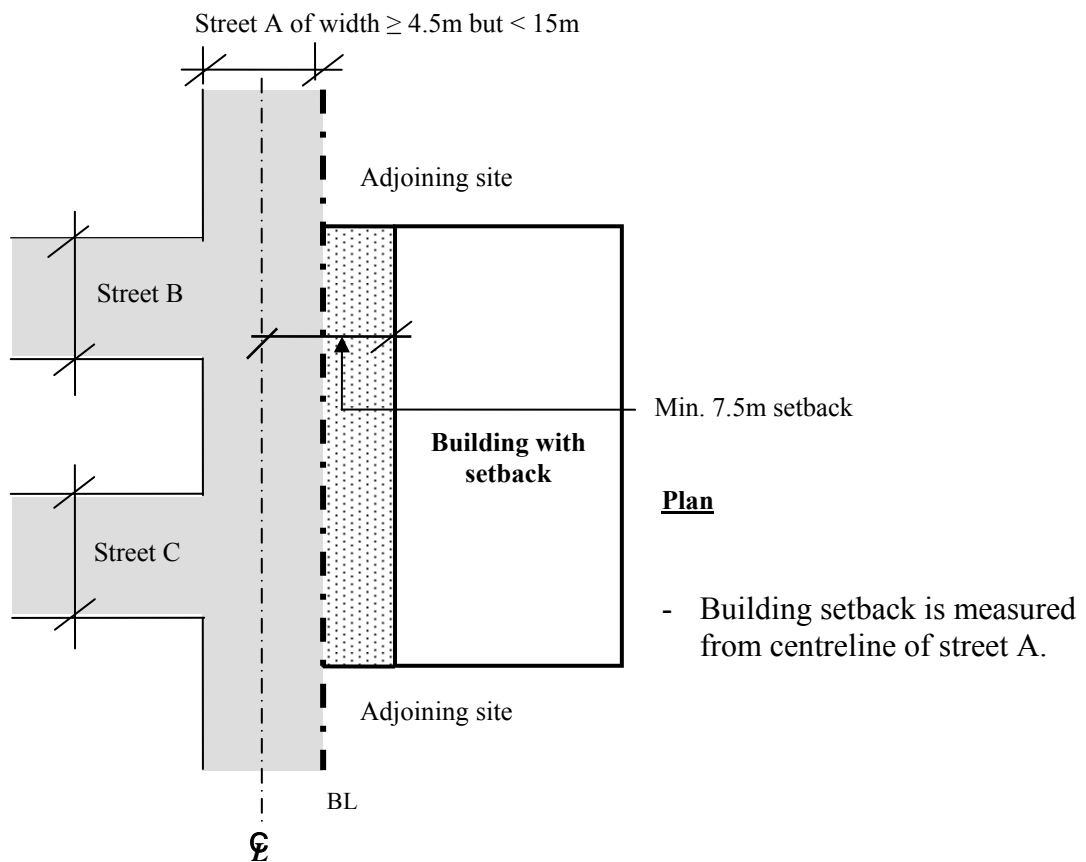


Fig. C7 Example (3) of Building Setback - Site abutting streets at intersections

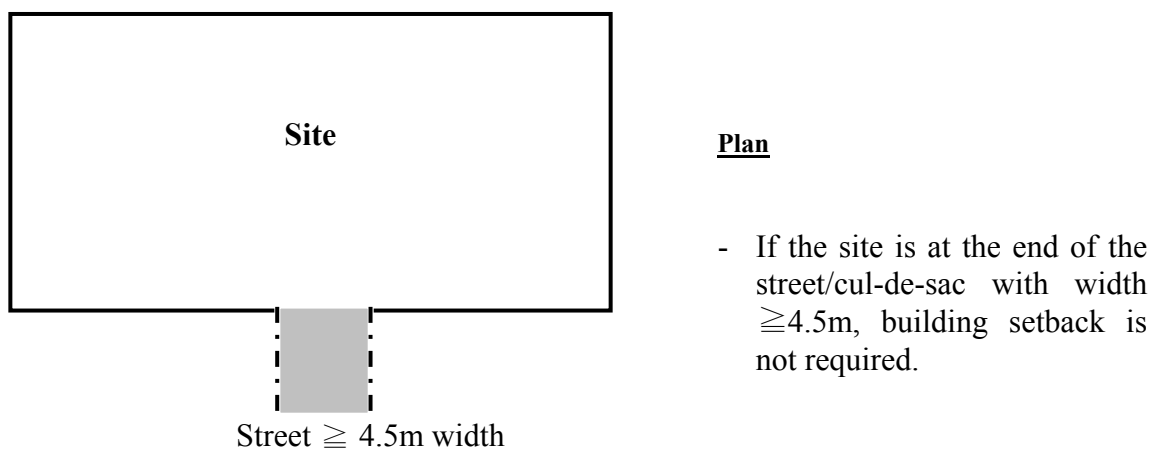
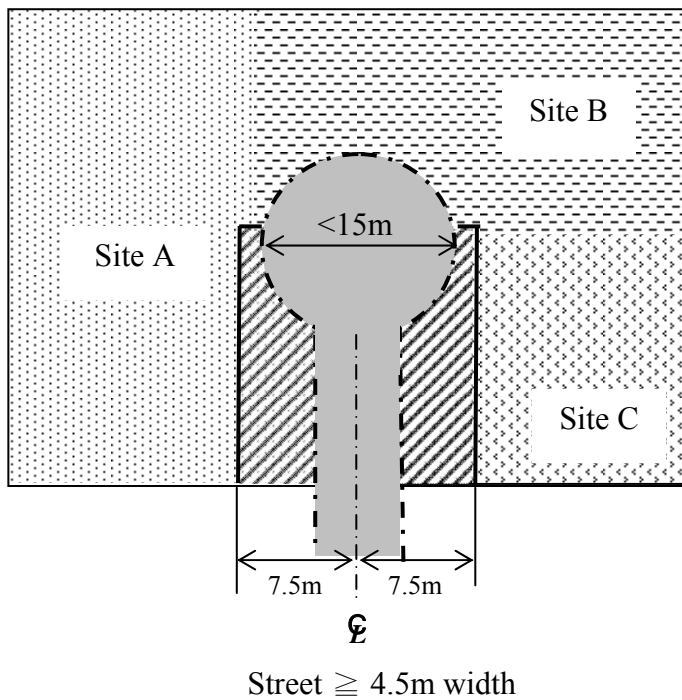


Fig. C8 Example (4) of Building Setback – Site at the end of the street/ cul-de-sac



Plan

- For Site B abutting the cul-de-sac, building setback is not required.
- For Site A & C abutting the street with width ≥ 4.5 m but < 15 m, building setback (hatched area) is applicable.

Fig. C9 Example (5) of Building Setback – Site abutting cul-de-sac

(Rev 1/2016)

Site Coverage of Greenery

1. All *greenery areas* should be measured horizontally based on the uncovered soil areas as shown on the plan except for the following scenarios in the *primary zone* :-
 - (i) greenery areas in the form of projecting planters (see Figure D1) may be shadowed vertically by other projecting features, provided that the clear height of the projecting features above the covered area is not less than 8 times the horizontal width of the covered area and fronting or visible to the public from a street/a public pedestrian way/ public open space; or
 - (ii) greenery areas may be shadowed vertically by buildings (including overhangs), provided that when measured from the 45° projected line taken from the edge of the building, they should fall within the area and be accessible to the public, visitors or occupiers from the adjoining open areas (see Figure D2).
2. The summation of following greening features may be accepted to contribute not more than 30% of the total required *greenery areas* of the overall provision as specified in Table 2 of this PNAP subject to its location and application of a reduction factor where applicable.

Greening Features	Location	Reduction Factor in Computing the Greenery Areas
Covered greenery areas ² accessible to public, occupiers or visitors from adjoining open space	<i>Primary zone</i> (measured from 45° projected line taken from the edge of building)	50%
Water features ³	<i>Primary zone</i> or uncovered communal roof	50%
<i>Grass paving</i>	Except carparking spaces or loading / unloading areas	50%
Planters along the perimeter of an inaccessible roof ⁴	Primary zone	50%
<i>Vertical greening</i> ⁵	Primary zone	Nil
Landscape-treated Greening on slopes / retaining structures ⁶ with gradient steeper than 45°	No restriction	Nil

¹ For reference, the recommended minimum soil depths for trees, shrubs, grass/ground covers are 1.2m, 0.6m and 0.3m respectively.

² In planting design and species selection for covered greenery, reference should be made to “Proper Planting Practice – Provide Sufficient Growing Space between Trees and Adjacent Buildings / Structures” issued by Greening, Landscape & Tree Management Section of DEVB (www.greening.gov.hk).

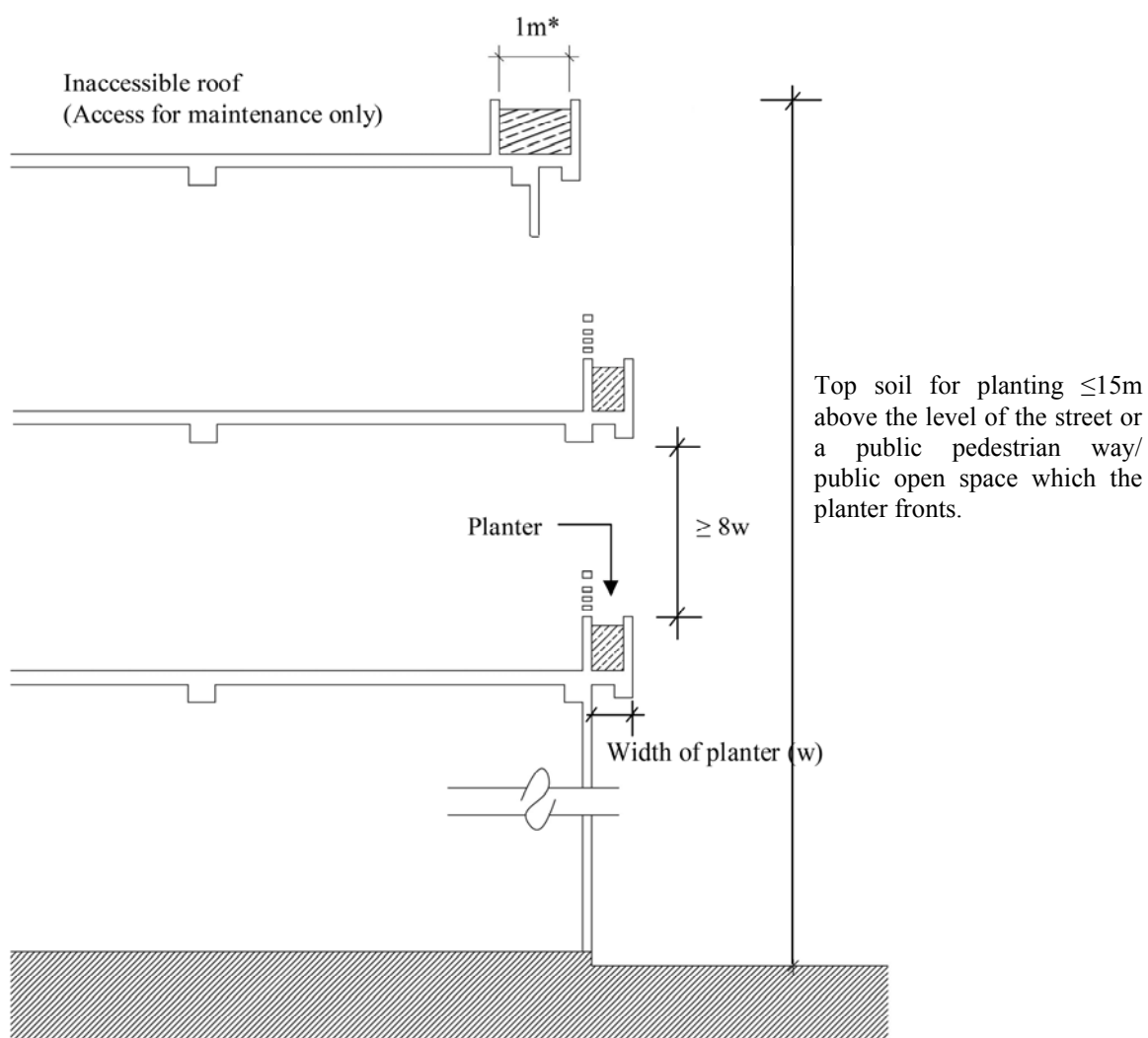
³ Water features should be measured by the horizontal water surface area. Swimming pool and jacuzzi are not considered as water features. Filtration plant room for water feature may be exempted from

GFA but subject to compliance with the pre-requisites and the overall GFA cap on GFA concessions stipulated in PNAP APP-151.

3. Irrigation points and drainage provision should be provided at *greenery areas* to facilitate future maintenance. In addition, where greenery is provided on the roof, the roof should be of impervious construction and the design and calculation of the minimum imposed load on the roof should also take into account the anticipated loads of the soil, plants, trees, etc.
4. Greenery in removable pots/planters that are not permanently fixed or built into the development; and covered greenery above the *primary zone* such as in covered communal podium garden or sky garden cannot be counted as *greenery area*.
5. All *greenery areas* for the purpose of this PNAP should be designated as common part of the building. As for the perimeter planters on the inaccessible flat roofs, communal access paths should still be provided from the common areas for maintenance of the planters.
6. When granting modifications under section 42 of the Building Ordinance for GFA concessions applied under PNAP APP-151, the Building Authority (BA) may impose, but not limited to, the following conditions: -
 - (a) The *greenery areas* should not be used for any other purposes without the prior consent of the BA.
 - (b) The restriction on the use as stated in item (a) above and the *greenery areas* to be designated as common parts should be incorporated into the Deed of Mutual Covenant (DMC) with details of their size (in area), locations and the common access thereto clearly indicated on a plan(s). Where no DMC is to be in force, such restriction and designation should be incorporated into the Sales and Purchase Agreement, Assignment or Tenancy Agreement.
 - (c) The letter of undertaking for complying with the requirements as stated in items (a) and (b) above, submitted by the developer or owner in support of the application for GFA concessions should be registered in the Land Registry before applying for the occupation permit.

-
- 4 Irrespective of the size of planters, only the soil areas within 1m from the perimeter of the roof are accountable.
 - 5 *Vertical greening* should be measured by the elevational area of the vegetated panel/modular planter or panel, and the vertical frame (for climbing and/or weeping plants) where the greenery will grow. For *greenery areas* provided by climbing or weeping plants, vertical frames with a height more than 7.5m are not accountable. The horizontal area of soil in planters under the vertical frame/modular planter/panel already counted for vertical greening as aforesaid should be excluded from the *greenery area* calculation. Self-clinging climbing plants on hard surfaced walls should be measured horizontally based on the soil areas as shown on the plan (not counted as vertical greening and therefore not subject to the restriction in the table).
 - 6 Greening on slopes/retaining structures should be measured by the projected elevational area of the soil where the greenery will grow. Greening on slopes/retaining structures with gradient equal or less than 45° will be measured horizontally based on the soil area as shown on the plan.

Greenery Area at Primary Zone



Typical Section (not to scale)

* Irrespective of the size of planters, only maximum 1m wide soil areas of planters along the perimeter of an inaccessible flat roof in the *primary zone* can be accountable.

Fig. D1 Greenery in *primary zone* as per paragraph 1(i) of this Appendix

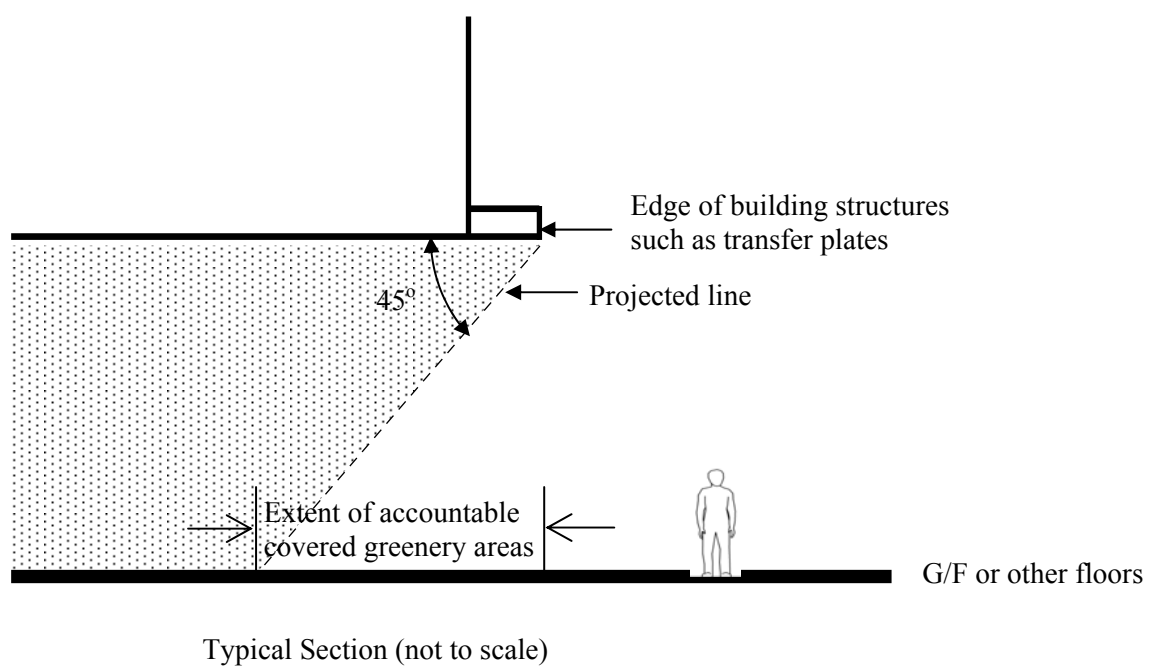


Fig. D2 Covered greenery in *primary zone* as per paragraph 1(ii)

Alternative Approaches

Principles

Pursuant to paragraph 12 of this PNAP, in recognition of the genuine constraints in compliance with the SBD Guidelines under the special circumstances of individual cases, the BA takes a flexible and pragmatic stance in accepting:

- (a) performance-based approach in justifying alternative designs that can achieve equivalent standards, or
- (b) inadequate provisions of a particular key design element when mitigated by other effective compensatory measures such as enhancement in the provision of other key elements or by the consideration of the unique context of the site e.g. sites with unobstructed surrounds, such as piers.

2. Alternative design proposals and applications for exemption or modification of the building separation, building setback and site coverage of greenery requirements should be supported by justifications. Where necessary, such proposals and applications may be examined by the Building Committee or the Expanded Building Committee (collectively as BC) composing of external experts in the relevant fields. The BA may take into account recommendations from the BC and other relevant considerations in determining acceptance of the proposal.

Building Separation

Alternative Design for Waiving Low Zone Assessment

3. The building separation requirement at the low zone may be waived for buildings with:

- (a) less dominating building bulk – the site coverage for the building including any podium does not exceed 65% of the site; and
- (b) adequate setback along *street* frontage – the full height of the building is set back¹ from a site boundary abutting any *street* such that the total frontage of such setback is not less than 50% of the length of that boundary and not less than 10m long or the full frontage for site with frontage less than 10m; and the total setback area is not less than 15% of the site area.

Performance-based Design Alternative

¹ Reference is made to the design criteria on the setback approach under PNAP APP-132

4. To allow for flexibility in building design where the prescriptive requirements specified in Design Requirements (1) and (2) as mentioned in paragraph 4 of this PNAP cannot be fully met, the adoption of performance-based design alternative on the provision of building separation may be accepted on the conditions that:-

- (a) Provision of the minimum P as specified in Table 1 for each assessment zone; and
- (b) Satisfactory demonstration by *air ventilation assessment (AVA)* that the buildings' potential impact on the local wind environment has been duly considered and that by comparing with a baseline case which complies with the above Design Requirements (1) and (2), the proposed design is equivalent or better in external air ventilation terms.

5. The AVA shall be done by referring to the latest methodology and requirements of Technical Guide for Air Ventilation Assessments² using wind tunnel modelling or digital representation of the physical and wind environment using *Computational Fluid Dynamics (CFD)* simulations.

6. For projects adopting a performance-based design alternative, the following information with full justifications for deviation from the prescribed requirements should be submitted preferably in two stages to avoid abortive work:

Stage 1 Submission

- (a) An expert evaluation on whether the tools and methodologies for AVA employed are fit for the purpose and are suitably verified and scientifically validated with practical merits shall be carried out. In this connection, submission for prior acceptance of all information listed below covering factors like site configuration, local topography, wind characteristic and sensitive receivers in the surrounding areas, relevant urban climatic considerations, etc. is required:
 - (i) a baseline case that fully complies with all the prescriptive Design Requirements (1) and (2);
 - (ii) details of scientific bases to assess performance;
 - (iii) analysis tools and/or design procedures;
 - (iv) modeling input, settings and parameters for the analysis and/or design;
 - (v) limitation and applicability of the proposal in context;
 - (vi) interpretation of results;
 - (vii) method of verification;
 - (viii) similar established standard and implementation in other places; and
 - (ix) documented references of the scientific bases.

² The Technical Guide is issued by the Planning Department and is available from the website at (http://www.pland.gov.hk/pland_en/p_study/comp_s/avas/avas_eng/avas_mtguide_p01.html)

Stage 2 Submission

- (b) A study report on whether the proposed scheme will be in line with urban climatic considerations and such similar requirements as imposed through the town planning approval process or in Government lease; and
 - (c) An AVA report on whether the proposed scheme will perform better in external air ventilation terms, demonstrated by the simulation results of the proposed scheme as compared to the simulation results of the baseline case.
7. Upon approval of the proposal, additional three hard copies and an electronic copy in Acrobat format for each AVA report shall be submitted together with a copy of the completed AVA register³ for inclusion in the register kept by the Planning Department.

Special Considerations for Buildings with Unique Functional Requirements or Heritage Value

8. For alteration and addition of an existing building resulting in a new building involving the adaptive reuse of historic building or for certain new buildings with special functional requirements in building length and/or bulk e.g. infrastructural facilities, transport terminus, sports and civic facilities, the BA may exempt such historic buildings or special facilities from the building separation Design Requirements (1) & (2) if the equivalent performance is proven and compensatory measures are provided as follows:

- (a) An AVA by wind tunnel or *CFD* has been conducted to demonstrate that the design for the proposed new building has outperformed another viable notional scheme⁴ in accordance with the methodology and requirements stipulated under the category of Microclimate Around Buildings (S_A8) of the BEAM Plus⁵ certification; and either one of the following three requirements under the aforesaid category has been complied with; and the results of which are considered acceptable by the BA:
 - (i) wind amplification – no pedestrian areas will be subject to excessive wind speeds;
 - (ii) elevated temperatures – providing shade; or
 - (iii) elevated temperatures – providing suitable roofing material or vegetation roof.

³ AP is requested to seek consent from the owners to release the information contained in the AVA proforma (https://www.devb.gov.hk/filemanager/en/content_679/hplb-etwb-tc-01-06.pdf) and / or the AVA reports for public inspection. For projects which cannot be disclosed to the public due to confidentiality or consent from owners has not been given, the information would be kept solely for the government's internal reference.

⁴ Viable notional scheme is a practically viable scheme complying with relevant statutory and allied requirements but excluding those on building separation for demonstrating the improvements to be achieved by the proposed design.

⁵ BEAM Plus for New Buildings. (<http://www.hkgbc.org.hk/eng/beamplus-main.aspx>)

- (b) Building features such as additional building setback, stepped profile of the podium from the adjoining streets and communal podium garden to separate the podium from the tower above and to promote air flow at pedestrian level, etc. have been considered in the assessment described in item (a) above and incorporated in the design, where appropriate; and
- (c) Building separation requirement is fully complied with for other buildings on the same site or other parts of the building that are located above such special facilities or historic buildings, where applicable.

Proposal involving both new and existing buildings in a site

9. In principle, provided that new buildings will not increase the *Lp* of the existing building, the BA may exempt the existing building from the building separation requirement by disregarding them from the assessment zone.

Building Setback

10. Where the setback of a building will result in a setback area of more than 15% of the area of the site, requirement for building setback may be relaxed if the following compensatory measures are provided:

- (a) Full height and full frontage setback of the building from the site boundaries abutting any narrow streets from the respective site boundaries with a total setback area which is not less than 15% of the area of the site provided that such area will contribute to improving the street environment; and
- (b) For small sites not exceeding 1,000 m², greenery should be provided at the Primary Zone such that the greenery area is not less than 50% of the setback area. All greenery areas shall comply with the requirements in Appendix D where applicable.

Site Coverage of Greenery

11. For sites with genuine difficulties in providing greenery along the street frontage or in the primary zone but with abundance of sustainable natural landscape at the back, the BA may favourably consider the provision of welcoming “green” path to the street pedestrian for viewing such natural landscape as an alternative.

12. For sites with development in phases, while the level of provision of greenery should base on the area of the whole site, notional site area may be applicable to a certain phase of the development for the greenery area to be provided for that particular phase.

(1/2016)

Information and Documents to be Submitted

To demonstrate compliance with the building separation, building setback and site coverage of greenery requirements, the following information should be provided for consideration: -

Building Separation

- (a) 1:500 layout plans each showing the site in relation to its adjoining *streets* and surrounding buildings and features. The footprint (external walls) of the proposed buildings within the site, the provided *IS*, *PE*, the selected orthogonal projection planes, air corridors and air paths are to be clearly shown to demonstrate compliance with the building separation requirements for each low, middle and high zones.
- (b) Plans, elevations and sections at a legible ratio (preferably not less than 1:300) with supporting calculations showing the *U*, the maximum *L_p* of buildings and groups of buildings in comparison to the permissible *L_p*; *S* provided in comparison to the required *S*; and *P* of buildings achieved at each low, middle and high zone, in comparison to the minimum *P*.

Building Setback

- (c) A block plan showing the location of the subject site and the width of all adjoining *streets*;
- (d) Where the width of any *street* is less than 15m, further details such as level(s) of the *street* for computing the amount of required setback.
- (e) 1:100 plan(s) and section(s) with calculations demonstrating compliance with the building setback requirements.
- (f) Information showing the compliance of *greenery areas* requirement under paragraph 10(b) of Appendix E (as detailed in items (g) and (h) below).

Site Coverage of Greenery

- (g)* Plans at a legible ratio (preferably not less than 1:300) showing the locations of the proposed *greenery areas*, the common access thereto and details of relevant street, public pedestrian way, public open space for compliance with the requirement of *greenery areas* at *Primary Zone(s)*.
- (h)* A schedule with calculations and illustrated diagrams showing the area of proposed greenery at each location for compliance with the minimum site coverage of greenery requirements.

Note

- * Information to be updated and soft copy to be submitted at the time of submitting application for occupation permit. The soft copy should be in PDF format with 200 dpi resolution.

Implications of Sustainable Building Design Guidelines

1. Sustainable Building Design Guidelines

- 1.1 In October 2010, the Government promulgated that a series of measures would be put in place to enhance the design standard of new buildings to foster a quality and sustainable built environment as well as to address local concerns on excessive building bulk and height. The new requirements were subsequently imposed through administrative means by way of new practice notes for building professionals (i.e. PNAP APP-151 “Building Design to Foster a Quality and Sustainable Built Environment” (**Attachment D1**) and APP-152 “Sustainable Building Design Guidelines” (SBDG) (**Attachment D2**) first issued by the Buildings Department in January 2011.
- 1.2 SBDG establishes 3 key building design elements i.e. building separation, building setback and site coverage of greenery, with the objectives to achieve better air ventilation, enhance the environmental quality of living space, provide more greenery particularly at pedestrian level; and mitigate heat island effect (**Attachment D2**).
- (a) *Building Separation* – Building sites that are 20,000m² or above, or sites that are less than 20,000m² but proposed with a continuous building façade length of 60m or above are subject to maximum façade length control and the requirement to provide 20%, 25% or 33.3% permeability, depending on the site area, façade length and building height (BH), in the three assessment zones (i.e. 0-20m (Low Zone), 20-60m (Middle Zone) and above 60m (High Zone)).
 - (b) *Building Setback* – Buildings fronting a street less than 15m wide should be set back so that no part of the building up to a level of 15m above the street level is within 7.5m from the street centerline; or alternatively a cross-ventilated communal podium garden as specified and with a clear height of not less than 4.5m is to be provided.
 - (c) *Site Coverage of Greenery* – For sites not less than 1,000m², greenery areas of 20% or 30% of the site area should be provided depending on the size of site; and not less than half of greenery areas should be within a 15m vertical zone along the abutting street level (i.e. the Primary Zone).

- 1.3 Since there are special circumstances in which genuine difficulties in

complying with the prescriptive requirements of SBDG may be encountered, a flexible and pragmatic stance has been taken by the Building Authority (BA) when considering proposals holistically to achieve the objectives of SBDG. Alternative approaches (e.g. performance-based design alternatives, mitigation by effective compensatory measures, or consideration of the unique context of the site) are provided in SBDG (**Appendix E** of APP-152 in **Attachment D2**).

- 1.4 Compliance with SBDG is one of the pre-requisites for granting gross floor area (GFA) concessions for green/amenity features and non-mandatory/non-essential plant rooms and services by the BA (**Attachment D1**). Such requirements would also be included in the lease conditions of new land sale sites or lease modifications/land exchanges.

2. Implications on Building Profile

- 2.1 Since the specific and relevant building design requirements under SBDG can only be determined at detailed building design stage and there are different options or alternative approaches to meet the requirements, it would be difficult to ascertain at the early planning stage precisely the implications on individual development such as its eventual built form, block layout and BH. As such, the extent of implications of SBDG on building profile can only be estimated in general terms by adopting typical assumptions.

Building Setback

- 2.2 For building setback, to maintain a building line of 7.5m from the street centreline up to 15m from street level, the likely implication would be a reduction of site coverage (SC) of the podium/lower floors. The extent of building setback, however, depends on the width of existing street.
- 2.3 In the situation where a significant portion of the site may be required to be set back resulting in development constraints particularly in cases of small site or sites having long street frontage, SBDG has made provision that the maximum land area to be set back could be capped at 15% of the site area if compensatory measures including full height/frontage setback and prescribed greenery areas are provided.
- 2.4 In this connection, it could be assumed that the maximum reduction in SC in podium/lower floors to meet the building setback requirement would be 15% of the site area and the GFA incurred would be three times (i.e three podium

floors up to 15m) of the 15% site area (i.e. 45% of the site area). The GFA so displaced would need to be accommodated on top of the original BH and thus be equivalent to about 0.75 storey (**Attachment E1b**). The impact of the option of providing cross-ventilated communal podium garden, if adopted, would be an addition of one storey of BH (i.e. about 5m).

Building Separation

- 2.5 In devising building separation, there would be more variations in design options for the Low Zone (i.e. 0-20m) which is usually occupied by continuous podium floors having long façade length and 100% SC. Some of the floor space would need to be redistributed from lower to upper floors to allow for the prescribed building separations. For the tower block at the assessment zones above, the maximum façade length and the 20% to 33% permeability requirements could usually be met without much difficulty given that the size of tower block is already capped by the maximum permissible SC (i.e. 60% to 65% for non-domestic buildings and 33.33% to 40% for domestic buildings) under Building (Planning) Regulations (B(P)R).
- 2.6 To cater for possible difficulties in meeting the building separation requirement in the Low Zone, SBDG has allowed flexibility to waive such requirement if less dominating building bulk and adequate setback along street frontage are provided. The maximum SC allowed in this alternative design is set at 65%. The impact on BH for a composite development would be equivalent to about two storeys (**Attachment E1c**). It should be noted that the above reduction in SC and setback could also be counted towards the building setback requirement mentioned in paragraphs 2.2 to 2.4 above. Hence, the cumulative impact of building setback and building separation on BH would be about two storeys¹ or about 6m (depending on building types and floor-to-floor height (FTFH)).

Site Coverage of Greenery

- 2.7 Since greenery can usually be provided within the building setback area, at podium floors or in form of vertical greening etc., the requirement would unlikely have any significant implication on BH and building massing.

3. Assumptions for Assessment of Building Height

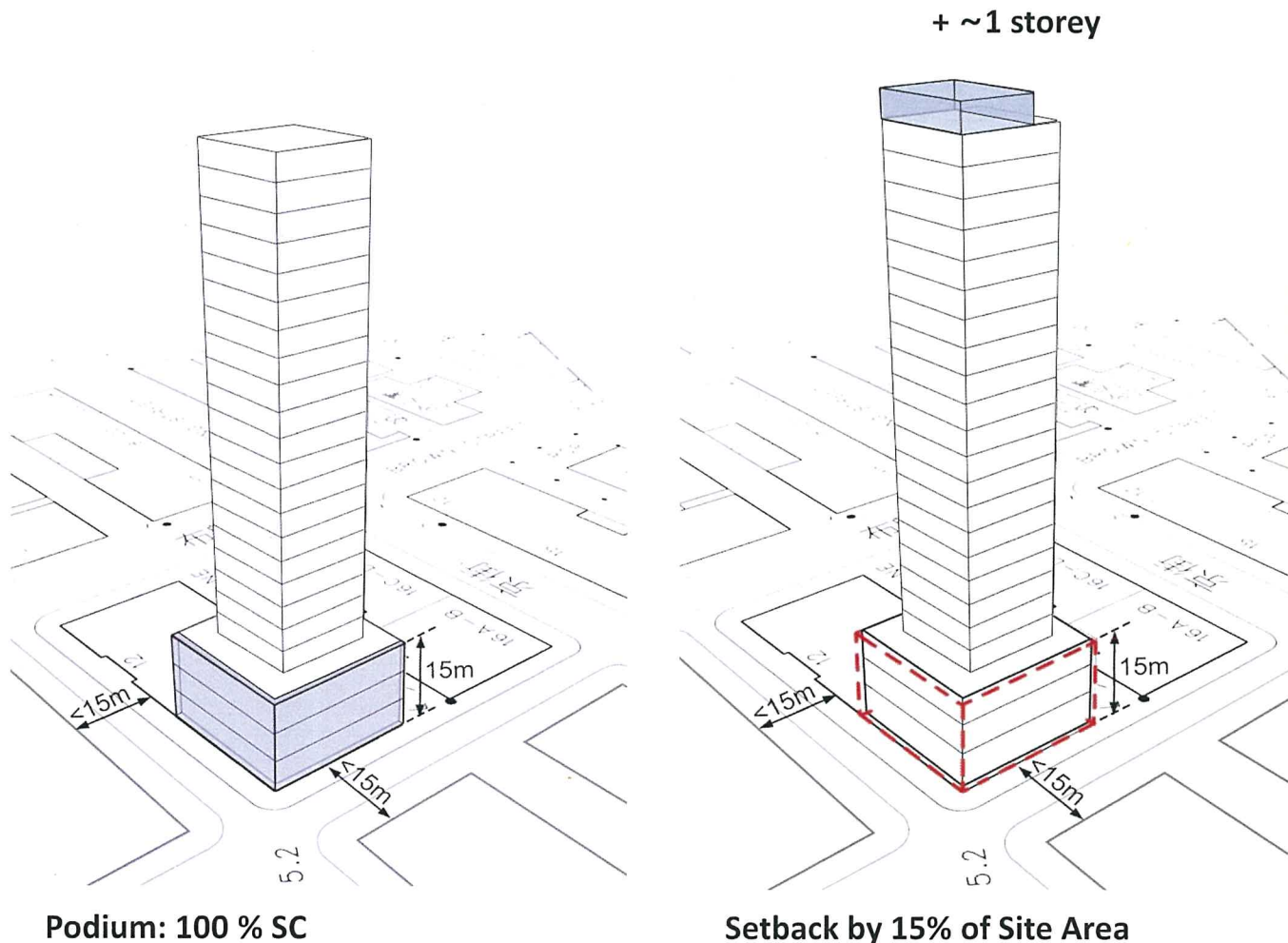
¹ The estimate is based on the assumption that the maximum domestic GFA will be adopted for a composite development. If non-domestic GFA is to be maximized instead, another additional storey may be required pending onsite classification.

- 3.1 To estimate the implications of SBDG on BH, a conservative approach is adopted. It is assumed that the maximum achievable SC for the podium/lower floors to meet the building setback requirement is 85%, and that for meeting the building separation requirement is 65%. BH will then be derived based on the types of building (domestic, non-domestic or composite building), site classification and corresponding permissible plot ratio (PR) and SC under B(P)R, possible GFA concessions, podium height up to 15m, FTFH, provision of carpark at basement level and refuge floor requirement.
- 3.2 With **assumptions** set out in **Attachments E2 and E3**, where building setback and building separation requirements of SBDG are implemented, the BH of a typical composite building within “R(A)” and “R(E)” zones (with lowest 3 floors for non-residential use and upper portion for residential use) will be ranging from 90m-96m and residential building within “R(B)” zone will be ranging from 87-90m.
- 3.3 However, it should be noted that the assessment is only generic one where site-specific constraints, for example, sites with narrow and elongated site configuration abutting narrow streets may constrain future redevelopment in achieving the building separation requirements under SBDG, notional schemes should be drawn up to review the possible building profiles and BH.

Sustainable Building Design Guidelines

Implication of Building Setback Requirement

- Full height and full frontage setback from **narrow street(s)**
- Setback can be from **one or more** narrow street(s)
- Total setback area not less than **15%** of the site area
- Provides at least half of the setback area with greenery



Additional Building Height

For Composite Building

Class A : $[3 \text{ sty} \times 15\% \times 8/15]/33.33\% = 0.72 \text{ sty}$

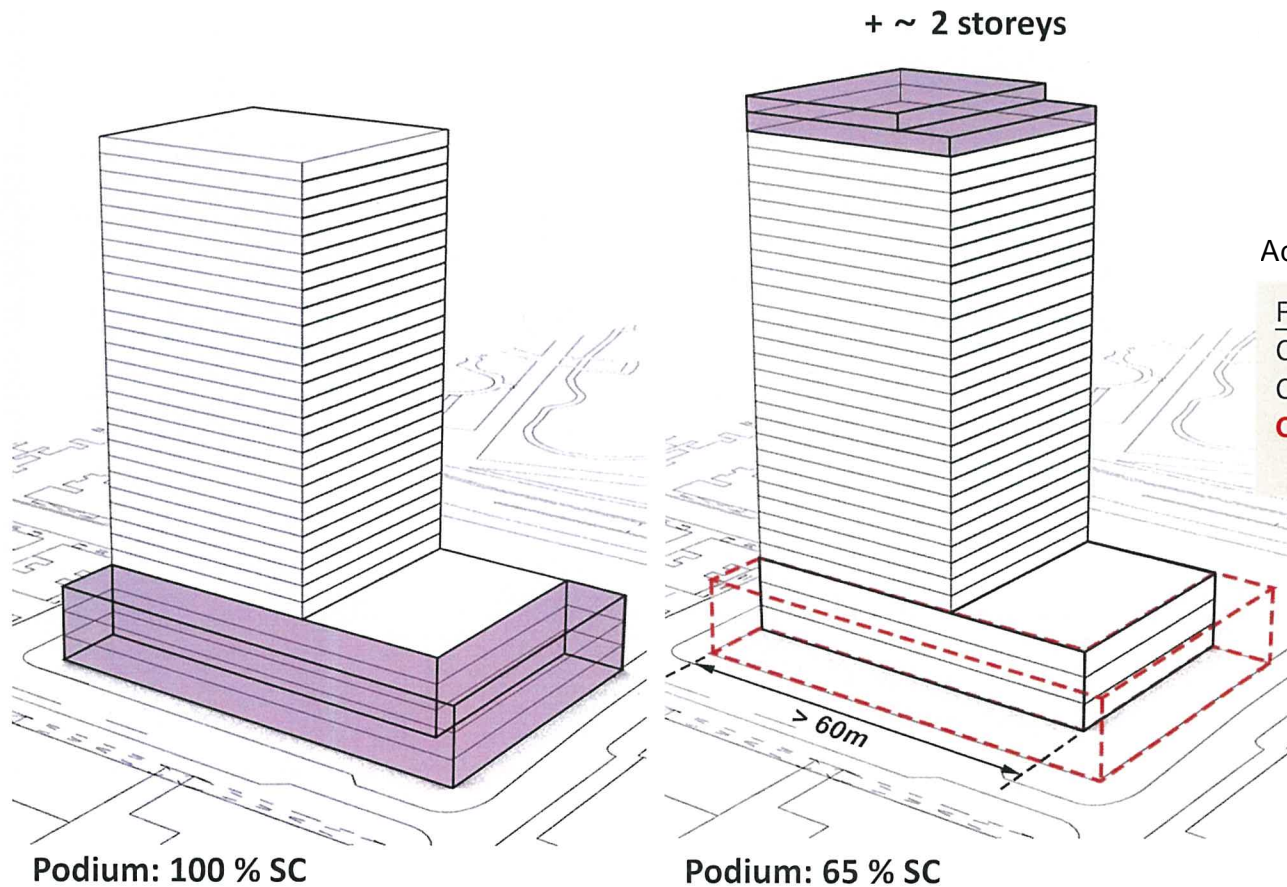
Class B : $[3 \text{ sty} \times 15\% \times 9/15]/37.5\% = 0.72 \text{ sty}$

Class C : $[3 \text{ sty} \times 15\% \times 10/15]/40\% = 0.75 \text{ sty}$

Sustainable Building Design Guidelines

Implication of Building Separation Requirement

- Site coverage $\leq 65\%$
 - Setback along street frontage $\geq 50\%$ of the boundary/10m
 - Setback area from street(s) $\geq 15\%$
- Building separation requirement **at low zone may be waived**



Additional Building Height

For Composite Building

Class A: $[3 \text{ sty} \times (100\% - 65\%) \times 8/15] / 33.33\% = 1.68 \text{ sty}$

Class B: $[3 \text{ sty} \times (100\% - 65\%) \times 9/15] / 37.5\% = 1.68 \text{ sty}$

Class C: $[3 \text{ sty} \times (100\% - 65\%) \times 10/15] / 40\% = 1.75 \text{ sty}$

BASIC BUILDING PROFILE – COMPOSITE BUILDING

ASSUMPTIONS	Basic Building Profile			SBDG Building Setback + Basic Building Profile			SBDG Building Setback cum Separation + Basic Building Profile		
Building Height above Ground (m)	87	87	90	90	90	93	93	93	96
Site Classification	A	B	C	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15	15	15	15
GFA Concession [a]	20%	20%	20%	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0	0	0	0	0	0	0
Podium –Site Coverage	100%	100%	100%	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.50	2.50	2.50	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.67	7.50	8.33	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.0	24.0	25.0	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [c]	0	0	0	0	0	0	0	0	0
Total No. of Storeys above Ground [d]	27	27	28	28	28	29	29	29	30

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[d] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

BASIC BUILDING PROFILE – RESIDENTIAL BUILDING

ASSUMPTIONS	Basic Building Profile		
Building Height above Ground (m)	87	87	90
Site Classification	A	B	C
Plot Ratio - Domestic	8	9	10
GFA Concession [a]	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0
Proposed Domestic Plot Ratio	8	9	10
Typical Floor – Site Coverage [c]	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3
Typical Floor – No. of Storeys	28.9	28.8	30
No. of Refuge Floor (Floor to Floor Height – 3m) [d]	0	0	0
Total No. of Storeys above Ground [e]	29	29	30

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to the site coverage (SC) of domestic buildings under B(P)R, the SC of the Basic Building Profile is in line with the maximum achievable SC for the podium/lower floors to meet the building setback requirement (i.e. 85%) and building separation requirement (i.e. 65%) under SBDG.

[d] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[e] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

Assessments for Building Height Restriction to be Maintained

1. Having considered the principles/concept of the current building height restrictions (BHRs) as well as the implications of the Sustainable Building Design Guidelines (SBDG), the BHRs for the following areas on the Kennedy Town & Mount Davis OZP are recommended to be maintained:

“R(A)” sites of Kwun Lung Lau (Blocks A to F)¹ and Sai Wan Estate currently subject to BHR of 120mPD (Area 1 of Figure 1)

2. The “R(A)” sites of the two public housing estates are currently subject to a BHR of 120mPD. Taking into account the existing site level of about 44.3mPD for Kwun Lung Lau (Blocks A to F) and 37.5mPD for Sai Wan Estate, a minimum building height (BH) of 140mPD would be required for the Kwun Lung Lau and Sai Wan Estate (**Annexes I and II**). However, according to the advice of the Hong Kong Housing Society and Housing Department, there is no redevelopment proposal for their estates so far. It is recommended that BH relaxation of these sites will only be considered when concrete redevelopment proposals are available in due course.

“R(A)” sites bounded by Hill Road/Praya, Kennedy Town/Queen’s Road West; Collinson Street/Praya, Kennedy Town/Catchick Street/Belcher’s Street/Cadogan Street; and Sai Ning Street/Victoria Street currently subject to BHR of 100mPD, and

“R(E)” site to the south of Sai Ning Street currently subject to BHR of 100mPD (Area 2 of Figure 1)

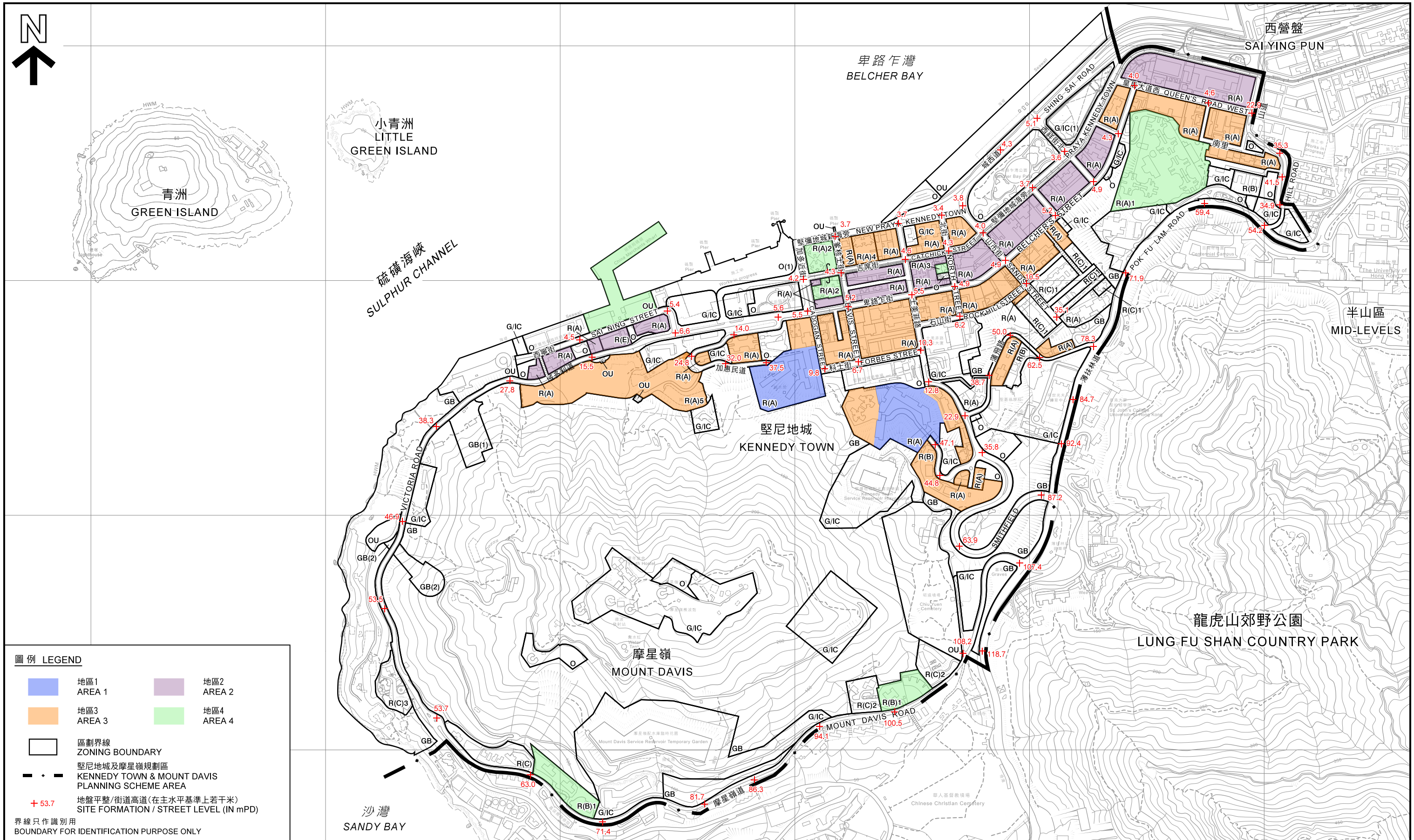
3. The existing site levels of these sites are ranging from 4.3mPD to 5mPD. With the incorporation of SBDG requirements, the redevelopment of these sites may require a maximum BH of 101m for composite developments (i.e. 5m + 96m), which is only 1m taller than the current BHR (**Annex III**). Given the close proximity of these sites to the harbourfront and they are the first tier of the stepped height profile, BHR of these sites is proposed to be maintained at 100mPD, so as to maintain the current stepped height profile of the area and thus, minimise the visual impact from the two viewing points, i.e. views from popular hiking trail at Harlech Road and major ferry route. Design approach and/or minimal lowering

¹ Phase 1 redevelopment of Kwun Lung Lau (i.e. Blocks 1 and 2), which locate to the immediate west of Blocks A to F, was completed in 2008. The site is zoned “R(A)” with BHR of 160mPD on the OZP. No relaxation of the current BHR of the site is required (paragraph 4 below refers).

of floor-to-floor height would need to be adopted for the future redevelopment without breaching the BHR of 100mPD. This is to strike a balance between development rights and public interest

Other “R(A)”, “R(B)” and their sub-zones and “OU” zone sites currently subject to various BHRs

4. Taking into account the estimated BH requirements for typical “R(A)” composite buildings (i.e. 90m to 96m) and typical “R(B)” residential buildings (i.e. 87m to 90m), as well as the existing site levels, no relaxation of the current BHRs for these sites (**Area 3** of **Figure 1**) is required
5. For the existing developments covered by “R(A)1”, “R(A)2”, “R(A)3”, “R(B)1” and “OU(Commercial, Leisure and Tourism Related Uses)” (**Area 4** of **Figure 1**), relaxation of the BHRs is not required as the current BHRs are able to accommodate the permissible GFA/PR stipulated on the OZP for future redevelopment of the sites and meeting the SBDG requirements.



ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP A)” SITE AT KWUN LUNG LAU (BLOCKS A TO F)

(BUILDING HEIGHT RESTRICTION TO BE MAINTAINED AT 120mPD)

	SCENARIO (1) Implementation SBDG Building Setback			SCENARIO (2) Implementation SBDG Building Setback cum Separation		
<u>TYPICAL BUILDING HEIGHT ESTIMATION (FOR COMPOSITE DEVELOPMENT)</u>						
Building Height Restriction (mPD)	120	120	120	120	120	120
Achievable No. of Storeys (above ground)	23	23	23	23	23	23
Site Level (mPD)	44.3	44.3	44.3	44.3	44.3	44.3
Building Height above Ground (m)	90	90	93	93	93	96
Building Height above Ground (mPD)	134.3	134.3	137.3	137.3	137.3	140.3
Site Classification	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15
GFA Concession [a]	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0	0	0	0
Podium –Site Coverage	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [c]	0	0	0	0	0	0
Total No. of Storeys above Ground [d]	28	28	29	29	29	30

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[d] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP A)” SITE AT SAI WAN ESTATE

Annex II of Attachment F

(BUILDING HEIGHT RESTRICTION TO BE MAINTAINED AT 120mPD)

	SCENARIO (1) Implementation SBDG Building Setback			SCENARIO (2) Implementation SBDG Building Setback cum Separation		
TYPICAL BUILDING HEIGHT ESTIMATION (FOR COMPOSITE DEVELOPMENT)						
Building Height Restriction (mPD)	120	120	120	120	120	120
Achievable No. of Storeys (above ground)	25	25	25	25	25	25
Site Level (mPD)	37.5	37.5	37.5	37.5	37.5	37.5
Building Height above Ground (m)	90	90	93	93	93	96
Building Height above Ground (mPD)	<u>127.5</u>	<u>127.5</u>	<u>130.5</u>	<u>130.5</u>	<u>130.5</u>	<u>133.5</u>
Site Classification	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15
GFA Concession [a]	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0	0	0	0
Podium –Site Coverage	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [c]	0	0	0	0	0	0
Total No. of Storeys above Ground [d]	<u>28</u>	<u>28</u>	<u>29</u>	<u>29</u>	<u>29</u>	<u>30</u>

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[d] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT –

“RESIDENTIAL (GROUP A)” SITES BOUNDED BY HILL ROAD/PRAYA, KENNEDY TOWN/QUEEN’S ROAD WEST; COLLINSON STREET/PRAYA, KENNEDY TOWN/BELCHER’S STREET/CADOGAN STREET; AND SAI NING STREET/VICTORIA STREET;

and “RESIDENTIAL (GROUP E)” SITES TO THE SOUTH OF SAI NING STREET

(BUILDING HEIGHT RESTRICTION TO BE MAINTAINED AT 100mPD)

	SCENARIO (1) Implementation SBDG Building Setback			SCENARIO (2) Implementation SBDG Building Setback cum Separation		
TYPICAL BUILDING HEIGHT ESTIMATION (FOR COMPOSITE DEVELOPMENT)						
Building Height Restriction (mPD)	100	100	100	100	100	100
Achievable No. of Storeys (above ground)	29	29	29	29	29	29
Site Level (mPD) [a]	5	5	5	5	5	5
Building Height above Ground (m)	90	90	93	93	93	96
Building Height above Ground (mPD)	<u>95</u>	<u>95</u>	<u>98</u>	<u>98</u>	<u>98</u>	<u>101</u>
Site Classification	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15
GFA Concession [b]	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [c]	0	0	0	0	0	0
Podium –Site Coverage	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [d]	0	0	0	0	0	0
Total No. of Storeys above Ground [e]	<u>28</u>	<u>28</u>	<u>29</u>	<u>29</u>	<u>29</u>	<u>30</u>

General Notes:

[a] The existing site levels are ranging from 4.3mPD to 5mPD.

[b] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[c] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[d] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[e] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP A)” SITES AT JUNCTION OF POKFIELD ROAD AND SMITHFIELD

(BUILDING HEIGHT RESTRICTION TO BE RELAXED FROM 120mPD TO 130mPD)

	SCENARIO (1) Implementation SBDG Building Setback			SCENARIO (2) Implementation SBDG Building Setback cum Separation		
TYPICAL BUILDING HEIGHT ESTIMATION (FOR COMPOSITE DEVELOPMENT)						
Building Height Restriction (mPD)	130	130	130	130	130	130
Achievable No. of Storeys (above ground)	29	29	29	29	29	29
Site Level (mPD)	34.8	34.8	34.8	34.8	34.8	34.8
Building Height above Ground (m)	90	90	93	93	93	96
Building Height above Ground (mPD)	124.8	124.8	127.8	127.8	127.8	130.8
Site Classification	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15
GFA Concession [a]	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0	0	0	0
Podium –Site Coverage	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [c]	0	0	0	0	0	0
Total No. of Storeys above Ground [d]	28	28	29	29	29	30

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[d] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP A)” SITE AT ACADEMIC TERRACE

(BUILDING HEIGHT RESTRICTION TO BE RELAXED FROM 140mPD TO 160mPD)

	SCENARIO (1) Implementation SBDG Building Setback			SCENARIO (2) Implementation SBDG Building Setback cum Separation		
TYPICAL BUILDING HEIGHT ESTIMATION (FOR COMPOSITE DEVELOPMENT)						
Building Height Restriction (mPD)	160	160	160	160	160	160
Achievable No. of Storeys (above ground)	30	30	30	30	30	30
Site Level (mPD)	64	64	64	64	64	64
Building Height above Ground (m)	90	90	93	93	93	96
Building Height above Ground (mPD)	<u>154</u>	<u>154</u>	<u>157</u>	<u>157</u>	<u>157</u>	<u>160</u>
Site Classification	A	B	C	A	B	C
Plot Ratio - Domestic	8	9	10	8	9	10
Plot Ratio - Non-Domestic	15	15	15	15	15	15
GFA Concession [a]	20%	20%	20%	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0	0	0	0
Podium –Site Coverage	85%	85%	85%	65%	65%	65%
Podium – Floor-to-Floor-Height (m)	5	5	5	5	5	5
Podium – No. of Storeys	3	3	3	3	3	3
Proposed Non-Domestic Plot Ratio	2.13	2.13	2.13	1.63	1.63	1.63
Proposed Domestic Plot Ratio	6.87	7.73	8.58	7.13	8.03	8.92
Typical Floor – Site Coverage above 15m	33.33%	37.5%	40%	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3	3	3	3
Typical Floor – No. of Storeys	24.7	24.7	25.8	25.7	25.7	26.8
No. of Refuge Floor (Floor to Floor Height – 3m) [c]	0	0	0	0	0	0
Total No. of Storeys above Ground [d]	<u>28</u>	<u>28</u>	<u>29</u>	<u>29</u>	<u>29</u>	<u>30</u>

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than carparks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[d] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP B)” SITE AT HILLVIEW GARDEN

(BUILDING HEIGHT RESTRICTION TO BE RELAXED FROM 60mPD TO 120mPD)

	SCENARIO Basic Building Profile		
<u>TYPICAL BUILDING HEIGHT ESTIMATION</u> <u>(FOR PURE RESIDENTIAL DEVELOPMENT)</u>			
Building Height Restriction (mPD)	120	120	120
Achievable No. of Storeys (above ground)	30	30	30
Site Level (mPD)	29.8	29.8	29.8
Building Height above Ground (m)	87	87	90
Building Height above Ground (mPD)	<u>116.8</u>	<u>116.8</u>	<u>119.8</u>
Site Classification	A	B	C
Plot Ratio - Domestic	8	9	10
GFA Concession [a]	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0
Proposed Domestic Plot Ratio	8	9	10
Typical Floor – Site Coverage [c]	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3
Typical Floor – No. of Storeys	28.9	28.8	30
No. of Refuge Floor (Floor to Floor Height – 3m) [d]	0	0	0
Total No. of Storeys above Ground [e]	<u>29</u>	<u>29</u>	<u>30</u>

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than car parks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground carpark. Underground carpark is assumed in all scenarios.

[c] According to the site coverage (SC) of domestic buildings under B(P)R, the SC of the Basic Building Profile is in line with the maximum achievable SC for the podium/lower floors to meet the building setback requirement (i.e. 85%) and building separation requirement (i.e. 65%) under SBDG.

[d] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[e] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

ASSESSMENT OF BUILDING HEIGHT – “RESIDENTIAL (GROUP B)” SITE AT HKU POKFIELD ROAD RESIDENCES

Attachment G4 of
TPB Paper No. 10720

(BUILDING HEIGHT RESTRICTION TO BE RELAXED FROM 120mPD TO 150mPD)

	SCENARIO Basic Building Profile		
<u>TYPICAL BUILDING HEIGHT ESTIMATION</u> <u>(FOR PURE RESIDENTIAL DEVELOPMENT)</u>			
Building Height Restriction (mPD)	150	150	150
Achievable No. of Storeys (above ground)	30	30	30
Site Level (mPD)	58.9	58.9	58.9
Building Height above Ground (m)	87	87	90
Building Height above Ground (mPD)	<u>145.9</u>	<u>145.9</u>	<u>148.9</u>
Site Classification	A	B	C
Plot Ratio - Domestic	8	9	10
GFA Concession [a]	20%	20%	20%
Basement – No. of Storeys [b]	0	0	0
Proposed Domestic Plot Ratio	8	9	10
Typical Floor – Site Coverage [c]	33.33%	37.5%	40%
Typical Floor – Floor-to-Floor-Height (m)	3	3	3
Typical Floor – No. of Storeys	28.9	28.8	30
No. of Refuge Floor (Floor to Floor Height – 3m) [d]	0	0	0
Total No. of Storeys above Ground [e]	<u>29</u>	<u>29</u>	<u>30</u>

General Notes:

[a] The assumption takes into account (i) the average “disregarded GFA (e.g. plant rooms, etc. other than car parks)” for domestic/composite buildings in Residential Zones 1, 2 and 3 of 9%, 10% and 11% respectively under the “Sample Study on GFA Concessions Granted to buildings” conducted by a Government inter-departmental working group led by the Buildings Department in 2006; and (ii) the overall cap of 10% for the total amount of GFA concession for green/amenity features and non-mandatory/non-essential plant rooms and services under APP-151.

[b] This refers to the no. of basement levels required in addition to underground car park. Underground car park is assumed in all scenarios.

[c] According to the site coverage (SC) of domestic buildings under B(P)R, the SC of the Basic Building Profile is in line with the maximum achievable SC for the podium/lower floors to meet the building setback requirement (i.e. 85%) and building separation requirement (i.e. 65%) under SBDG.

[d] According to B18.1 and B18.2 of the Code of Fire Safety in Buildings 2011, one refuge floor is required for buildings exceeding 25 storeys in height above the lowest ground storey, but the no. of storeys may exclude storeys which contains solely mechanical plants. The refuge floor should have a clear headroom of 2.3m. A domestic building or composite building exceeding 25 storeys but not exceeding 40 storeys in height above the lowest ground storey is not required to comply with B18.1 and B18.2 if its main roof is designed as a refuge floor complying with the design requirements under B18.3 and B18.4.

[e] In general, roof-top structures accommodating GFA exempted facilities and occupying not more than 50% of the area of the floor below will not be counted as a storey.

Planning Department

Agreement No. PLNQ A1-1/AVA 2018

**Category A1 – Term Consultancy for
Expert Evaluation on
Air Ventilation Assessments**

**For an Instructed Project for Kennedy Town and
Mount Davis Planning Area**

**Air Ventilation Assessment – Expert Evaluation
Final Report**

December 2020

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1 INTRODUCTION AND BACKGROUND

- 1.1 An Air Ventilation Assessment (Expert Evaluation) (AVA EE) on the Kennedy Town & Mount Davis area was conducted in 2011 (“Term Consultancy (PLNQ 35/2009)” (“AVA EE 2011” hereafter)). The recommendations of the AVA EE 2011 formed an important basis to the formulation of the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/18, which incorporated building height restrictions (BHRs) and building gaps (BGs). In 2013, an AVA EE on the western part of Kennedy Town was also undertaken in support of the “Land Use Review on the Western Part of Kennedy Town” (“Term Consultancy (PLNQ 35/2009)” (“AVA EE 2013” hereafter)). Its recommendations including the BHRs and non-building area (NBA) and BG requirements are incorporated in the draft OZP No. S/H1/20 (the current OZP) and its Explanatory Statement (ES) respectively.
- 1.2 In 2012, two judicial review (JR) applications were filed by the Incorporated Owners of 6 & 10 Mount Davis Road and the Trustees of the Church of England in the Diocese of Victoria, Hong Kong (i.e. the owner of 2 Mount Davis Road) against the Town Planning Board (TPB)’s decision on 25.11.2011 for not to propose amendment to the OZP No. S/H1/18 to meet the representation submitted by the Real Estate Developers Association of Hong Kong (REDA), which generally opposed all amendments incorporated in the OZP in respect of the imposition of building height (BH) and BG restrictions. The Incorporated Owners of 6 & 10 Mount Davis Road and the owner of 2 Mount Davis Road were also the commenters who submitted comments during the publication of representations in respect of the OZP No. S/H1/18 in 2011. Their comments supported the REDA’s representation and objected to the rezoning of the two sites on Mount Davis Road from “R(B)” to “R(C)2” with imposition of the maximum plot ratio (PR) of 0.75, site coverage (SC) of 25% and BH of 3 storeys.
- 1.3 On 19.3.2020, the Court quashed the TPB’s decision and directed the TPB to reconsider the relevant representation and comments thereon. Pursuant to the Court’s ruling, the Planning Department (PlanD) has revisited the REDA’s representation and the comments. A review on the development restrictions of the OZP taking into account the requirements of Sustainable Building Design Guidelines (SBDG) is therefore conducted.
- 1.4 In 2020, AECOM has been commissioned by PlanD to conduct an AVA EE for Kennedy Town and Mount Davis Area (“the Project Area” hereafter). The study aims to review the existing wind environment of the Project Area and its vicinity and the wind environment under the planned scenario of the current OZP No. S/H1/20, including the NBA and BG requirements stipulated on both the OZP and its ES (i.e. Baseline Scenario); qualitatively assess the air ventilation performance under the Initial Scenario with revised BHRs taking account of the SBDG and the Court’s judgment. The report is prepared according to the “Technical Guide for Air Ventilation Assessment for Developments in Hong Kong” (Annex A of HPLB and ETWB TC No. 1/06).
- 1.5 The Project Area is about 172 hectares. It is located at the north-western corner of Hong Kong Island and bounded by the Belcher Bay and Sulphur Channel to its north and west; Hill Road and Pok Fu Lam Road delineate the eastern boundary; whilst Mount Davis Road forms its southern boundary. The location of the Project Area is illustrated in **Figure 1.1**.

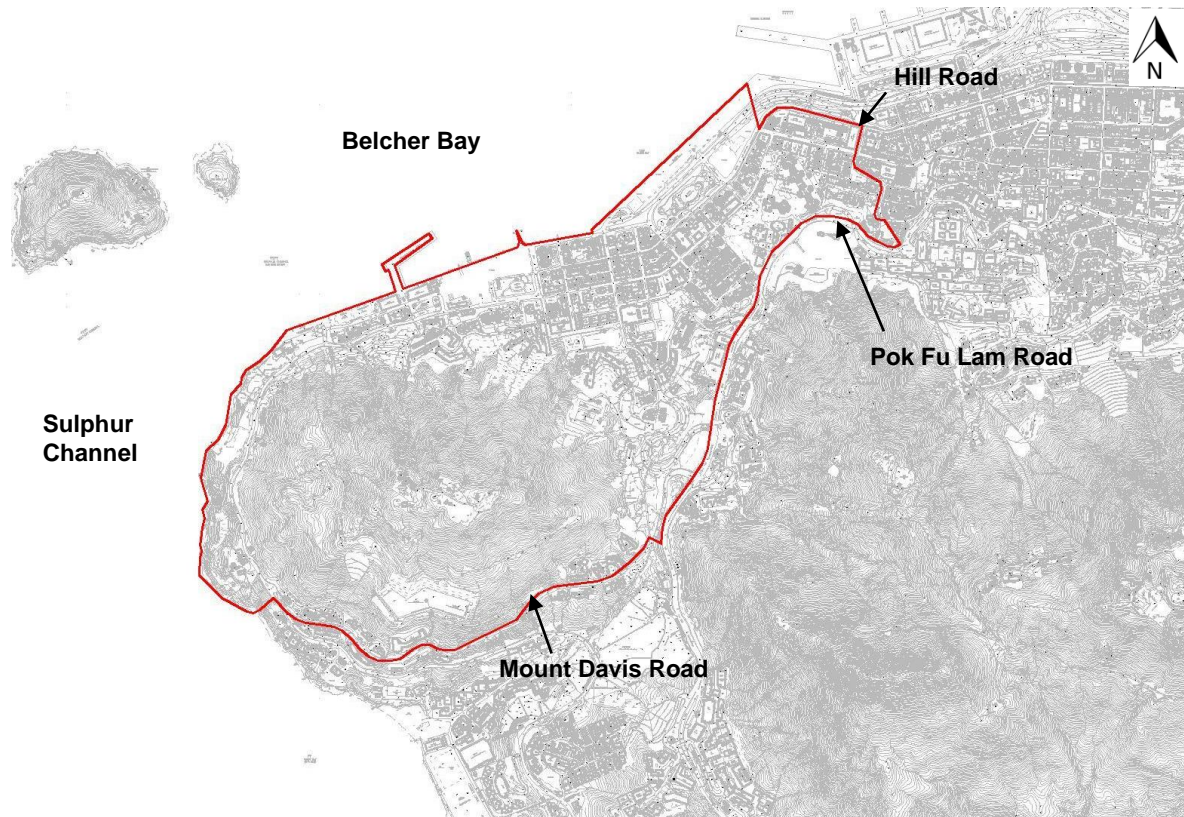



Figure 1.1

Project Area Boundary
The Location of Kennedy Town and Mount Davis Area

1.6 The report is divided into following contents:

- Section 2 – Identification of Wind Availability
- Section 3 – Existing Site Environment and Air Ventilation Measures on the Current OZP and Its ES
- Section 4 – Review on the Existing Wind Environment and Air Ventilation Measures on the Current OZP and Its ES
- Section 5 – Evaluation of the Initial Scenario
- Section 6 – Recommendations on Air Ventilation Measures
- Section 7 – Conclusion

2 IDENTIFICATION OF WIND AVAILABILITY

- 2.1 Identification of the annual and summer prevailing wind is essential in determining the wind condition and air ventilation performance at the Project Area.
- 2.2 Wind data collected from the weather stations operated by Hong Kong Observatory (HKO) could be referenced in determining wind availability at site. The nearest HKO weather station to the Project Area is the Green Island Weather Station, which is located approximately 700m from the northwestern Project Area Boundary. The weather station is located at a height of 88m AMSL. The relative location of this weather station and the Project Area are shown in **Figure 2.1**, while annual wind roses of Green Island Weather Station between 2015 and 2019 are presented in **Figure 2.2**.

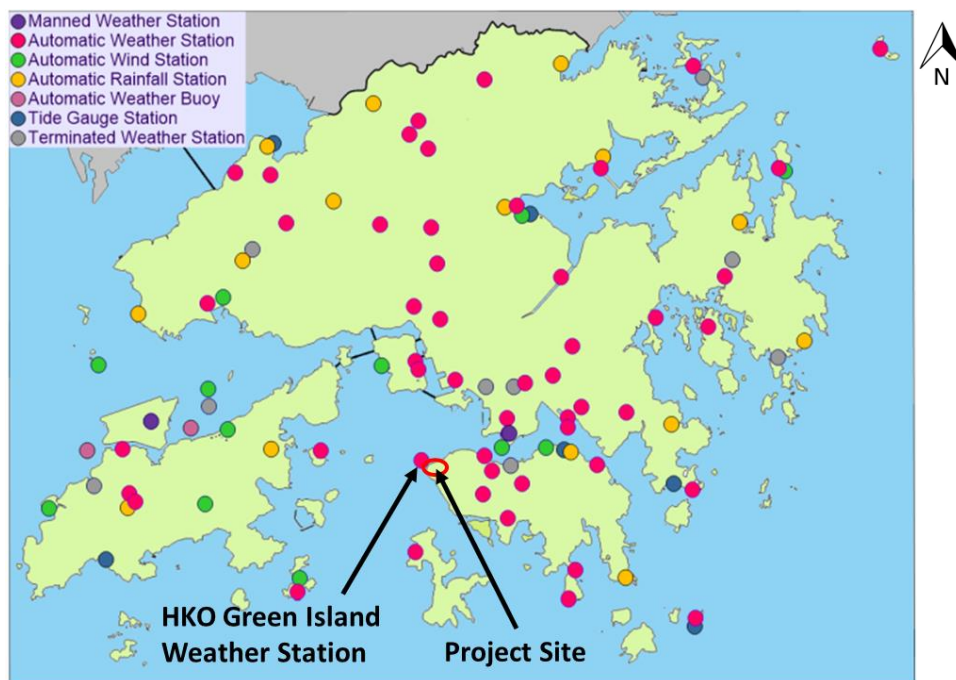
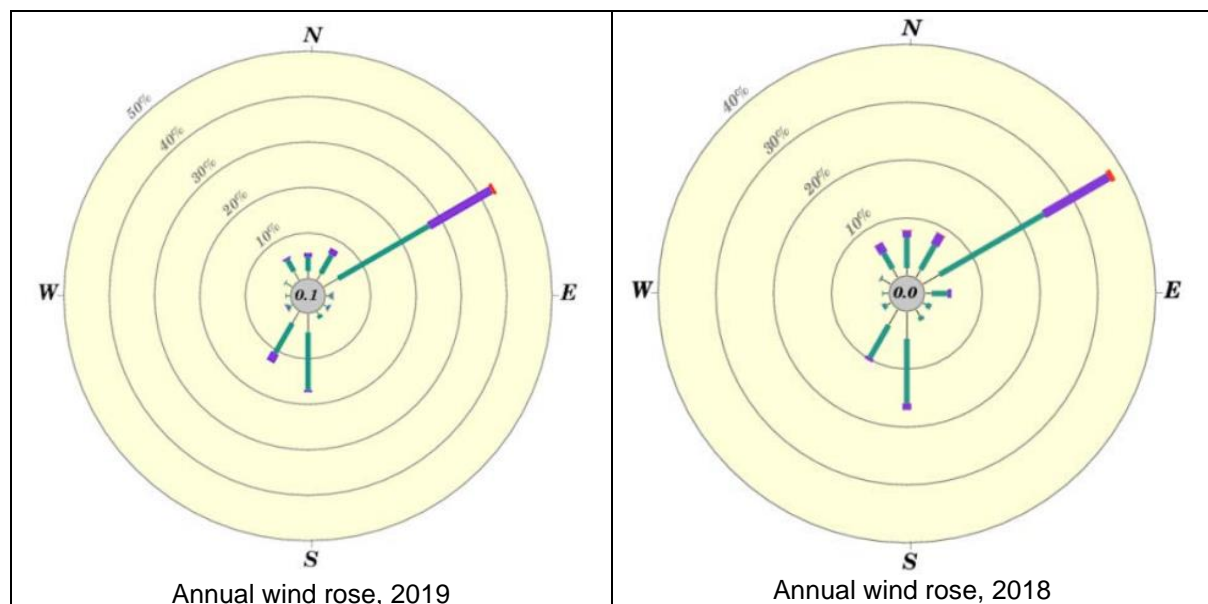


Figure 2.1 Locations of the HKO Weather Stations



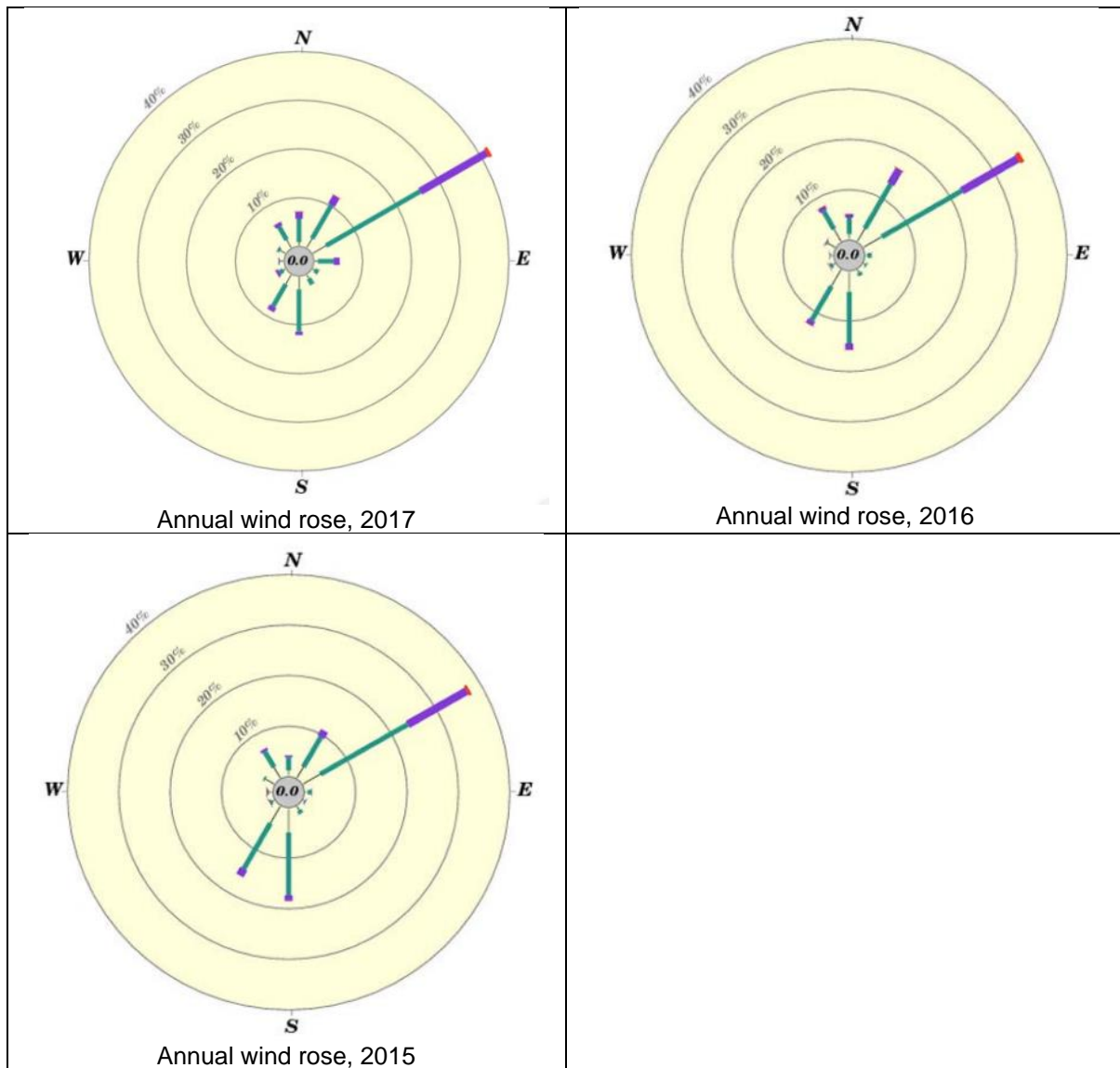
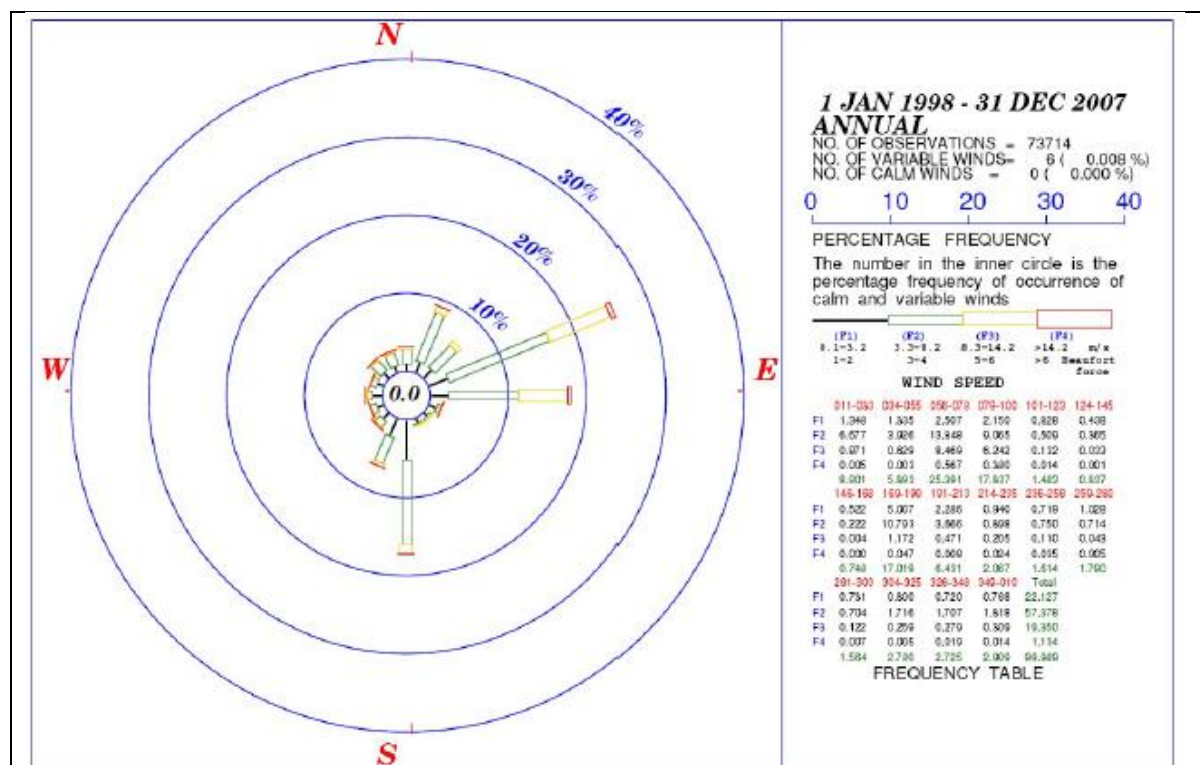
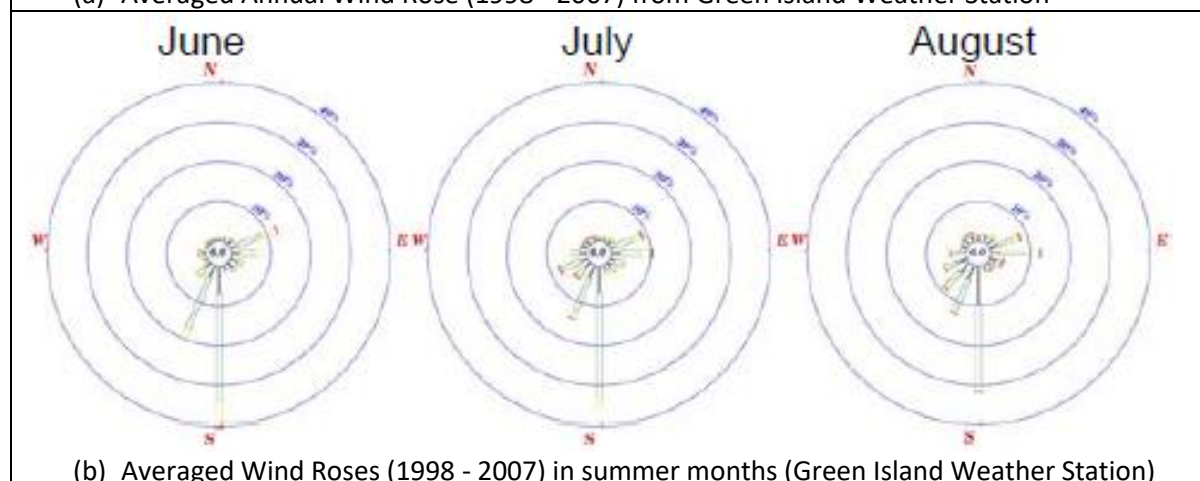


Figure 2.2 Annual wind roses of Green Island Weather Station between 2015 and 2019

- 2.3 Based on the annual wind roses obtained from the recent five years, it can be identified that the annual prevailing wind near the Project Area mainly comes from ENE, NNE, S and SSW directions.
- 2.4 The AVA EE 2013 also adopted wind data of the Green Island Weather Station as reference for wind availability determination, in which wind roses based on the wind data collected from 1998 to 2007 at Green Island Weather Station were considered: The annual wind mainly comes from ENE, E and S directions, while E, S and SSW wind contribute the most to the prevailing wind during summer months. These wind roses are shown in **Figure 2.3** below.



(a) Averaged Annual Wind Rose (1998 - 2007) from Green Island Weather Station



(b) Averaged Wind Roses (1998 - 2007) in summer months (Green Island Weather Station)

Figure 2.3 Averaged wind roses (1998 - 2007) from HKO Green Island Weather Station

- 2.5 In addition to the wind data collected by HKO, simulation via meteorology model could also provide robust data for the determination of wind availability near the Project Area. The wind data simulated via RAMS model released by PlanD could be served as references for wind availability of Hong Kong. The Project Area covers 10 grids of this model: Grid (069,032), Grid (070,032), Grid (069,033), Grid (070,033), Grid (071,033), Grid (069,034), Grid (070,034), Grid (071,034), Grid (071,035), Grid (072,035), as illustrated in **Figure 2.4**.

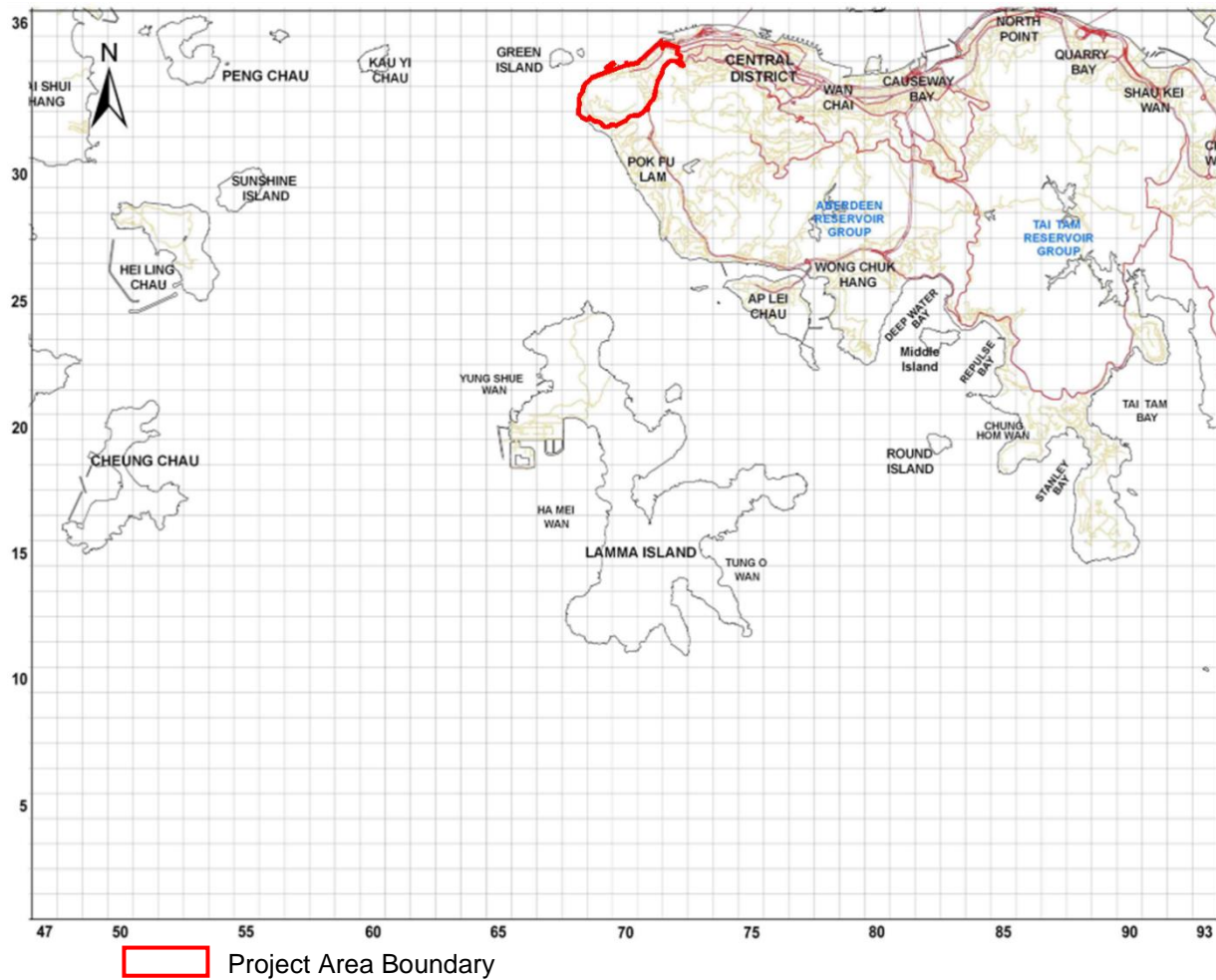
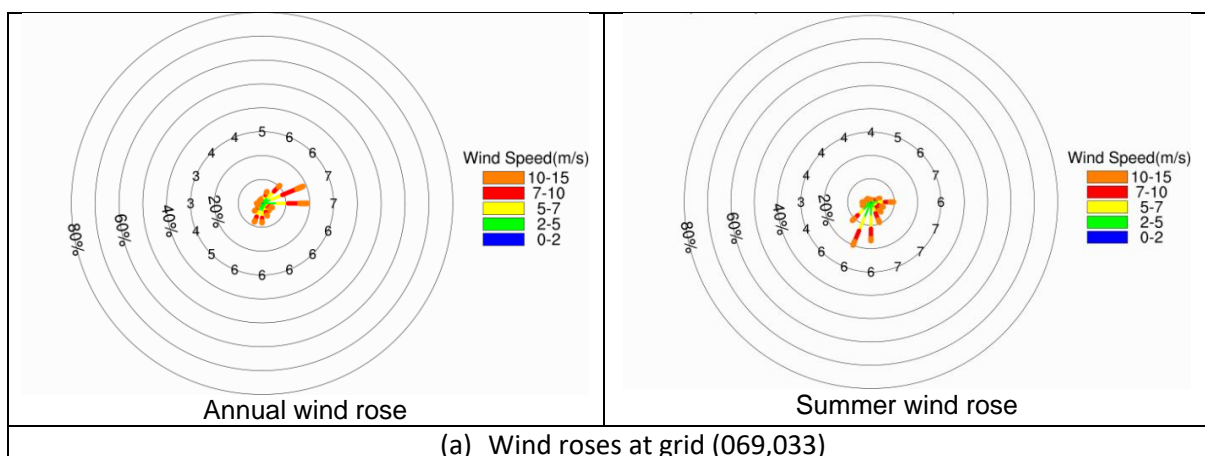


Figure 2.4 Illustration of location for wind data extraction at Project Area

- 2.6 Considering wind roses of the 10 grids, the prevailing wind from NE, ENE and E would generally dominate the wind availability over a whole year, while in summer, the prevailing wind mostly originate from the southerly quadrant, including S, SSW and SW. In the northern region of the Project Area, easterly wind would induce a greater influence during summer periods. Representative wind roses are extracted and illustrated in **Figure 2.5**.



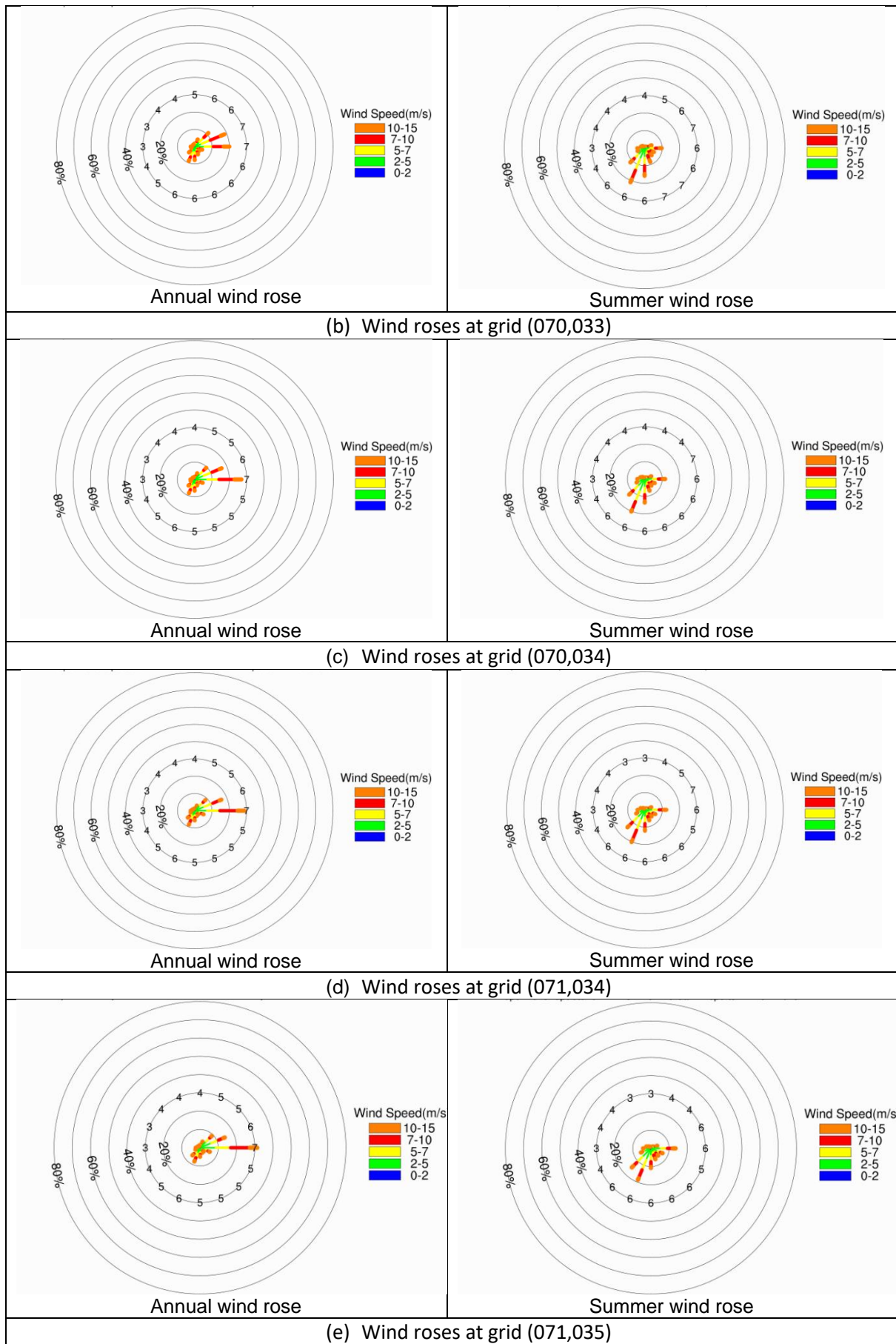


Figure 2.5 Wind roses extracted from PlanD RAMS model (200mPD)

- 2.7 In addition to the simulation data released from PlanD, the Hong Kong University of Science and Technology (HKUST) also obtains a set of wind data simulated via MM5 model. This set of wind data is documented in the AVA EE 2011. The annual and summer wind roses as simulated by MM5 model are presented in **Figure 2.6**, where the annual wind from E, ENE, and NE directions and summer wind from E, S, SE, SSW and SW directions have been identified.

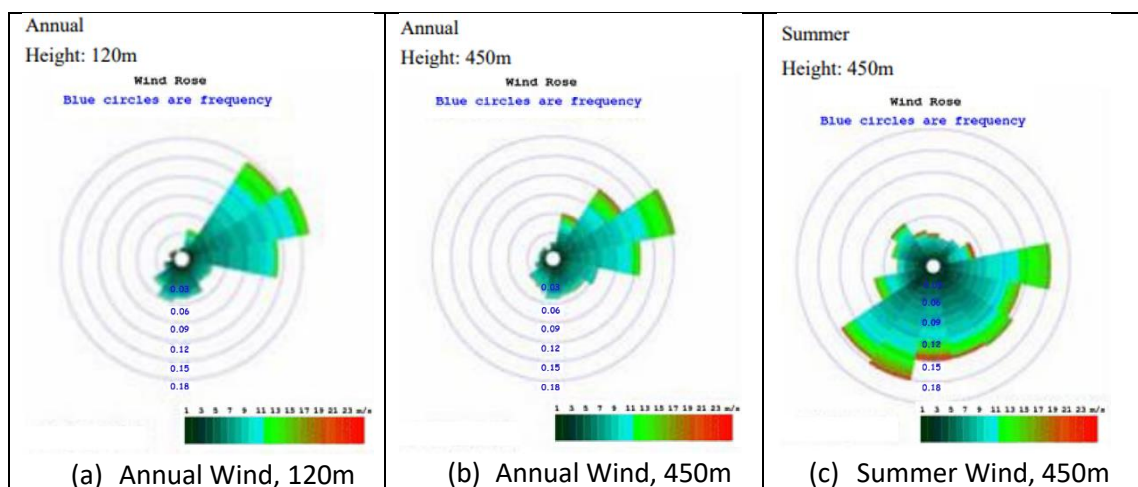


Figure 2.6 Wind roses based on MM5 simulation

(Extracted from "Previous EE for Kennedy Town and Mount Davis" (AVA EE 2011))

- 2.8 The AVA EE 2013 also adopted MM5 model wind data extracted from 3 locations for reference of wind availability. The locations of wind data extraction are shown in **Figure 2.7** while the annual and summer wind roses are shown in **Figures 2.8, 2.9 and 2.10**.

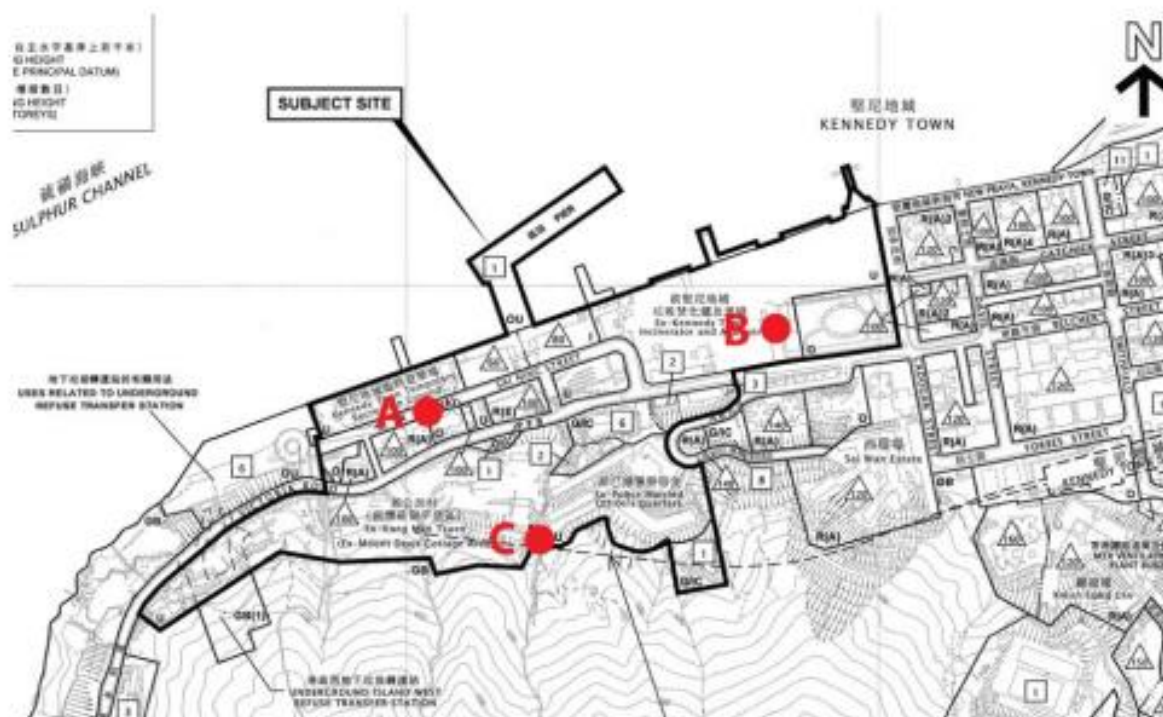


Figure 2.7 Locations of extraction for MM5 wind data (A, B and C)

(Figure extracted from "AVA EE 2013")

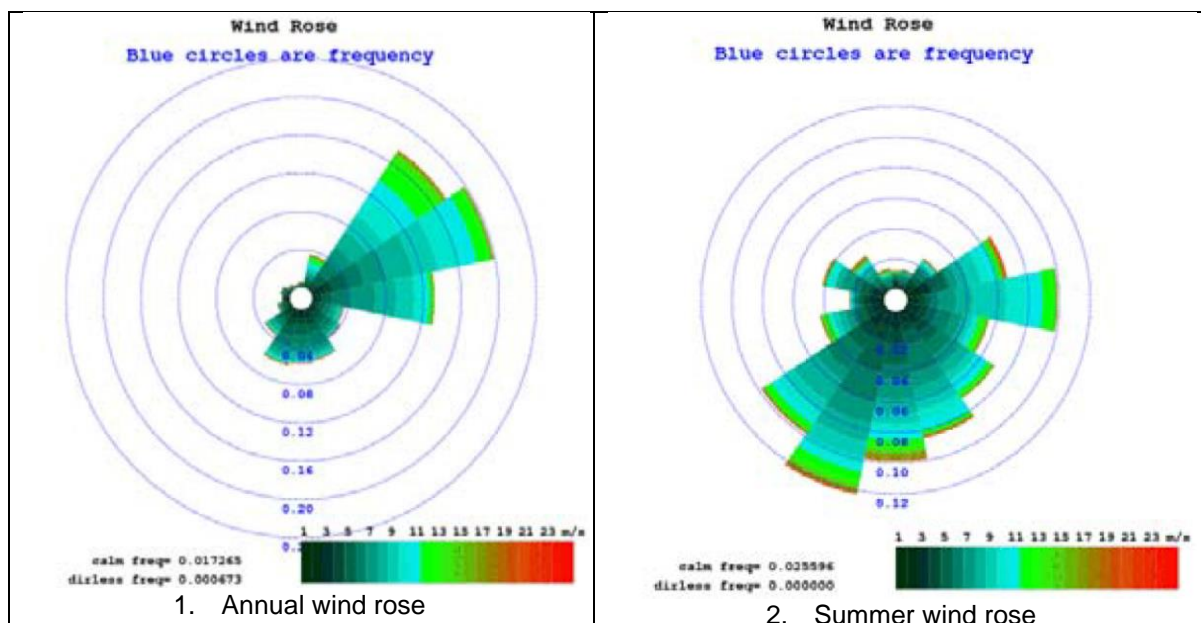


Figure 2.8 Annual and summer wind roses at A at 120m above the ground
(Figure extracted from "AVA EE 2013")

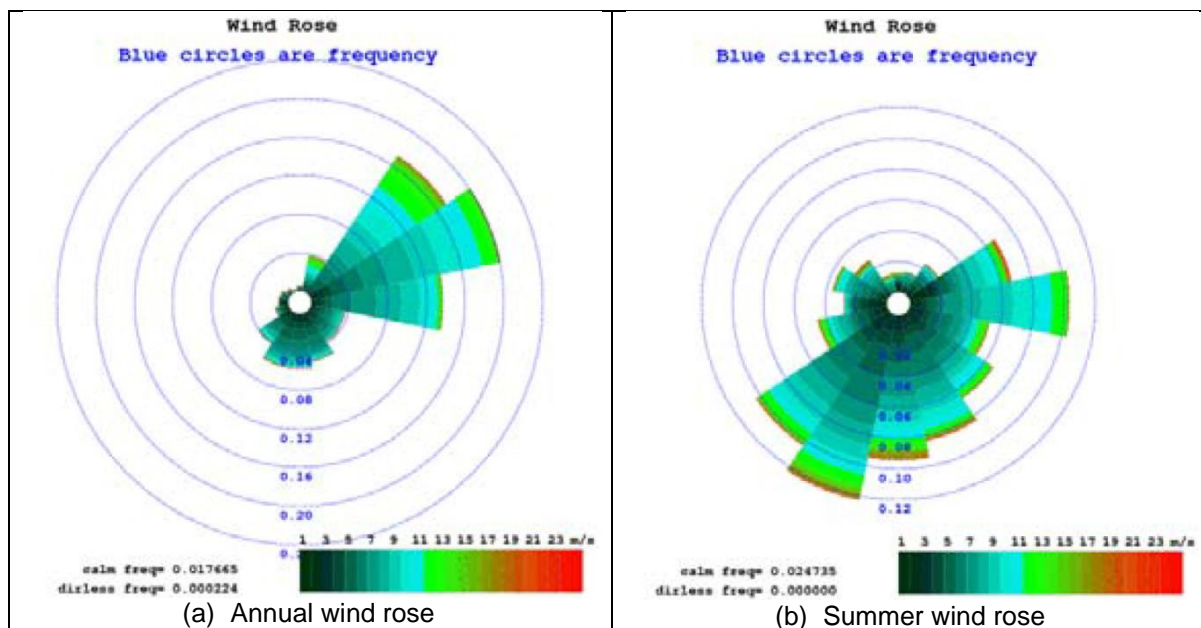


Figure 2.9 Annual and summer wind roses at B at 120m above the ground
(Figure extracted from "AVA EE 2013")

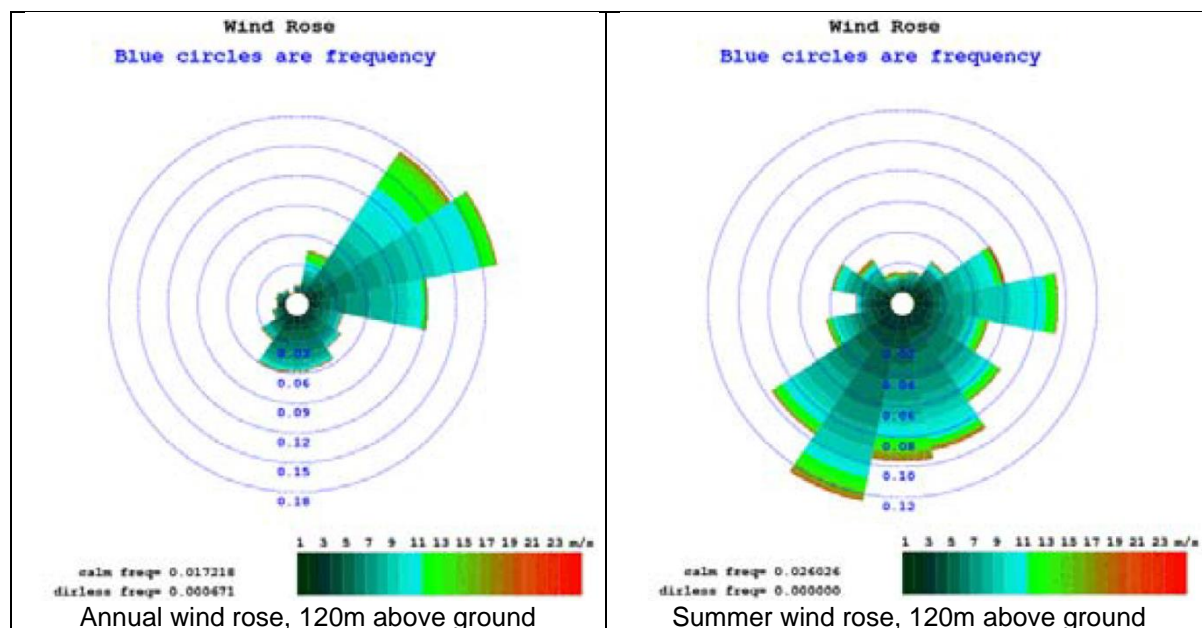


Figure 2.10 Annual and summer wind roses at C at 120m above the ground

(Figure extracted from "AVA EE 2013")

- 2.9 Based on the MM5 wind roses shown in the AVA EE 2013, the annual prevailing wind mainly comes from E, ENE and NE directions, while the prevailing wind during the summer season mainly comes from E, SE, S, SSW and SW directions.
- 2.10 The prevailing winds considered in this current study are summarized in **Table 2.1** and illustrated in **Figure 2.11**, which adequately cover the range of prevailing wind predicted by various sources (i.e. HKO, PlanD RAMS model and HKUST MM5 model). In short, the annual prevailing wind mainly comes from NNE, NE, ENE, E, S and SSW directions. The summer prevailing wind generally originated from the east direction and southerly quadrant including SE, S, SSW and SW.

Table 2.1 Summary of Prevailing Wind Directions

	Annual	Summer
HKO Green Island Weather Station (1998-2007)	ENE, E, S	E, S, SSW
HKO Green Island Weather Station (2015-2019)	NNE, ENE, S, SSW	-
PlanD RAMS model	NE, ENE, E	E, S, SSW, SW
HKUST MM5 data in Previous EE for Kennedy Town and Mount Davis (AVA EE 2011)	NE, ENE, E	E, SE, S, SSW, SW
HKUST MM5 data in EE for West Kennedy Town (AVA EE 2013)	NE, ENE, E	E, SE, S, SSW, SW
Summary	NNE, NE, ENE, E, S, SSW	E, SE, S, SSW, SW

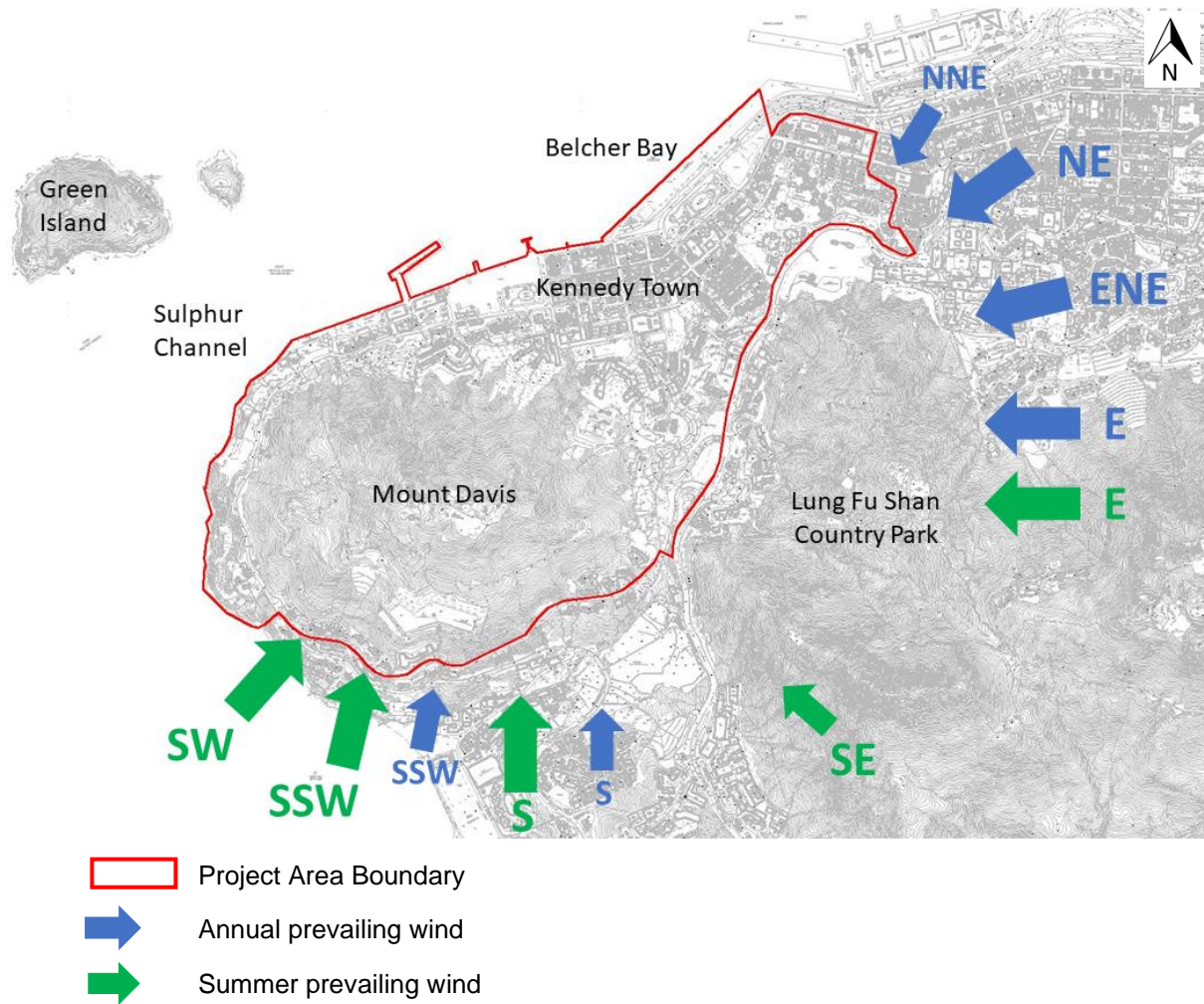
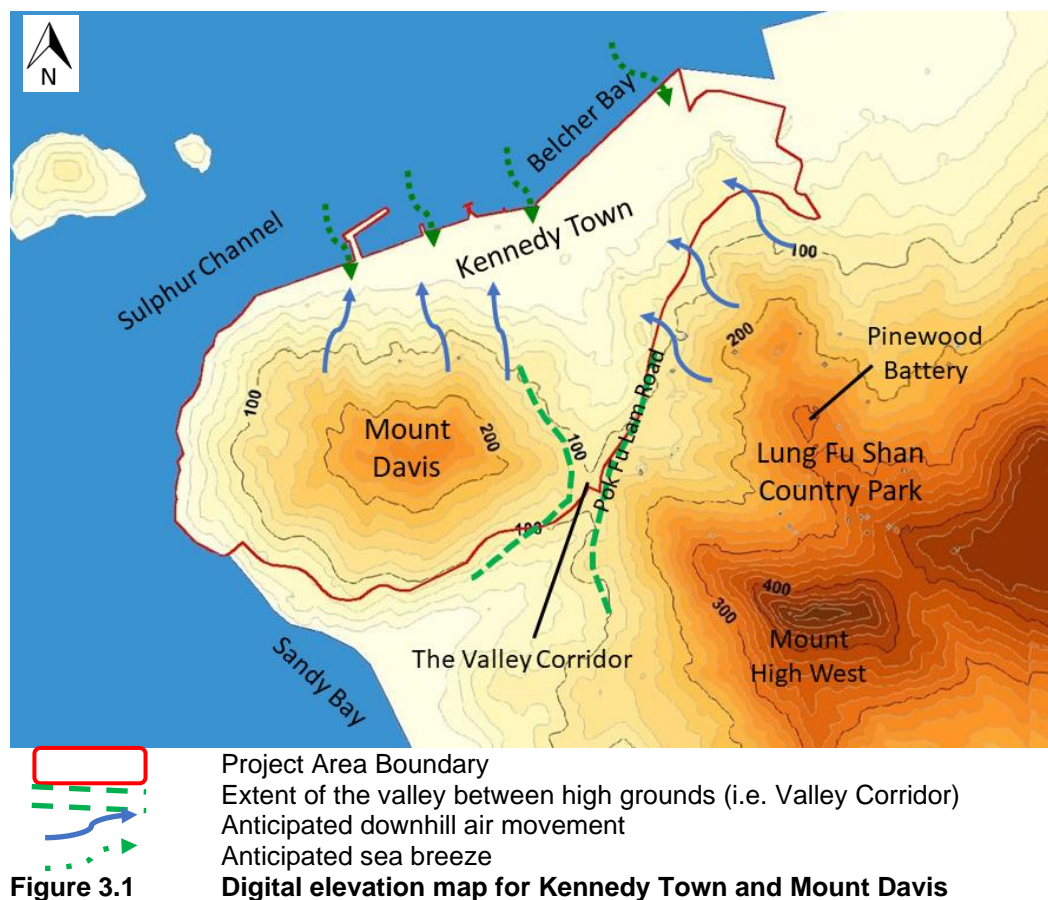


Figure 2.11 Illustration of annual and summer prevailing wind at the Project Area

3 EXISTING SITE ENVIRONMENT AND AIR VENTILATION MEASURES ON THE CURRENT OZP AND ITS ES

Local Topography

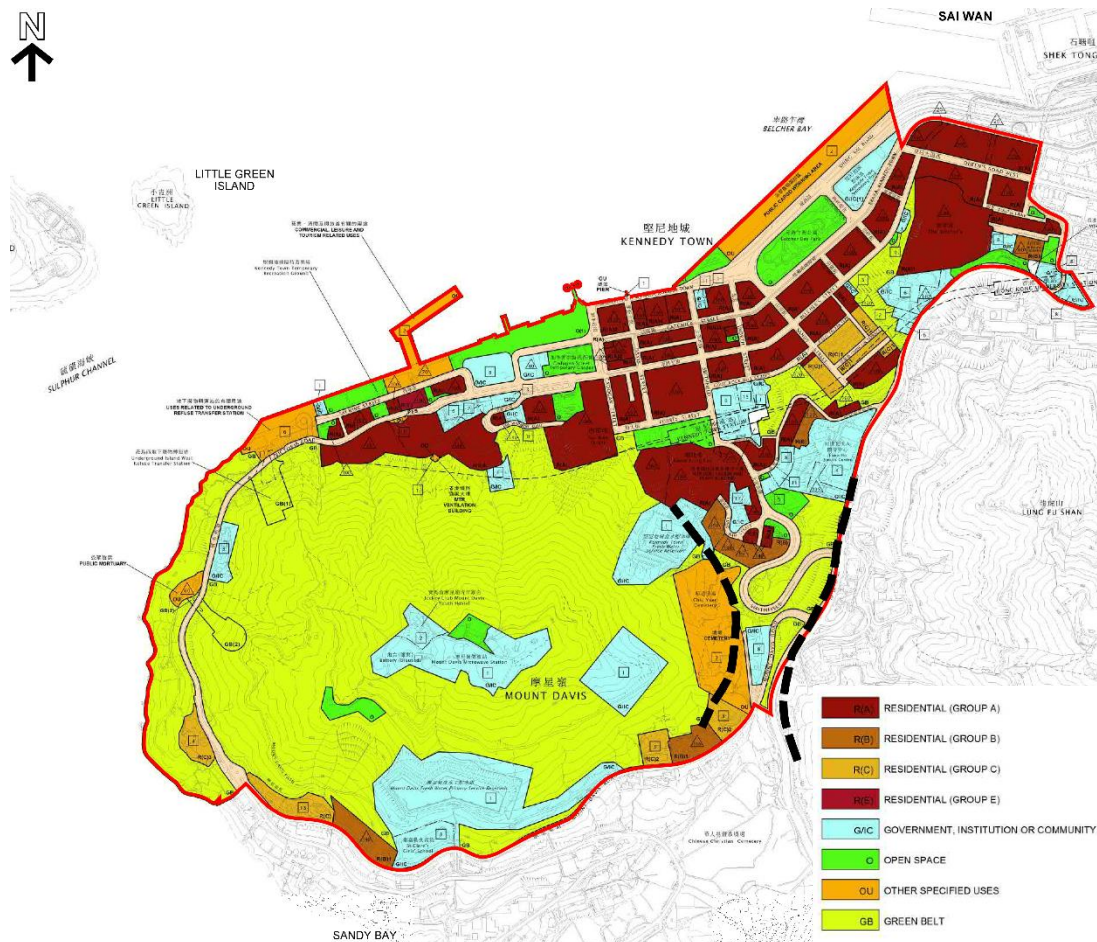
- 3.1 The Project Area is on the northwestern part of Hong Kong Island, fronting the Belcher Bay and Sulphur Channel to the north and west, as well as the Sandy Bay to the southwest. The terrain features in the Project Area generally rises from the northwest towards southeast. The region near the waterfront adjacent to Belcher Bay / Sulphur Channel has a level in terms of meters above principle datum (mPD) of less than 4mPD, while the highest point is the mountain peak of Mount Davis with nearly 300mPD in height and it is located at the southern portion of the Project Area.
- 3.2 Mountainous terrain also exists to the southeast of the Project Area, i.e. the Lung Fu Shan Country Park – Mount High West, which has a terrain height of over 300mPD (Pinewood Battery) at approximately 500m away from Pok Fu Lam Road, and 400mPD (High West Viewing Point) around 800m away from southeast site boundary. This topographical feature implies that the air flow driven under the prevailing winds from the southern and south-eastern directions (i.e. S, SE and E) would likely to be moderated by the high-rise hilly terrains of Lung Fu Shan Country Park areas before flowing towards the Project Area. Moreover, the southwestern quadrant winds (i.e. SSW, SW) would be weakened by the terrain of Mount Davis before reaching the Kennedy Town area.
- 3.3 The terrain heights of Mount Davis and Lung Fu Shan / Mount High West form a valley in between. The valley is aligning roughly in the south-north direction near Pok Fu Lam Road. The terrain where the valley locates is around 100mPD in height and is sandwiched by the high grounds of Mount Davis (300mPD) to its west and Mount High West (400mPD) to its east. Hence, the prevailing winds from the southerly and south westerly directions could potentially be channeled into this valley (“valley corridor” from hereafter) and flow towards the urban areas within the Project Area located downhill.



- 3.4 In addition to the influence on the annual / summer prevailing wind, the high-rise terrain of Mount Davis and Lung Fu Shan would also induce “katabatic effect” (downhill air movement due to thermal mechanics). The downhill air movement at the northern hillslope of the Mount Davis and north-western hillslope of Lung Fu Shan would be more beneficial to the urban areas of Kennedy Town, reaching the urban area from S and SE directions respectively. Furthermore, sea breeze at the shoreline of Kennedy Town is anticipated, enhancing air movement into the Project Area from the north. A digital terrain elevation map for the Project Area with illustrations of downhill air movements and sea breeze, is shown in **Figure 3.1**.

Land Uses and Urban Morphology

- 3.5 The land uses of the Project Area are shown on the OZP as illustrated in **Figure 3.2** below.

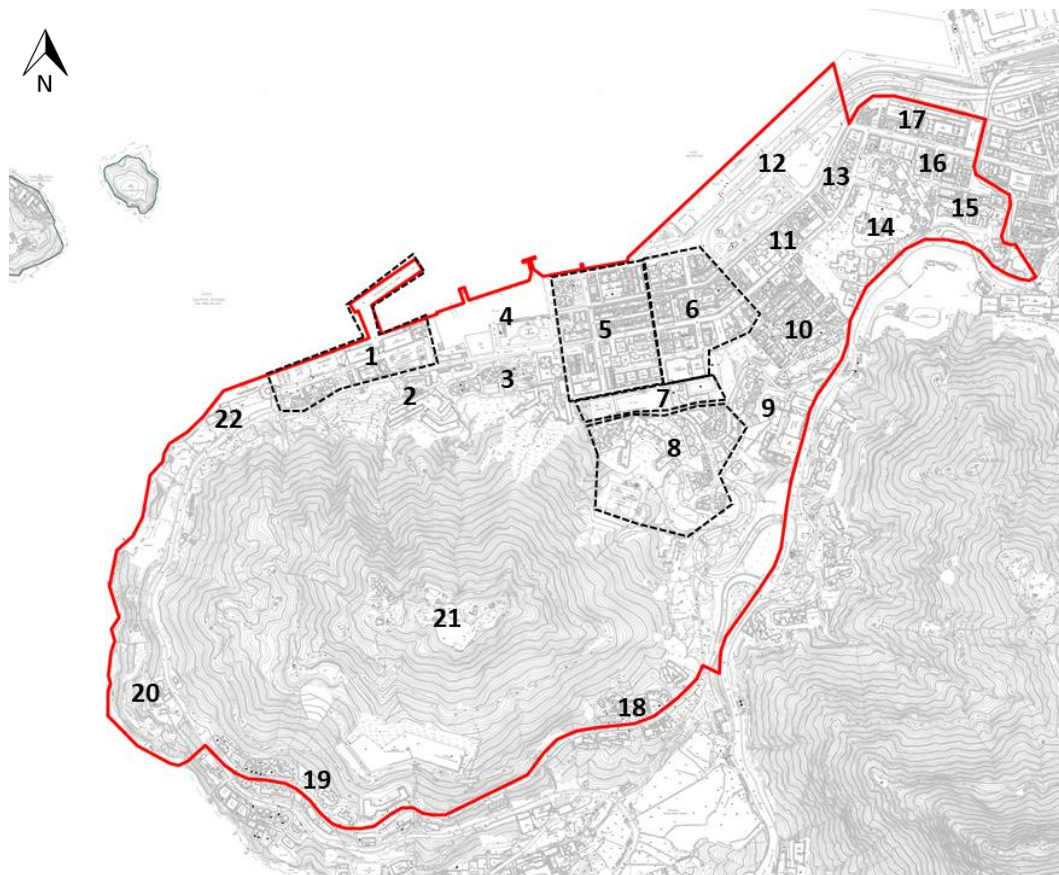


Project Area Boundary

Extent of the Valley Corridor

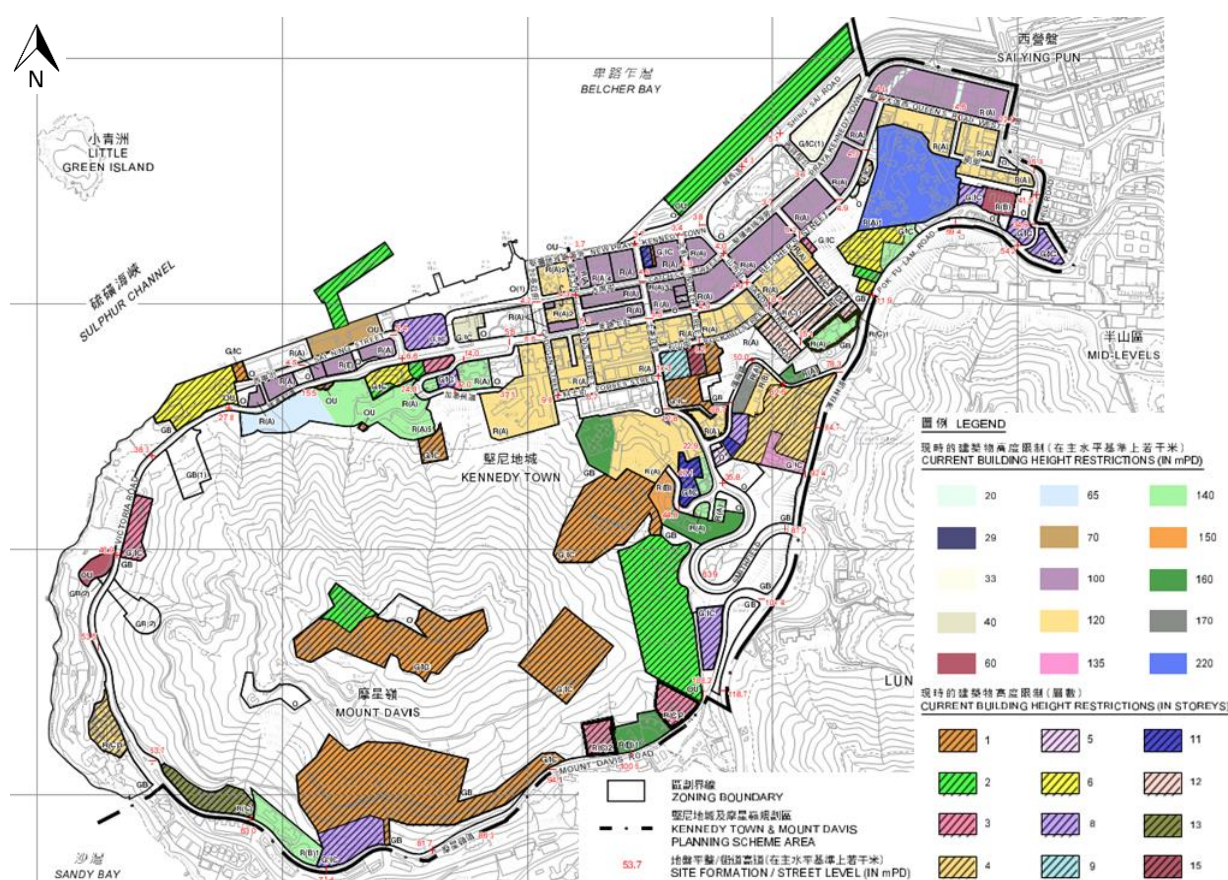
Figure 3.2 The OZP No. S/H1/20

- 3.6 The southwestern portion of the Project Area is known as Mount Davis which mainly zoned “Green Belt” (“GB”) with some areas zoned “Residential (Group B)” (“R(B)”), “Residential (Group C)” (“R(C)”), “Government, Institute or Community” (“G/IC”), “Open Space” (“O”) and “Other Specified Uses” (“OU”) on the OZP. The northern portion of the Project Area is the urban area of Kennedy Town, extending along the shoreline. Majority of this region is zoned “R(A)” with some areas zoned “O”, “G/IC” and “OU”. A valley corridor is identified at the southeastern portion of the Project Area as shown in **Figure 3.2**, the area comprises sites which zoned “R(A)”, “R(B)”, “GB”, “G/IC” and “O”.
- 3.7 To sum up, low-rise and low density residential and GIC developments are scattered along the eastern, southern and western portion of the Mount Davis foothill. Higher density residential developments are located to the north and northeast of Mount Davis. The major buildings / clusters of developments within the Project Area are shown in **Figure 3.3** below, while the BHRs under the current OZP is shown in **Figure 3.4**.



1. Kennedy Town Temporary Recreation Ground, Serene Court, China Merchants Wharf and Godown, Yiuga Factory Building and Kennedy Town Bus Terminus Sitting-out Area	2. Bayanihan Kennedy Town Centre, Buddhish To Chi Fat She and Ka Wai Man Road public housing site (currently vacant)
3. Kennedy Town Jockey Club Clinic, SKH Lui Ming Choi Memorial Primary School, Cayman Rise, Sai Wan Estate, Ka Wai Man Road Garden and Centenary Mansion	4. Cadogan Street Temporary Garden, Sai See Street Refuse Collection Point and the future waterfront park (currently vacant)
5. The Merton, Catchick Street Garden, Manhattan Heights, Hau Wo Court, Full Harvest Building, Kam Tong Building, Kennedy Mansion, Luen Hong / Luen Yau / Luen On / Luen Gay / Luen Hing Apartments, Smithfield Court, Concord Hotel and On Fat Building	6. New Fortune House, Wah Po Building, Kelley Court, Harbour View Garden, Hang Fai Building, La Maison Du Nord, Markfield Building, Imperial Kennedy, Man Kwong Court, Belcher Hill, Smithfield Municipal Services Building, Kennedy Town Community Complex
7. Forbes Street Temporary Playground, MTR Kennedy Town Station and Smithfield Sitting-out Area	8. Kwun Lung Lau, Smithfield Terrace, The HKU Jockey Club Student Village 3, Pokfield Garden, Our Lady of The Rosary Church St. Charles School, Smithfield Garden and Kennedy Town Service Reservoir Playground
9. University Heights, The HKU Jockey Club Student Village 2, Flora Ho Sports Centre and HKU St. John's College	10. Axeford Villa, Hoi Lee Building, Academic Terrace, Greenview Court, Ching Lin Terrace Residence, Ying Ga Garden, HK (Western) Swaton Baptist Church, Hee Wong Terrace and Po Wah House
11. Kennedy Town Centre, Jade Court, Pearl Court, Hoi Tao Building and Belcher Street Sitting-out Area	12. Belcher Bay Park and Kennedy Town Swimming Pool

13. Belcher Court, Yick Fung Garden, Sunglow Building and Chester Court	14. The Belcher's (The Westwood), The HKU Jockey Club Student Village 1, Ricci Hall and Pokfulam Station Building
15. Nam Wah Mansion, Sik On House, SKH St. Peter's Primary School and Hillview Garden	16. Kam Ling Court, Hotel Jen Hong Kong, Pak Hoo Mansion, Sun King House and Hon Bong Building
17. Harbour One, Hong Kong Industrial Building, Kwun Yick Building, Yip Cheong Building, Dragonfair Garden and Mei Sun Lau	18. Mount Davis Village, Four Winds, On Lee, Greenery Garden, Mount Davis Garden and Greenvale
19. St. Clare's Girls' School, Cape Mansions, Villas Sorrento and Felix Villas	20. The Hong Kong Jockey Club University of Chicago Academic Complex
21. Jockey Club Mt. Davis Youth Hostel, Police Radio Station and Mount Davis Playground	22. Environmental Protection Department Environmental Infrastructure Division Island West Transfer Station (EPD Transfer Station)

Figure 3.3 Major developments in the Project Area**Figure 3.4 BHRs under the current OZP No. S/H1/20**

- 3.8 The BH of existing developments within the Project Area range from around 20mPD to over 160mPD with the highest buildings being The Belcher's (The Westwood) (220mPD), followed by Manhattan Heights (171mPD), Belcher's Hill (167mPD) and The Merton (165mPD).
- 3.9 Another important feature of the development morphologies within the urban development areas of the Project Area is that the buildings are densely packed together, especially in the northeastern and central portions, where Kennedy Town is located. This feature inhibits the flow and penetration of the prevailing wind near ground level in the aforementioned region and the wind magnitude is anticipated to be relatively lower as compared to those areas located at the hillslopes of Mount Davis, near the shoreline and western region of Kennedy Town (i.e. the region adjacent to the north hillslope of Mount Davis).
- 3.10 Open areas such as parks, sitting-out areas, vacant sites and hillslopes appear near the urban morphologies. These regions include Belcher Bay Park, Belcher Street Sitting-out Area and the

vegetated hillslopes to the southwest of The Belcher's (The Westwood), Hoi Tao Building and HK (Western) Swatow Baptist Church), Smithfield Sitting-out Area and adjacent hillslope, Forbes Street Temporary Playground, Kai Wai Man Road Garden, Cadogan Street Temporary Garden and its adjacent vacant site (i.e. the future waterfront park which zoned "Open Space (1)" on the OZP). These open areas would become wind entrance points allowing the prevailing winds to infiltrate into the highly dense Kennedy Town, or serve as ventilation "breathing areas" among the densely packed buildings, allowing spaces for air flow to reach the pedestrian level after flowing over the buildings.

The Air Ventilation Measures on the Current OZP and Its ES

- 3.11 The previous AVA studies of the Kennedy Town (i.e. AVA EE 2011 and AVA EE 2013) have proposed several measures in enhancing the air ventilation performance of Kennedy Town. The measures have been stipulated on either the OZP or its ES. An overview of the measures proposed in previous AVA studies are illustrated in **Figure 3.5**.

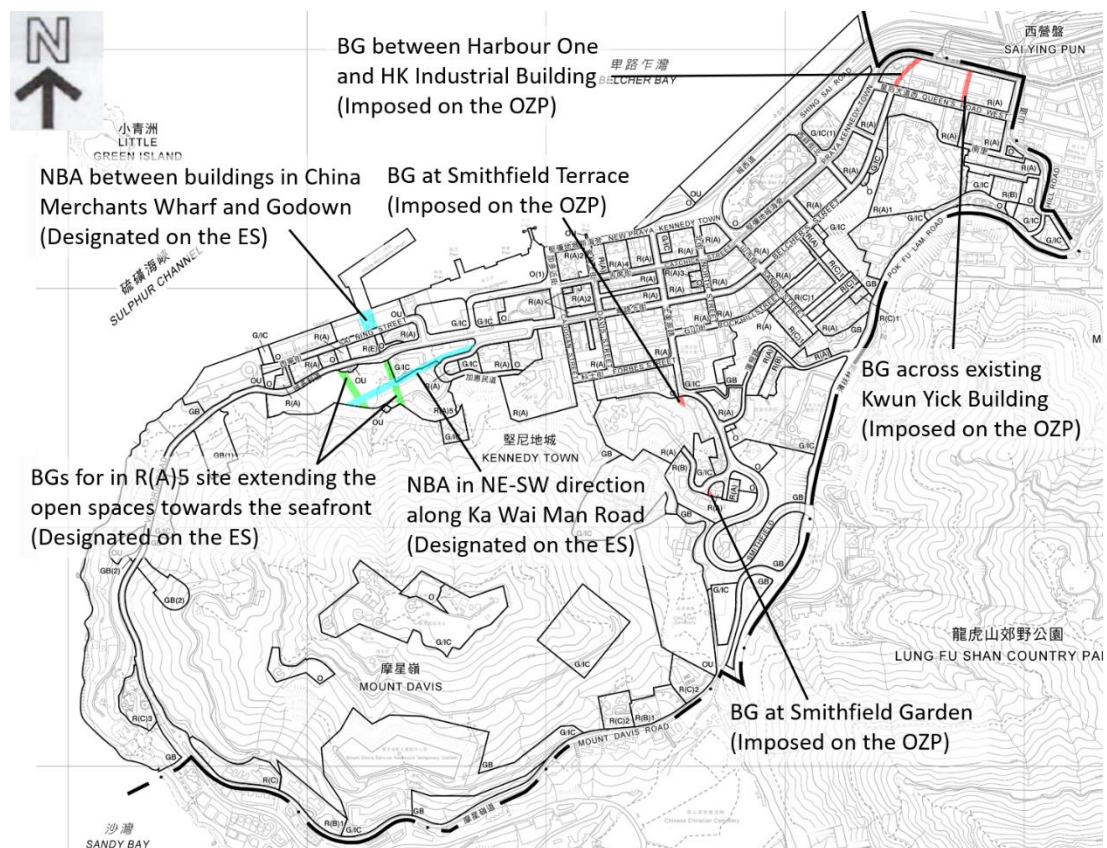


Figure 3.5 Illustration of measures imposed on the OZP and its ES as recommended in the previous AVA studies

- 3.12 The measures which imposed on the OZP as recommended in the AVA EE 2011:

- A BG at "R(A)" site, located between Harbour One and HK Industrial Building, linking up Queen's Road West and Connaught Road West;
- A BG at "R(A)" site, located across Kwun Yick Building near Woo Hop Street;
- A BG at "R(A)" site of Smithfield Terrace, fronting Forbes Street Temporary Playground; and
- A BG at "R(A)" site of Smithfield Garden, adjacent to Lung Wah Street and fronting the HKU Jockey Club Student Village 3.

The measures which designated on the ES as recommended in the AVA EE 2013:

- A NBA at the “OU” site of the China Merchant Wharf;
- A NBA at the “R(A)5” site on Ka Wai Man Road for future public housing development; and
- Two BGs in line with Sai Ning Street Garden and Kennedy Town Bus Terminus at the “R(A)5” site on Ka Wai Man Road for future public housing development.

3.13 The effectiveness of these mitigation measures will be discussed in **Section 4** below.

4 REVIEW ON THE EXISTING WIND ENVIRONMENT AND AIR VENTILATION FEATURES ON THE CURRENT OZP AND ITS ES

- 4.1 Based on the identification of topographical features and the urban morphologies within the Project Area, a portion of the annual / summer prevailing wind (i.e. E, SE, S, SSW and SW) would be moderated by the hilly terrain of Mount Davis and Lung Fu Shan, while the high-density urban morphologies would limit the wind flow at pedestrian level within the built region of Kennedy Town. Owing to the high-density nature of the developments in the urban region of the Project Area, the discussion based on BH / BHR alone may not be sufficient in understanding the air ventilation performance in the urban region as pointed out in the AVA EE 2013. Thus, the identification of the breezeways and air paths at/near ground level is essential to support the analysis of the wind environment within the region and detailed discussion with illustrations (**Figures 4.1 to 4.6**) are provided in the sections below.

Under NNE prevailing wind and sea breeze

The localized air paths

- 4.2 Several streets and roads form localized air paths to carry the air flow driven by the prevailing winds and sea breeze into the urban fabric. At the eastern portion of the Project Area, the NNE wind may be channeled into Hill Road as well as the eastern BG through the blocks between Queen's Road West and Connaught Road West from the north and flow into Woo Hop Street, while Sai Cheung Street, Holland Street and Sands Street would allow the sea breeze coming from Public Cargo Working Area and Belcher Bay Park to penetrate the built areas near Yick Fung Garden and Pearl Court.
- 4.3 The north-south aligned air paths in the middle portion of the Kennedy Town would also facilitate sea breeze into the inland urban areas. These local air paths networks are composed by Cadogan Street, Davis Street, Smithfield and North Street, and such features enable the air sea breeze/NNE prevailing wind to infiltrate the high-rise development clusters in Kennedy Town to reach the inland areas.
- 4.4 The NNE wind would enter the western portion of Project Area via the vacant site (i.e. the future waterfront park) to the north of Cadogan Street Temporary Garden, which would skim over Ka Wai Man Road Garden to the south. Meanwhile, NNE wind would also penetrate the NBA imposed in the "OU" site of China Merchant Wharf and flow through the eastern BG at the "R(A)5" site of the proposed public housing site at Ka Wai Man Road. Furthermore, a portion of air flow driven by NNE prevailing wind would also enter the urban region via Kennedy Town Temporary Recreation Ground, from where the wind would travel further towards Victoria Road via Public Open Space and Sai Ning Street Garden – western BG of the proposed public housing site at Ka Wai Man Road. Major local breezeways and air paths under NNE prevailing wind and sea breeze are illustrated in **Figure 4.1**.

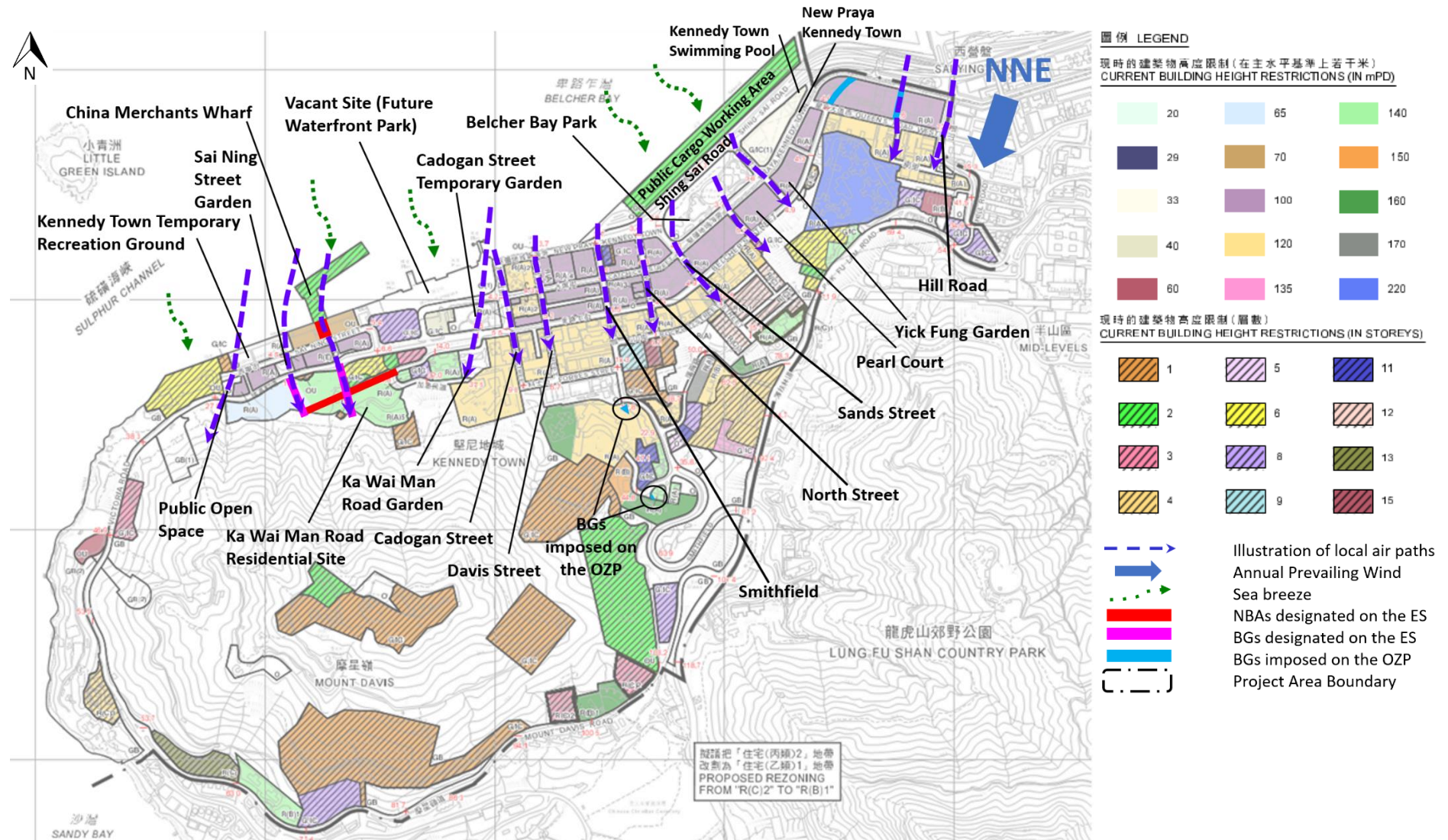


Figure 4.1 Major breezeways and air paths under NNE prevailing wind and sea breeze

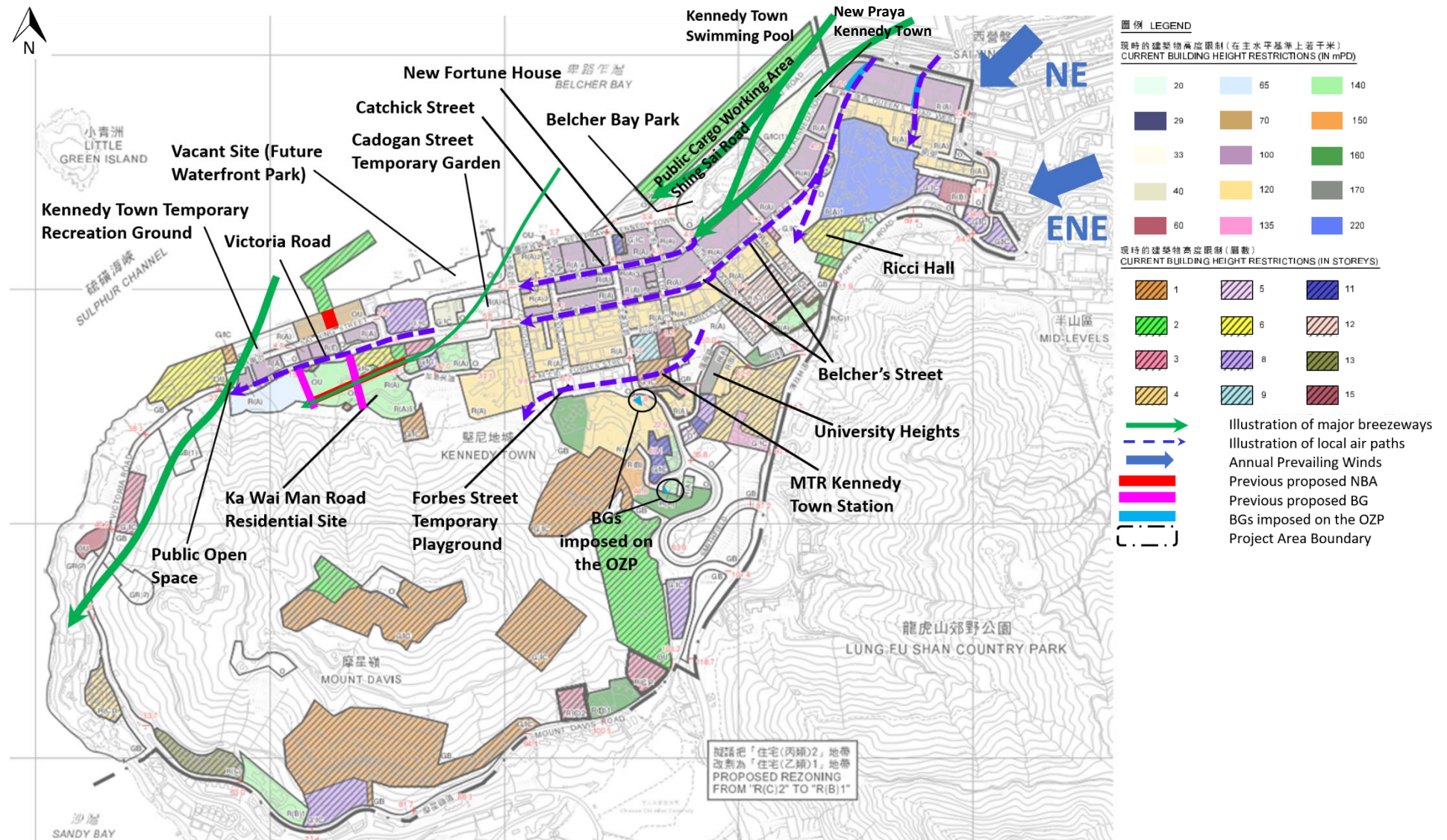
Under NE and ENE prevailing wind

The major breezeways

- 4.5 Owing to the blockage by the high-density buildings to the east of the Project Area (i.e. the Sai Ying Pun region to the east of Hill Road), ENE and NE wind would generally approach the Project Area from Shing Sai Road and the sea. These wind would sweep through the relatively open area at the northeastern portion of the Project Area (i.e. the Public Cargo Working Area, Belcher Bay Park and Shing Sai Road, as well as New Praya Kennedy Town) and reach the area near New Fortune House or be channeled into Catchick Street.
- 4.6 Another portion of the NE wind would enter the Project Area via the vacant site (the future waterfront park) and Cadogan Street Temporary Garden. This stream of wind would flow across Victoria Road and enter Ka Wai Man Road, eventually penetrate the NBA proposed within the “R(A)5” site on Ka Wai Man Road, maintaining the air ventilation performance at this future residential site.
- 4.7 The prevailing wind would also flow over Kennedy Town Temporary Recreation Ground and Public Open Space to reach the open area of northwest hillslope of Mount Davis (near the Victoria Road) and facilitate the air ventilation performance in vicinity of the road.

The localized air paths

- 4.8 In addition to the major breezeways, several relatively narrower streets / roads and interlinked open areas / areas with low-BHR also form air paths to aid in carrying the air flow driven by the prevailing wind. Among the air paths, two are identified to elongate the breezeways to carry the air flow deeper into the urban area. The first one is at Catchick Street, which facilitates the air flow from New Praya Kennedy Town to penetrate the built region and reach Cadogan Street Temporary Garden. The second one is Victoria Road at the western portion of Kennedy Town, which would carry the wind travelled via Cadogan Street Temporary Garden and flow further west into the urban area.
- 4.9 Apart from the above two localized air paths, the air flow would also penetrate the building blocks via the two BGs recommended in the AVA EE 2011, the eastern BG would elongate the Woo Hop Street. The western BG would allow air flow to reach the Belcher’s Street and be carried by this street to flow into the urban area of the eastern and central parts of Kennedy Town, as well as the hillslope area near Ricci Hall. Furthermore, the wind from the hillslope region near University Heights would also flow over the MTR Kennedy Town Station and sweep through Forbes Street Temporary Playground to the west, thus facilitates the air ventilation performance of the region near the station and the playground. Illustration of the flow of NE and ENE prevailing wind can be referred to **Figure 4.2**.



Under E prevailing wind and downhill air movement

The major breezeways

- 4.10 Easterly winds would be moderated and limited before entering the Project Area as the regions to the east and southeast of the Area are the high-density urban area of Sai Ying Pun and hill terrains of Lung Fu Shan respectively. Such external condition would lead to the fact that the wind entering the Project Area be relatively “weak” in terms of efficiency under the easterly prevailing wind. Nevertheless, the presence of a few breezeways would still enable such weakened air flows to infiltrate into the pedestrian frequent access areas.
- 4.11 Under the easterly wind, the air flow approaching the north of the Project Area would be flowing along Connaught Road West and reach the Public Cargo Working Area near the sea. This breezeway would be responsible for the air ventilation performance at the northern side of the Project Area.
- 4.12 Another portion of easterly wind would skim around the northern hillslope of Lung Fu Shan (near the south side of HKU Campus) and reach Pok Fu Lam Road, where the wind would enter the Project Area via the gap between Pokfulam Station Building and Academic Terrace. This portion of wind would skim over the relatively low-profiled building groups (Hee Wong Terrace) and reach the region around MTR Kennedy Town Station, eventually enter Forbes Street Temporary Playground. Major wind breezeways under E prevailing wind and downhill airflow are illustrated in **Figure 4.3**.

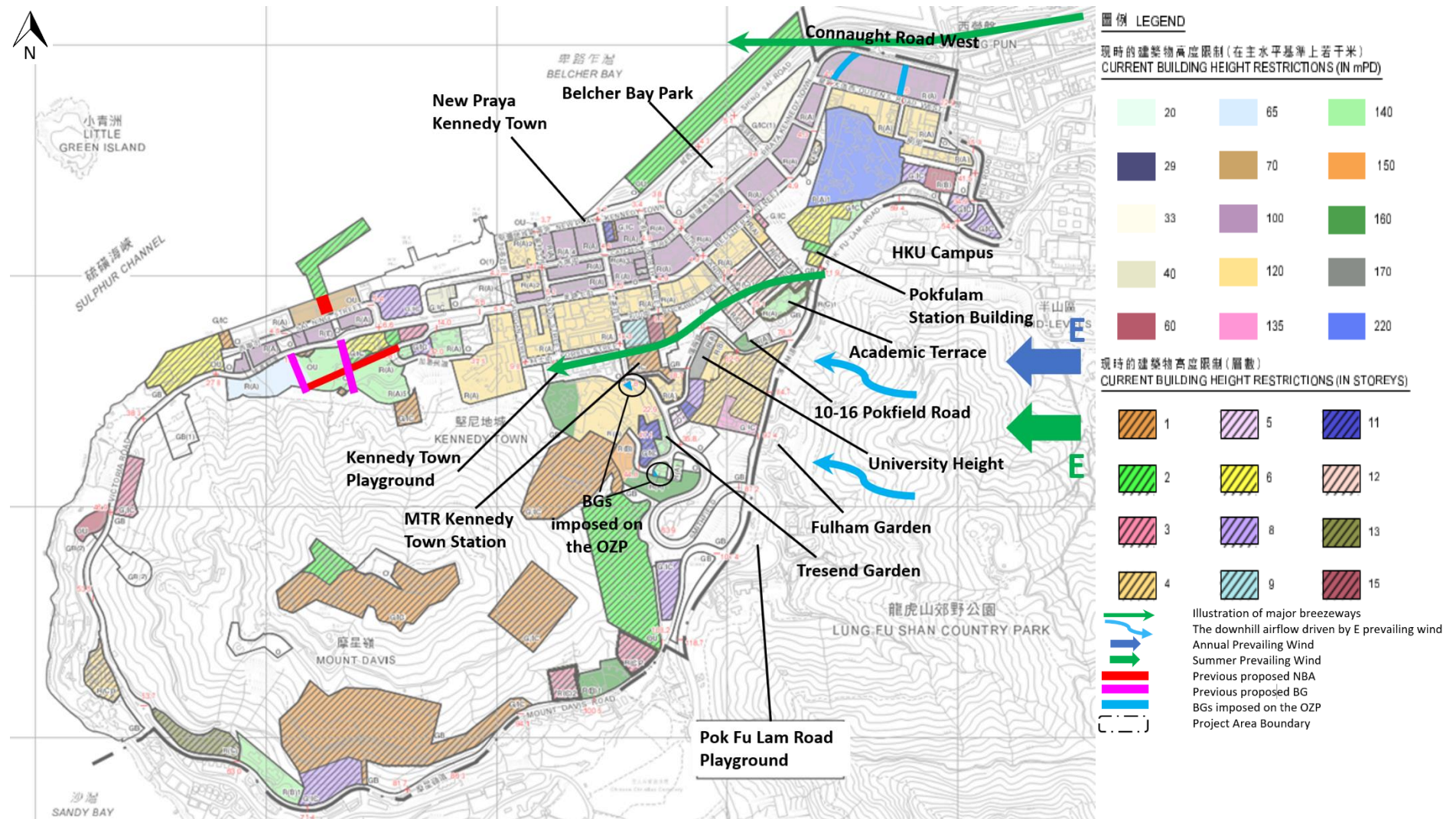


Figure 4.3 Major paths of air flow under E wind

Under SE prevailing wind and downhill air movement

Major breezeways

- 4.13 The south-easterly wind would also reach the area near Pok Fu Lam Road Playground. A portion of these air flows would travel from Emerald Garden towards the area near Tresend Garden and Smithfield. Meanwhile, the winds flow across Pok Fu Lam Road Playground would skim the low-profiled “G/IC” and “OU” sites (with BHRs of around 1-2 stories) to the southwest of the HKU Jockey Club Student Village 3 flowing towards Kwun Lung Lau and eventually reaching Forbes Street Temporary Playground and Sai Wan Estate to facilitate the air ventilation of the area.

The localised air paths

- 4.14 Several air paths are aligned with and elongate the wind breezeways that would further promote the air flow travelling into the urban regions. The westernmost local air paths are those created by the BGs to be implemented in the “R(A)5” site at Ka Wai Man Road for proposed public housing development. This portion of winds would then flow via the NBA in the “OU” site of China Merchants Wharf and Kennedy Town Temporary Recreation Ground. Furthermore, Cadogan Street elongates the breezeway near Kwun Lung Lau as mentioned above, allowing the wind flow to penetrate the high-rise urban area and reach the shoreline. Smithfield and Forbes Street Temporary Playground also form a local air path, elongating the breezeway of Emerald Garden – Tresend Garden and facilitate the wind environment in the vicinity region.
- 4.15 Similar to the easterly wind, the SE prevailing wind would be weakened after skimming over Lung Fu Shan. The prevailing wind flow along with the downhill wind would approach the Project Area via the hillslope across Pok Fu Lam Road. At the region near the HKU campus, the downhill air flow would flow into the stripe of corridor near HK (Western) Swaton Baptist Church and channeled into Hollands Street to reach Belcher Bay Park. Meanwhile, the wind flow would also approach the region to the south of Academic Terrace, in which the wind would be channeled separately by Academic Terrace and be carried towards the shoreline by Sands Street and Holland Street, facilitating the air ventilation in the vicinity region. Furthermore, Sai Cheung Street would also serve as a local air path, transporting the air flow driven by the SE prevailing wind to flow from the hillslope near The Belcher’s (The Westwood) towards the seafront region. The above-mentioned air flows are illustrated in **Figure 4.4**.

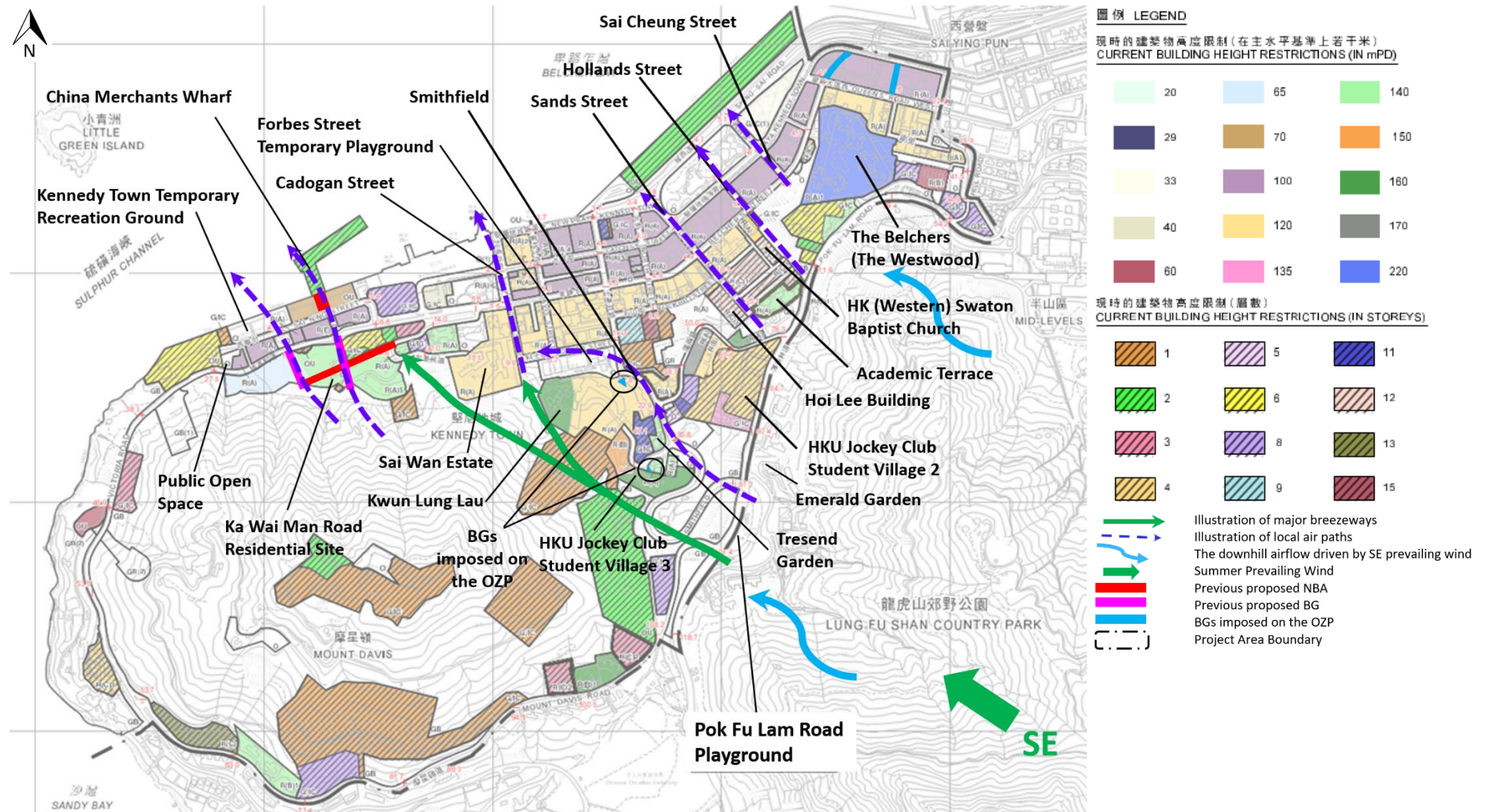


Figure 4.4 Major paths of air flow under SE wind

Under S and SSW prevailing winds and downhill air movement

Major breezeways

- 4.16 Under the SSW and S winds, a portion of the prevailing wind would approach Victoria Road to the west of Mount Davis and reach the westernmost region of Kennedy Town (i.e. the area near EPD Transfer Station). In addition, downhill wind from Mount Davis would approach the western portion of Kennedy Town, and part of this wind would penetrate the Public Open Space and flow over Kennedy Town Temporary Recreation Ground, before reaching the sea.
- 4.17 Majority of the air flows driven by SSW wind approaching the urban region of the Project Area would be channeled into the valley corridor near Greenery Garden. A portion of these SSW winds would flow along Pok Fu Lam Road and reach Ricci Hall and HKU campus.
- 4.18 The S prevailing wind would also enter the valley corridor via the western side of Greenery Garden and would flow along the hillslope to the southwest of HKU Jockey Club Student Village 3 and skim towards Kwun Lung Lau and eventually reaching Sai Wan Estate as well as the western portion of Forbes Street Temporary Playground.

The localized air paths

- 4.19 Apart from the major breezeways which introduce the prevailing wind and mountain wind into the urban region, several streets also facilitate the penetration of the prevailing wind through the region. Such air paths include Cadogan Street, which elongates the breezeway near Kwun Lung Lau, allowing the air flow from the south to penetrate the high-rise building clusters near the shoreline. Another important air path is at Smithfield, which links up the relatively opened area near HKU Jockey Club Student Village 3 and directs the air flow to flow across the urban region at central portion of Kennedy Town to reach the sea.
- 4.20 In addition to the above air paths, Davis Street also facilitates the air flow from Forbes Street Temporary Playground to penetrate the urban region of Kennedy Town towards the seaside. It is also noticed that the BGs at “R(A)5” site on Ka Wai Man Road would carry the air flow skimming down the hillslope of Mount Davis through the planned residential area under the south quadrant wind, and flow towards the shoreline via the NBA on the “OU” site of China Merchants Wharf as well as Kennedy Town Temporary Recreation Ground. **Figure 4.5** illustrates the flow of S/SSW prevailing wind.

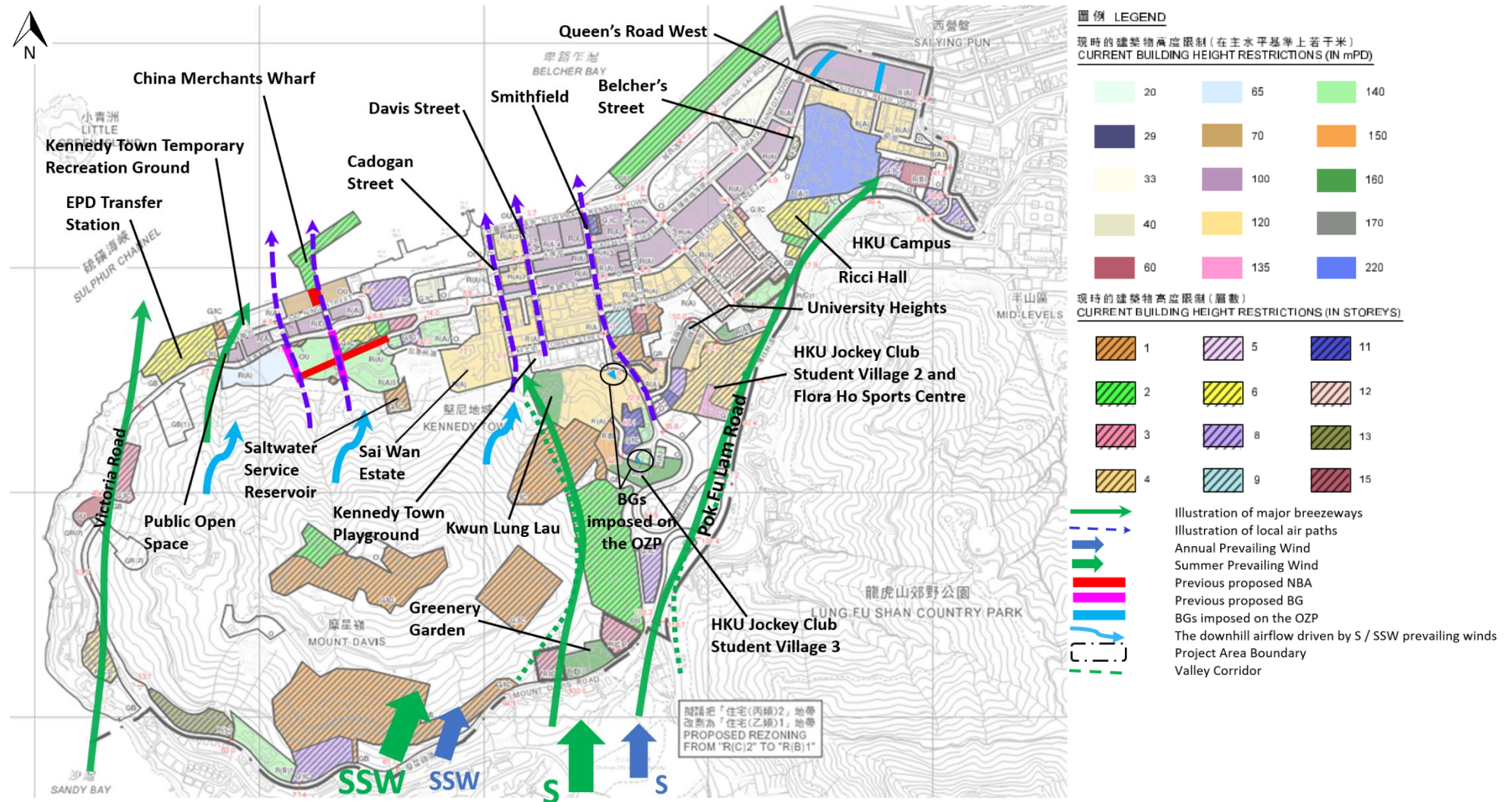


Figure 4.5 Major paths of air flow under S and SSW wind

Under SW prevailing wind and downhill wind

Major breezeways

- 4.21 A portion of the SW prevailing wind would enter the Project Area at Victoria Road to the northwest of Mount Davis and reach the westernmost region of Kennedy Town (i.e. the area near EPD Transfer Station), which would then reach and skim over the Kennedy Town Temporary Recreation Ground and flow towards the area north to the south of the “OU” site of China Merchant’s Godown and Wharf.
- 4.22 In addition to the southwest wind approaching the northwest side of Mount Davis, a portion of air flow would also be channeled into the valley corridor near Greenery Garden similar to that under the SSW wind. This portion of SW wind would flow along Pok Fu Lam Road and eventually reaching the HKU campus.

The localized air paths

- 4.23 In addition to the major breezeways identified above, several streets / roads and open spaces would also serve as local air paths within the urban area and contribute in sustaining the wind environment. The westernmost of these air paths is at Victoria Road to the east of the EPD Transfer Station, which directs the air flow entering the urban area from the west to flow towards Cadogan Street Temporary Garden to the northeast. This air path would be further elongated by Belcher’s Street and Catchick Street, allowing the air flow to reach Belcher Bay Park and the region near The Belcher’s (The Westwood), facilitating the wind environment along the route.
- 4.24 Furthermore, the air flow driven by SW prevailing wind and downhill wind from Mount Davis would also be channeled into the NBA proposed by the AVA EE 2013 in the proposed public housing site at Ka Wai Man Road and flow into Ka Wai Man Road to the northeast, eventually joining the air path of Victoria Road mentioned above. In addition, the downhill wind could also be channeled into Forbes Street Temporary Playground and flow towards MTR Kennedy Town Station and Davis Street, therefore increasing the wind availability at the central region of Kennedy Town.
- 4.25 The air flow driven by SW wind from the open space east to Kennedy Town MTR Station would skim over the low-profiled buildings of Hee Wong Terrace and flow into the open area between The Belcher’s (Westwood) and Belcher’s Street. Major breezeways and local air paths and their corresponding flows are illustrated in **Figure 4.6**.

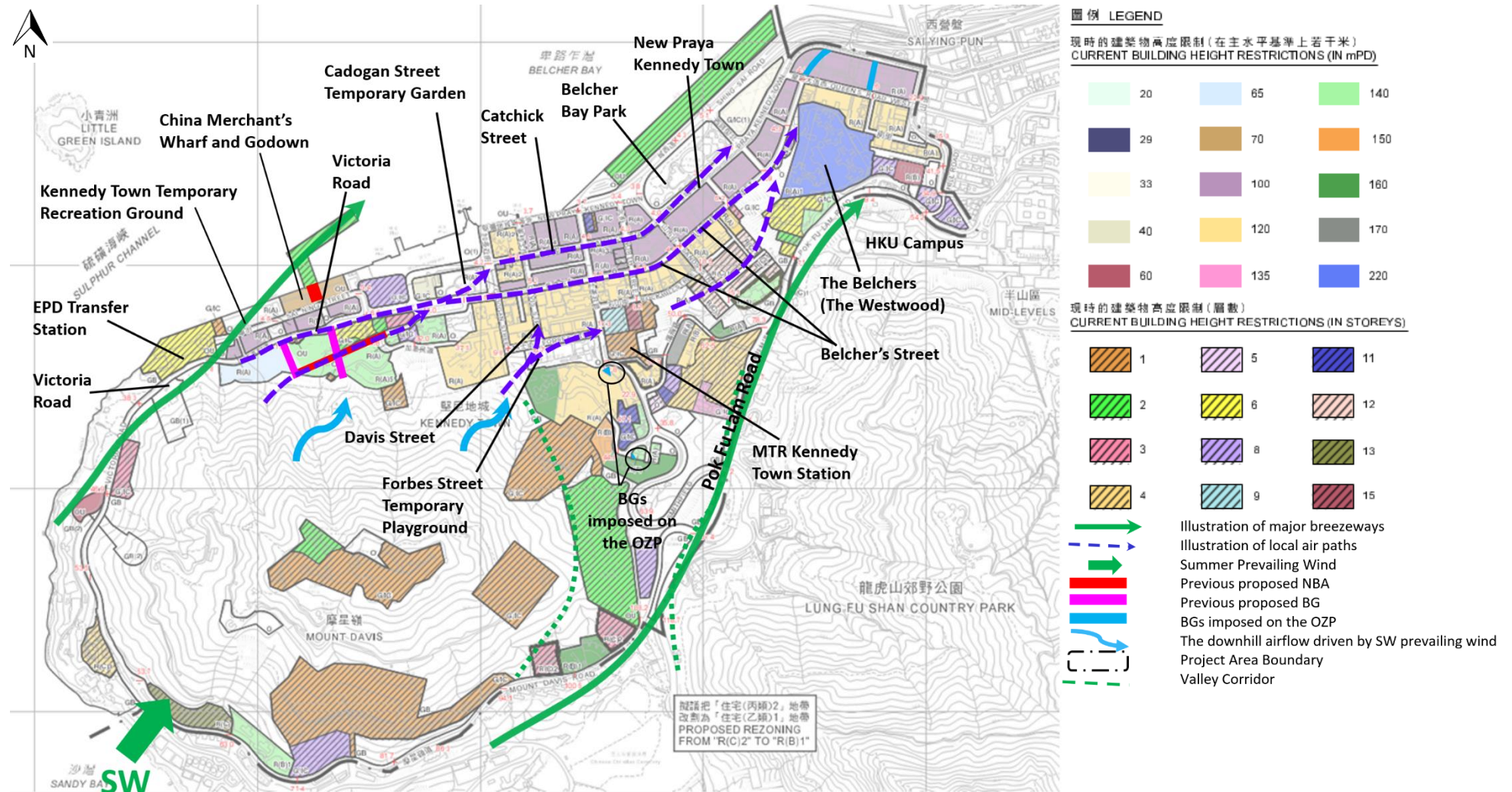


Figure 4.6 Major paths of air flow under SW wind

5 EVALUATION OF THE INITIAL SCENARIO

- 5.1 To follow up on the Court's rulings, PlanD has undertaken a further review on the development restrictions, including BHRs and NBA and BG requirements on the current OZP and its ES taking into account the latest requirements of SBDG. The review has come up with the Initial Scenario, in which BHRs for some "R(A)" and "R(B)" sites are proposed to be relaxed on the OZP to make allowance for future redevelopments to comply with the SBDG; and two sites at Mount Davis Road are proposed to be rezoned from "R(C)2" to "R(B)1" with the relaxation of the BH and PR restrictions on the OZP.
- 5.2 This section evaluates the potential impacts arising from the Initial Scenario, focusing on the amendments made to the Baseline Scenario as elaborated in **Section 4**. The following principles and considerations have been taken into account in assessing the Initial Scenario and recommending essential air ventilation measures for incorporation at the OZP level.

SBDG and Chapter 11 of the Hong Kong Planning Standards and Guidelines (HKPSG) relevant to the Project Area

- 5.3 The SBDG is an administrative means to promote sustainable building design by granting gross floor area (GFA) concessions with a view to contributing to a better built environment. In air ventilation perspective, SBDG aims to enhance building permeability in avoiding screen wall effect and to promote air movements amongst developments to enhance better dispersion and air mixing. Building setback is one of the requirements under SBDG which can improve the wind environment at pedestrian level. According to the SBDG, buildings fronting a street of less than 15m wide should be set back so that no part of the building up to a level of 15m above the street level should be within 7.5m from the centerline of the street. The potential improvement on air ventilation caused by sites adopting building setback could be quite significant for those streets which are currently less than 15m wide.
- 5.4 Building separation increases permeability within the urban built environment to mitigate heat island effects arising from the undesirable screening effect of long buildings. Incorporating building porosity into building design promotes air movements amongst developments and enhances the diffusion and mixing of air. Permeability in the low zone is particularly important for improving air ventilation at pedestrian level.
- 5.5 According to the SBDG, building sites that are (a) 20,000m² or above, or (b) less than 20,000m² and proposed with buildings having a continuous projected façade length (L_p) of 60m or above, should comply with the building separation requirements. The maximum permissible L_p for such building sites should not exceed five times the mean width of street canyon (U). A minimum permeability (P) of 20% is required for each plane in each assessment zone. Figures extracted from the SBDG on building permissible are included in **Appendix**.
- 5.6 Several principles for planning have been listed out in the Chapter 11 of the HKPSG and one of the most important principles is the alignments of breezeways and / or air paths in prevailing wind directions, accompanied by perpendicular insertion of air paths (see **Figure 5.1**). This would promote wind penetration through urbanized areas. Breezeways could be achieved by connecting major roads, open spaces, amenity areas, NBAs, building setbacks and low-rise building corridors.

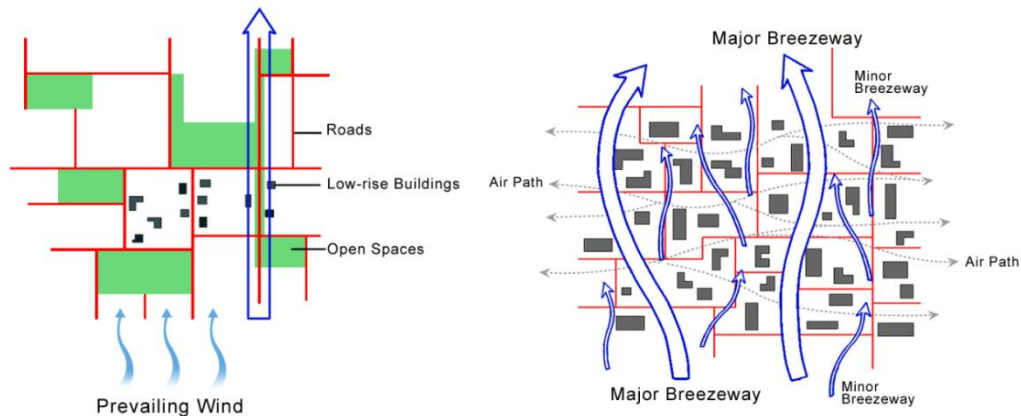


Figure 5.1 Linkage of roads / open space / low-rise buildings to form paths of air flow

- 5.7 Orientations of streets (see **Figure 5.2**) are also important for maximize the infiltration of prevailing winds into grid-patterned streets. The orientation of arrays of main streets/wide main avenues should best stay parallel to the prevailing wind directions, or with less than 30 degrees, being acceptable. Long street grid facing incoming winds should be avoided in order to minimize wind stagnant zones. Widening of streets/ building setbacks are also considered as a merit design feature.

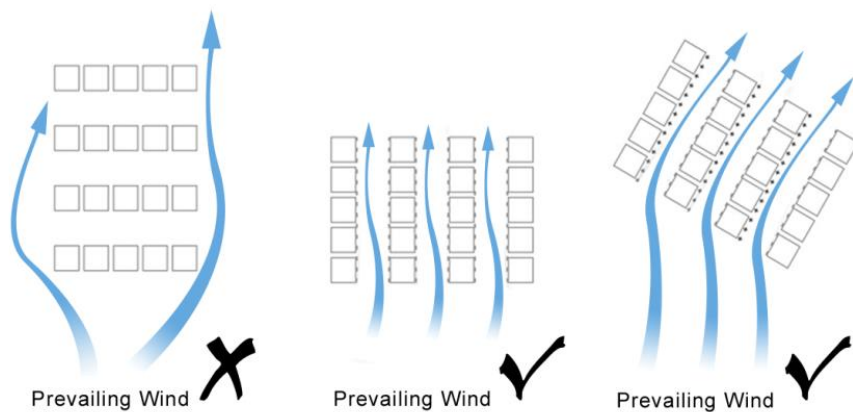


Figure 5.2 Illustration of orientation of streets

- 5.8 As the Project Area is located adjacent to the seafront, careful consideration should be taken for the function of waterfront sites, in which long continuous building groups perpendicular to wind directions are not encouraged. Corridors facilitating movement of sea / land breezes and prevailing winds flowing over the sea should be retained (see **Figure 5.3**).

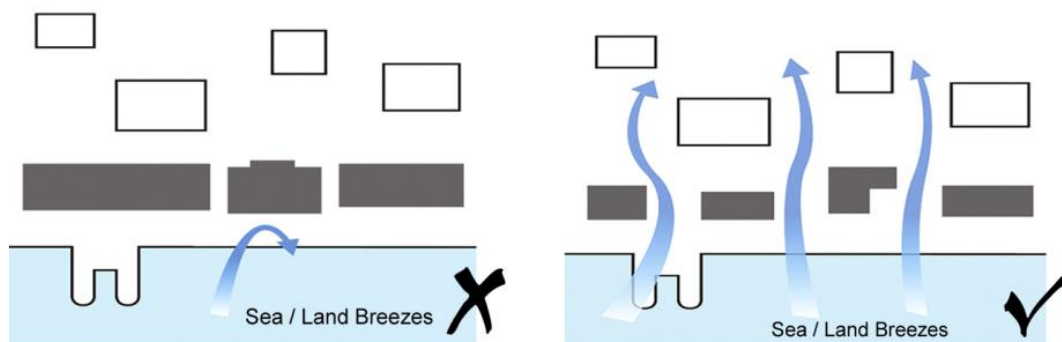
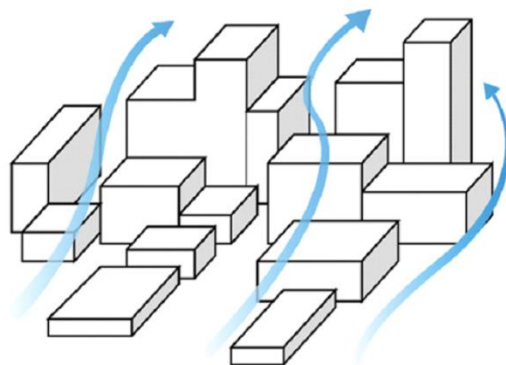


Figure 5.3 Illustration principles for waterfront sites

- 5.9 Further to the ground level permeability related measures, height variation for buildings (see **Figure 5.4**) also has its role in facilitating the wind flows in urban district, especially in the form of height decreases towards the direction where prevailing wind originates, as this feature instigates the wind flowing in vertical directions throughout the district. With low-rise buildings and open spaces widely disperse around the site, the effect would be intensified.



Prevailing Wind

Figure 5.4 Illustration of wind flow over buildings with good BH profile

- 5.10 However, relying solely on SBDG would not be sufficient to ensure good air ventilation at the district level as concerned building design measures are drawn up for and confined to developments on the basis of each individual site. Building permeability can be provided at low, middle and high zones involving detailed building design matters. These measures, in a diversified manner, may not take into account the need of the wider area and benefits would be localized only. Therefore, incorporation of NBAs and BGs at strategic locations at the OZP level should still be a mean to maintain or create connected air paths for good wind penetration at district level. An appropriate mix use of strategies with planning measures (e.g. NBAs and BGs) at district level as well as design measures (e.g. SBDG's recommendations) at building/site level should be adopted.

Comparison of the Initial Scenario and Baseline Scenario

- 5.11 Under the Initial Scenario, the following amendments to the BH and PR restrictions of some sites in the Baseline Scenario are proposed (see **Figure 5.5**):

Sites with Proposed Amendments		Current Zoning	Proposed Zoning	Current Development Restrictions on the OZP (Baseline Scenario)	Proposed Development Restrictions on the OZP (Initial Scenario)
A	Pokfield Road Site	"R(A)"	No change	BH: 120mPD	BH: 130mPD
B	Academic Terrace	"R(A)"	No change	BH: 140mPD	BH: 160mPD
C	Hillview Garden	"R(B)"	No change	BH: 60mPD	BH: 120mPD
D	HKU Pokfield Road Residences	"R(B)"	No change	BH: 120mPD	BH: 150mPD
E	2 and 6-10 Mount Davis Road	"R(C)2"	"R(B)1"	PR: 0.75 SC: 25% BH: 3 storeys	PR: 3 SC: N/A* BH: 160mPD

Note: The PR and SC of Sites A to D and the SC* of Site E will be determined under the Building (Planning) Regulations of the Buildings Ordinance (BO).



Figure 5.5 The Initial Scenario

- 5.12 It is generally understood that a building with higher profile would likely induce a larger wind shadow region to the downstream region. However, as raised in the AVA EE 2013, it may not be sufficient to solely rely on the change of BHR to determine the air ventilation performance due to the high-density feature in urban region. In addition, evaluation of the breezeways and air paths being incorporated in the district along with their effectiveness, and other merit features such as gaps between buildings and permeable elements near ground level would provide a more robust analysis of the air ventilation performance of the planning proposal.
- 5.13 Since the detailed building layout for future redevelopment has not been determined at early planning stage, the extent of implications of SBDG on the building profile could only be estimated in general terms by adopting typical assumptions (i.e. the Initial Scenario). Thus, the evaluation would be conducted in a conservative approach (i.e. assuming all sites will adopt the maximum permissible development parameters, which include the maximum PR and SC permitted under the BO and the proposed BHRs on the OZP). Detailed evaluation of the potential air ventilation impact induced by the amendments stated in Initial Scenario are as follows:

Site A: Pokfield Road Site

- 5.14 Site A is bounded by Smithfield and Pokfield Road from the west, east and south and fronting the MTR Kennedy Town Station to the north. Since the site is fronting Smithfield and Pokfield Road, which are narrow streets with a width of less than 7.5m from the centerline, building setback requirement under the SBDG is required if the site is to be redeveloped in future (see **Figure 5.6**). The achievable PR in the Initial Scenario is comparable as the Baseline Scenario under the BO with a reduction of non-domestic SC from 100% to 65% and the domestic SC remains unchanged at 40%. To accommodate the permissible development intensity under the BO for future redevelopment in complying with the SBDG, the BHR for Site A is proposed to be relaxed from 120mPD to 130mPD on the OZP.



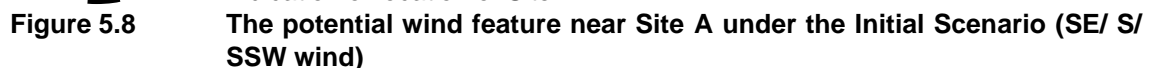
Figure 5.6 Potential Building Setback requirement under SBDG of Site A

NE / ENE/ E wind

- 5.15 Comparing to the existing BHR of Site A, this change in Initial Scenario would raise the wind blockage against Smithfield Terrace under NE / ENE wind. However, since the buildings in Site A could potentially have a smaller podium as described in Paragraph 5.14 above, the low-level permeability would allow the prevailing wind to penetrate through the site and alleviate the potential impact at the pedestrian level. In addition, the NE / ENE/ E wind can still flow along the air path of MTR Kennedy Town Station – Forbes Street Temporary Playground, allowing air flow to facilitate the wind environment between Smithfield Terrace and Forbes Street (see **Figure 5.7**).



5.16 The SE/S/SSW prevailing wind mainly travels along the valley corridor and Smithfield. As the BHR of Site A will be relaxed, potential impact would be induced at the area near MTR Kennedy Town Station. As discussed and seen in **Figure 5.8**, the adoption of the SBDG would introduce building setback along Smithfield which allows more prevailing wind entering Forbes Street Temporary Playground and MTR Kennedy Town Station. The potential impact would be alleviated. The amendment of BHR on Site A would increase the BH difference to its surrounding sites (i.e. Caritas Mong Cheung Sui Kun Community Centre, etc.), forming a more evident variation of BH profiles in the region. Such feature would likely induce a stronger localized vertical air movement, bringing more upper level wind to the pedestrian level.



Site B: Academic Terrace

- 5.17 Site B is aligned roughly along NE-SW direction at Pok Fu Lam Road. To comply with the SBDG requirements, it is assumed that the SC for non-domestic podium be reduced from 100% to 65% while the domestic SC be remained unchanged at 33.33% under the Initial Scenario. The achievable PR in the Initial Scenario is comparable as the Baseline Scenario under the BO. To accommodate the permissible development intensity under the BO for future redevelopment in complying with the SBDG requirements, the BHR of Site B is proposed to be relaxed from 140mPD to 160mPD on the OZP.

E wind

- 5.18 The relaxed BHR for Site B in the Initial Scenario may introduce more localized impact on the area near Hoi Lee Building and Sands Street under the easterly wind than the Baseline Scenario. However, assuming that the reduction in SC for non-domestic portion upon future redevelopment, more permeable elements are expected at the low zone of the future redevelopment. Thus, the potential impact of Site B under the Initial Scenario would not be significant under E wind condition. The potential wind feature near the Site B under E Wind can be referred to **Figure 5.9**.

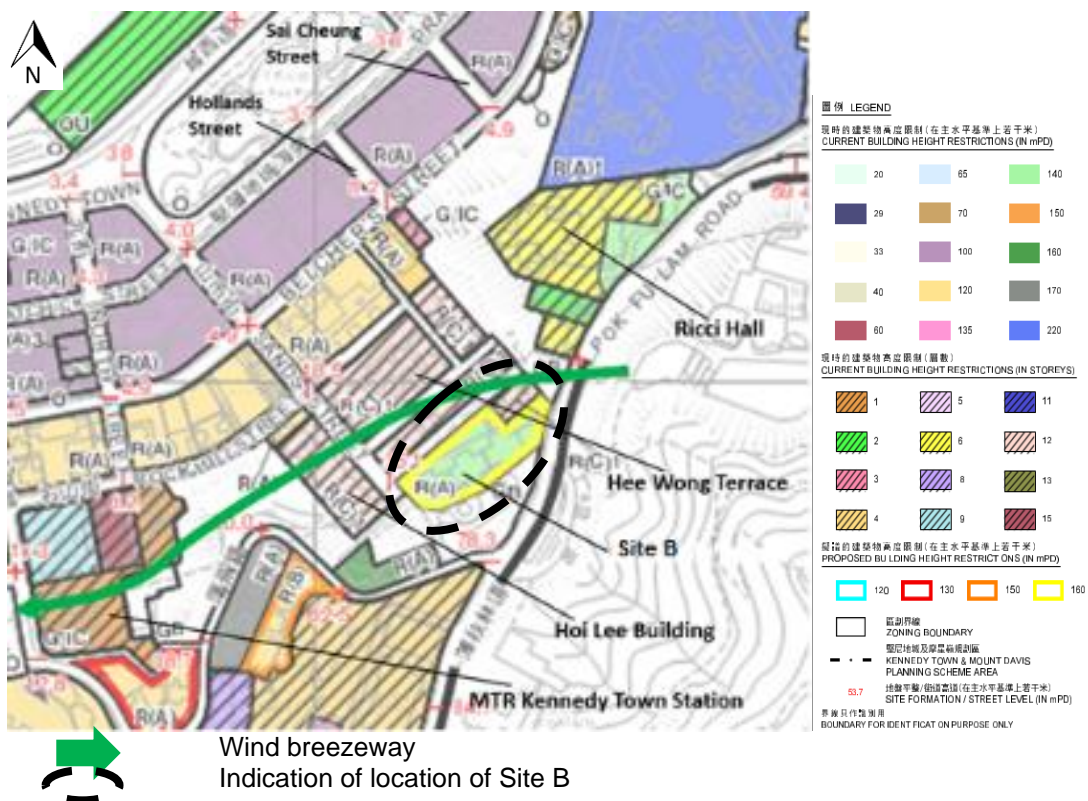


Figure 5.9 The potential wind feature near Site B under E Wind

SE wind

- 5.19 The alignment of Site B is perpendicular to the SE prevailing wind and would cast wind shadow at the area near Hee Wong Terrace. The reduced SC of non-domestic portion under the Initial Scenario would help facilitate the SE wind to penetrate through the site at low zone level and alleviate the potential impact induced by the increased in BH. Significant impact arising from the Initial Scenario is not anticipated when compared with the Baseline Scenario. **Figure 5.10** shows the potential wind feature near the Site B in the Initial Scenario under SE wind.

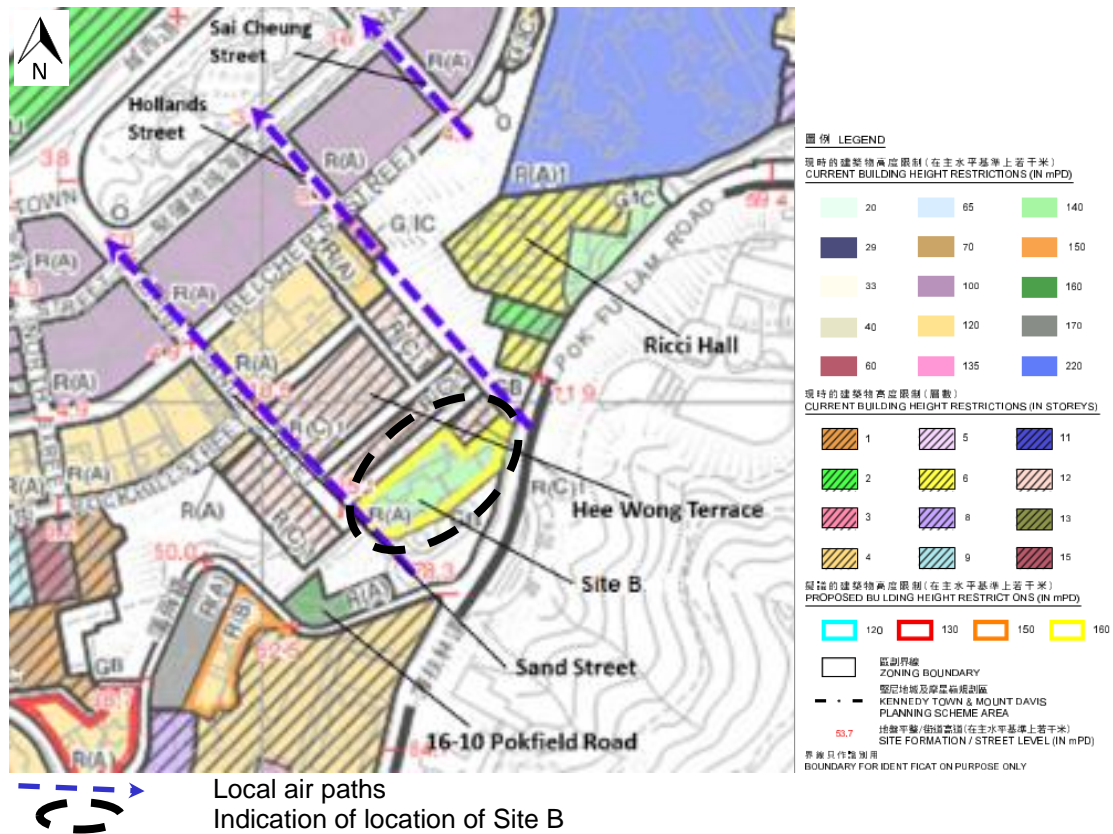


Figure 5.10

The potential wind feature near Site B under Initial Scenario under SE wind

S/SSW/SW wind

- 5.20 Under the S and SW wind directions, the prevailing wind near Site B mainly flows along Po Fu Lam Road (see **Figure 5.11**). Potential air ventilation impact would be induced to the region near Hee Wong Terrace and To Li Garden under the Initial Scenario with taller BHR when compared with Baseline Scenario. As mentioned above, the reduction in SC at the low zone would help alleviate the potential impact to the downstream areas. Moreover, the potential impact under these wind directions would be less significant than SE wind considering the site alignment.

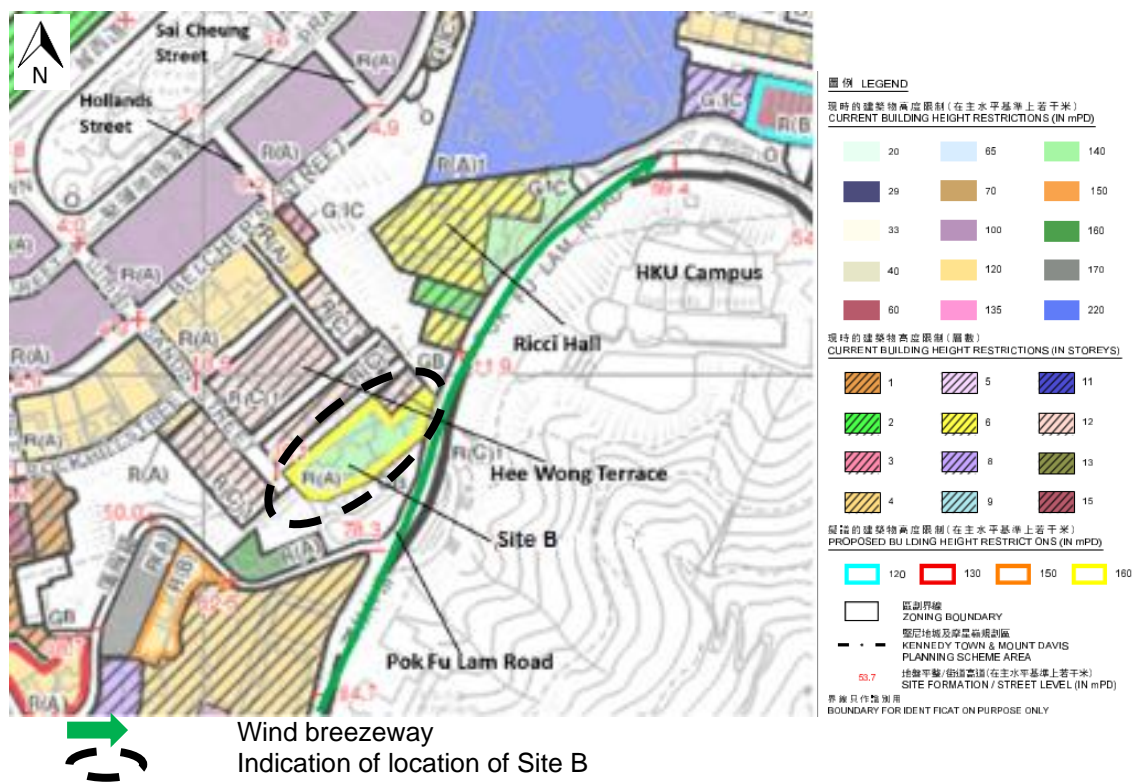


Figure 5.11

Wind breezeway
Indication of location of Site B

The potential wind feature near Site B under Initial Scenario under S / SSW and SW wind directions

Under other prevailing wind directions (NNE/ NE / ENE)

- 5.21 Under the NE wind condition, the wind shadow of Site B would mainly cast onto the “GB” zone where the access road is situated, no significant impact is therefore anticipated. The potential impact would be further alleviated due to the reduction of SC at low zone as aforementioned.

Site C: Hillview Garden

- 5.22 Site C is located in the northeast sector of Kennedy Town, fronting the MTR HKU Station to its south and abutting Hill Road to its north, which is a narrow street with a width of less than 7.5m from the centerline. Building setback would be required under the SBDG (Figure 5.12). The maximum achievable PR would be increased from about 4.2 to 8, while the SC would be reduced from 42% to 33.33% under the BO (i.e. Initial Scenario). In order to accommodate the permissible development intensity for future redevelopment under the BO in complying with the SBDG, Site C is proposed to be relaxed from 60mPD to 120mPD on the OZP.

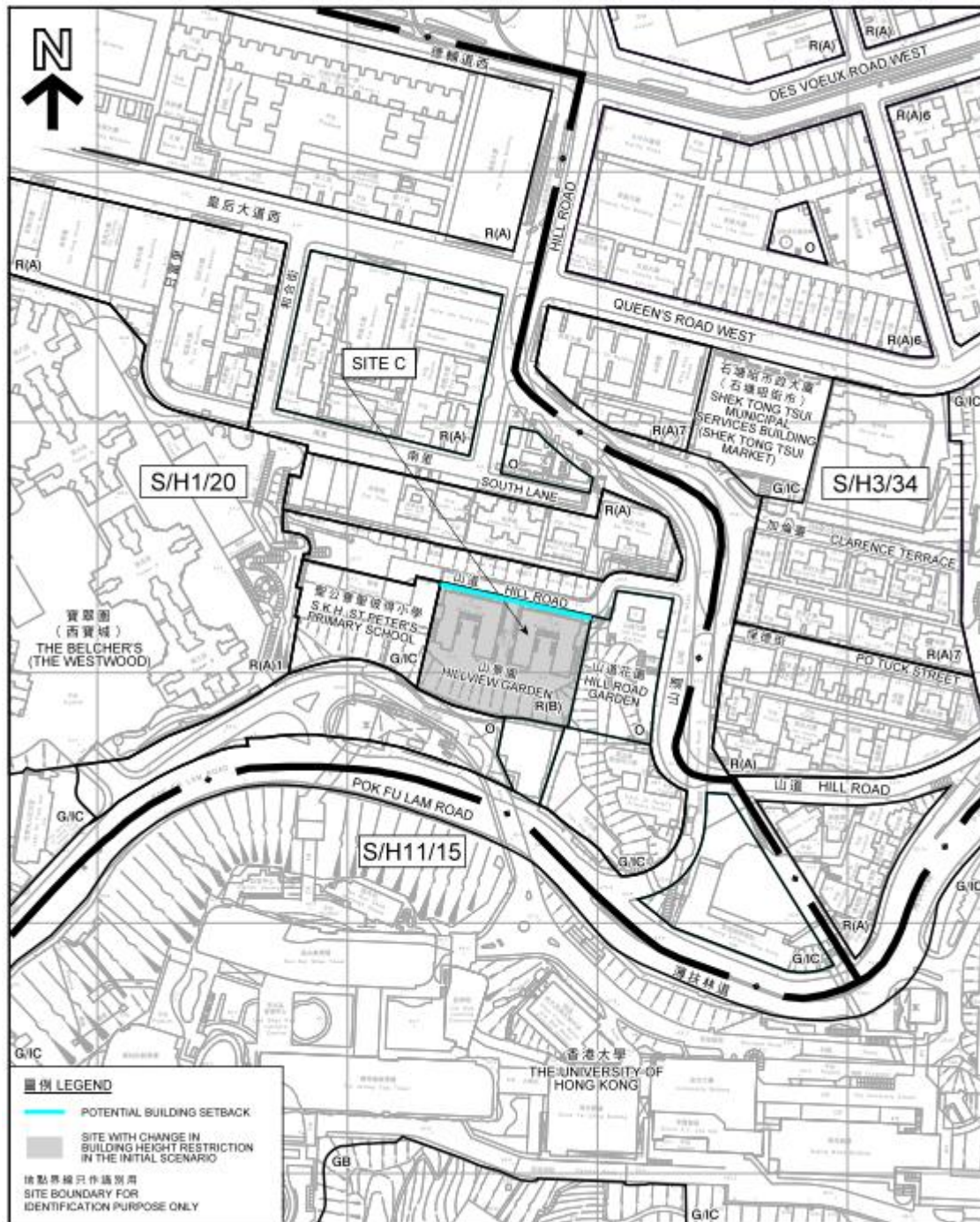


Figure 5.12 – Potential setback requirement under SBDG of Site C

- 5.23 In addition to the maximum permissible development parameters of Site C, the surrounding morphologies would also affect the wind environment near Site C. There are two pieces of open spaces (i.e. Hill Road Garden and the area near MTR HKU Station) located adjacent to Site C, which provide “ventilation breathing spaces” near the site, thereby enhancing the local wind environment.

NNE / NE / ENE / E wind

- 5.24 There is no identified air path near the site under North-Easterly and Easterly wind. The surrounding buildings are mainly dominated by some high-rise “R(A)” and “R(A)1” zones with BHRs of 120mPD and 220mPD respectively. The increase in BH and PR under the Initial Scenario would introduce some adverse air ventilation impacts on the S.H.K St. Peter’s Primary

School and the open space near MTR HKU Station when compared with the Baseline Scenario. However, as the SC of Site C under Initial Scenario would be reduced, it could help alleviate the potential air ventilation impact. The aforementioned setback requirement under SBDG could also help the Easterly prevailing wind to reach the area near S.K.H. St. Peter's Primary School.

SE wind

- 5.25 Under SE wind condition, a portion of the SE prevailing wind would enter Site C from the HKU campus. The increase in BH and PR in the Initial Scenario would induce potential adverse air ventilation impact mainly to Hill Road near Site C and the S.K.H. St. Peter's Primary School. The further downstream pedestrian wind environment is already dominated by the buildings between Hill Road and South Lane. The setback requirement from Hill Road under SBDG for Site C would help avoid the deep canyon created between the site and Jadeview Court/ Nam Cheong Building. The lower SC under the Initial Scenario would help the prevailing wind infiltrating to the downstream area.

S / SSW / SW wind

- 5.26 Under S/SSW/SW wind directions, the prevailing wind would enter Site C from the identified air path (Pok Fu Lam Road) and the open space near the MTR HKU Station (**Figure 5.13**). Potential adverse air ventilation impact would be induced to Hill Road and Hill Road Garden under the Initial Scenario when compared with the Baseline Scenario. The building setback from Hill Street under SBDG and the lower SC would help alleviate the potential impact. The increase in BHR would also help to introduce some downwash wind to the pedestrian level and enhance the pedestrian wind environment near the open space at MTR HKU station. The downwash wind may then enter the area near Hill Road Garden and S.K.H. St. Peter's Primary School.

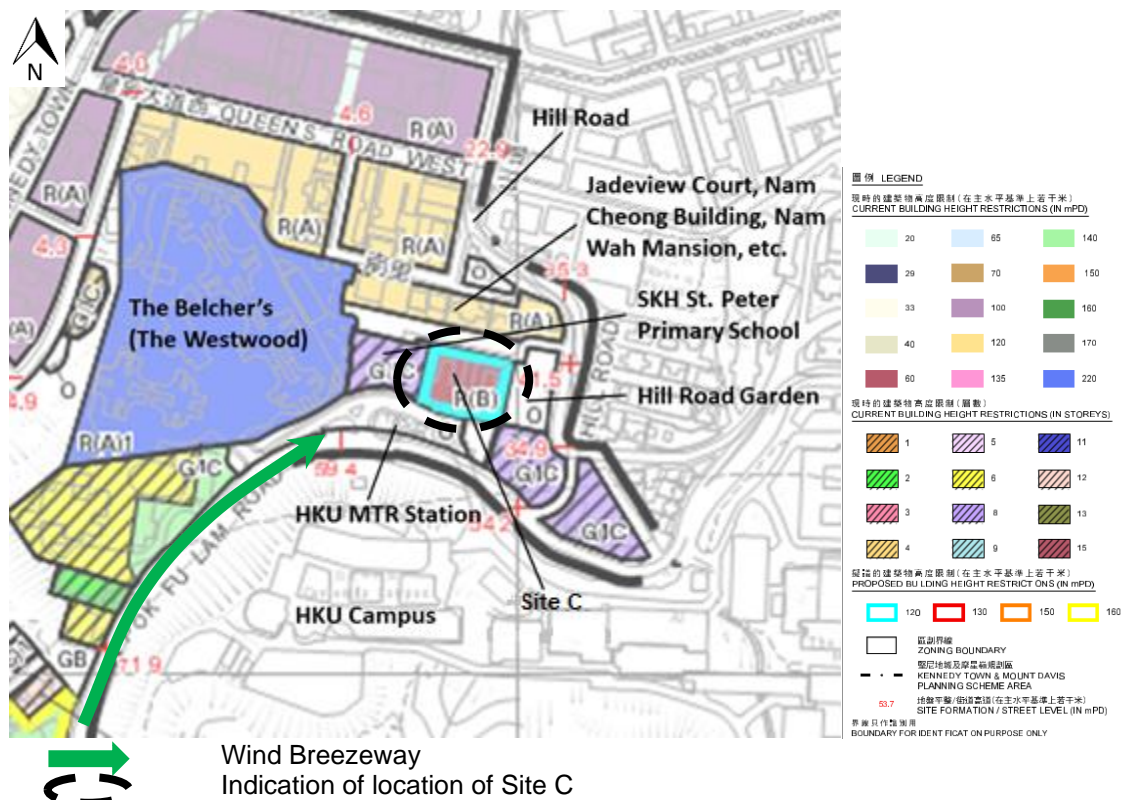


Figure 5.13 The potential wind flow near Site C under Initial Scenario under S / SSW/SW wind directions

Site D: The HKU Pokfield Residences

- 5.27 Site D is located to the immediate east of University Heights and abutting Pokfield Road to its north. Since Pokfield Road is a narrow street with a width of less than 7.5m from the centreline, potential building setback would be required under the SBDG (see **Figure 5.14**). The maximum achievable PR would be increased from about 6.7 to 8, while the SC would be remained at 33.33% under the BO. In order to accommodate the permissible development intensity for future redevelopment in complying with the SBDG, Site D is proposed to be relaxed from 120mPD to 150mPD on the OZP.



Figure 5.14 Potential Setback requirement under SBDG of Site D

NNE/NE/ENE

- 5.28 There is no identified air path near Site D. The alignment of the Site is mainly in NE-SW direction. The potential wake zone created by the development at Site D would be mainly at the GIC sites at its south-western area.
- 5.29 The increase in BH and PR under the Initial Scenario would introduce certain air ventilation impact on the downstream “G/IC” zone when compared with the Baseline Scenario. Even though the SC of Site D remains unchanged under both Scenarios, the relatively low SC of 33.3% with no podium and mild increase in PR would not cause significant impact on the surrounding pedestrian wind environment.

SE/E

- 5.30 Owing to the alignment and position of Site D, the relaxation of BHR on the OZP and the resultant increase in PR would potentially induce blockage against the E and SE winds approaching University Heights located to its immediate downstream. The potential building setback under SBDG along Pokfield Road would slightly help the prevailing wind to flow along Pokfield Road and slightly alleviate the potential impact generated by the Initial Scenario.
- 5.31 In addition, the relaxed BHR for Site D would increase the BH difference between the developments in Site D and those in the GIC site where Flora Ho Sports Centre situated to the east, thus the vertical air movement in the western portion of Flora Ho Sports Centre would be enhanced, and potentially facilitate the local wind environment at the pedestrian level.

S/SSW/SW

- 5.32 Under these wind directions, potential adverse impact due to the increase in BH and PR would not be significant as the potentially affected area would mainly be the “GB” zone at the downstream region.

Sites E: The two Sites at 2 and 6-10 Mount Davis Road

- 5.33 Sites E at Mount Davis Road (see **Figure 5.15**) are located at the southern portion of the Project Area and in the valley between Lung Fu Shan Country Park and Mount Davis. It is proposed to rezone the two sites from “R(C)2” with maximum PR of 0.75, SC of 25% and BH of 3 storeys to “R(B)1” with PR of 3 and BH of 160mPD (i.e. absolute BH of about 60m). The SC of the Initial Scenario will be complied with the BO (i.e. 33.33%).

NNE/ENE/NE/E

- 5.34 It is noticed that the increase in PR and BH of Sites E would induce some potential impact on the immediate downstream area, i.e. the residential developments to the south of Site E across Mount Davis Road and the “R(B)1” zone sandwiched between Sites E. Given that Sites E have relatively small site areas, and the surrounding regions are being relatively open, it would allow the winds from northeastern quadrant and eastern quadrants to skim around the future developments and reach the downstream area.

SE/ S / SSW and SW

- 5.35 Sites E are located at the southern end of the “valley corridor”, which is identified as an important breezeway under the S/SSW as well as SW prevailing wind. Given the frontal areas of the two sites are relatively small, and the SC of each site is only 33.3%, air flows driven by the southerly and southwesterly winds could still be channeled into the “valley corridor” from the region near Pok Fu Lam Road. Moreover, the downstream area of the sites under these prevailing wind directions are some areas with no pedestrian, thus, no significant air ventilation impact is anticipated.

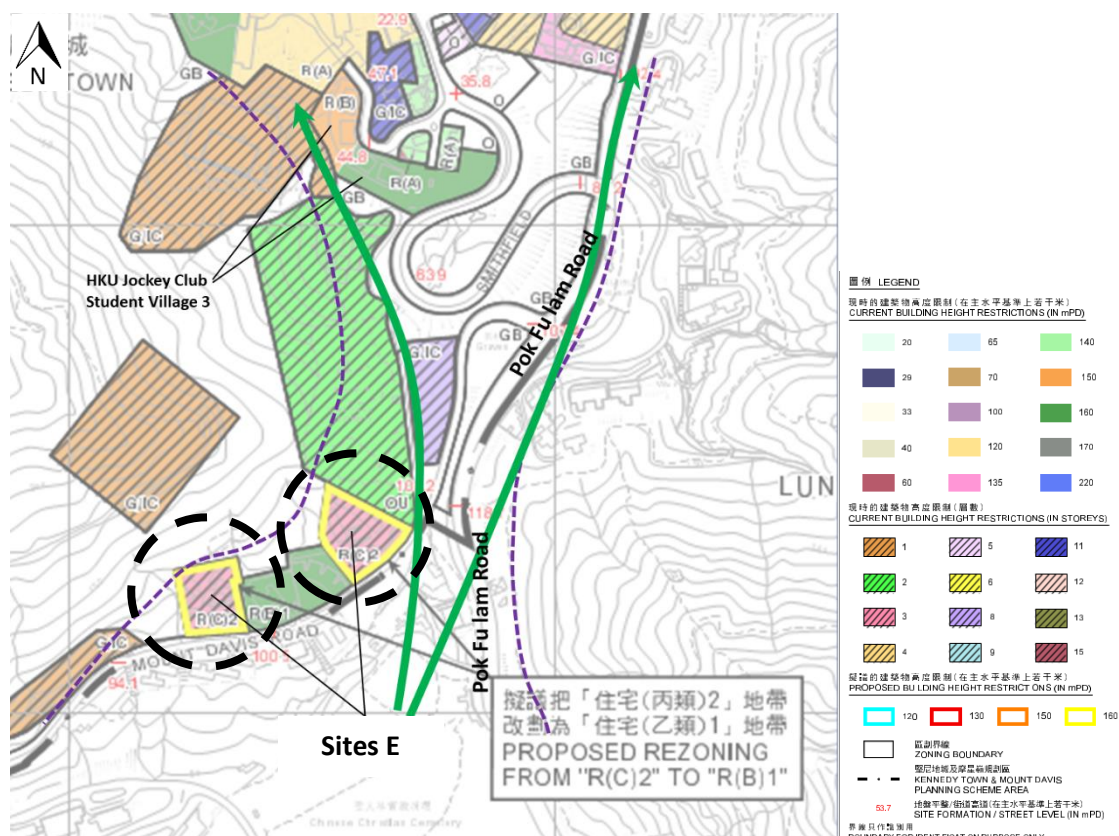


Figure 5.15

Wind breezeways
Illustration of "valley corridor"
Indication of location of Sites E
The potential wind feature near Sites E under S/SSW and SW wind directions

Review on the measures from the previous AVA EEs on OZP

- 5.36 As mentioned in Section 3, certain measures for enhancing air ventilation such as NBAs and BGs have been imposed for some sites within the Project Area on the OZP and its ES according to the previous AVA studies (i.e. AVA EE 2011 and AVA EE 2013). An overview of the measures has been illustrated in **Figure 3.5** above.
- 5.37 It is acknowledged that the incorporation of NBAs and BGs at strategic locations at the OZP level could potentially maintain or create connected air paths for good wind penetration at district level. It is worthwhile to review these measures, in order to evaluate their efficiency in promoting air ventilation performance on a district level. Detailed discussions about each of the measures are provided in subsequent paragraphs.

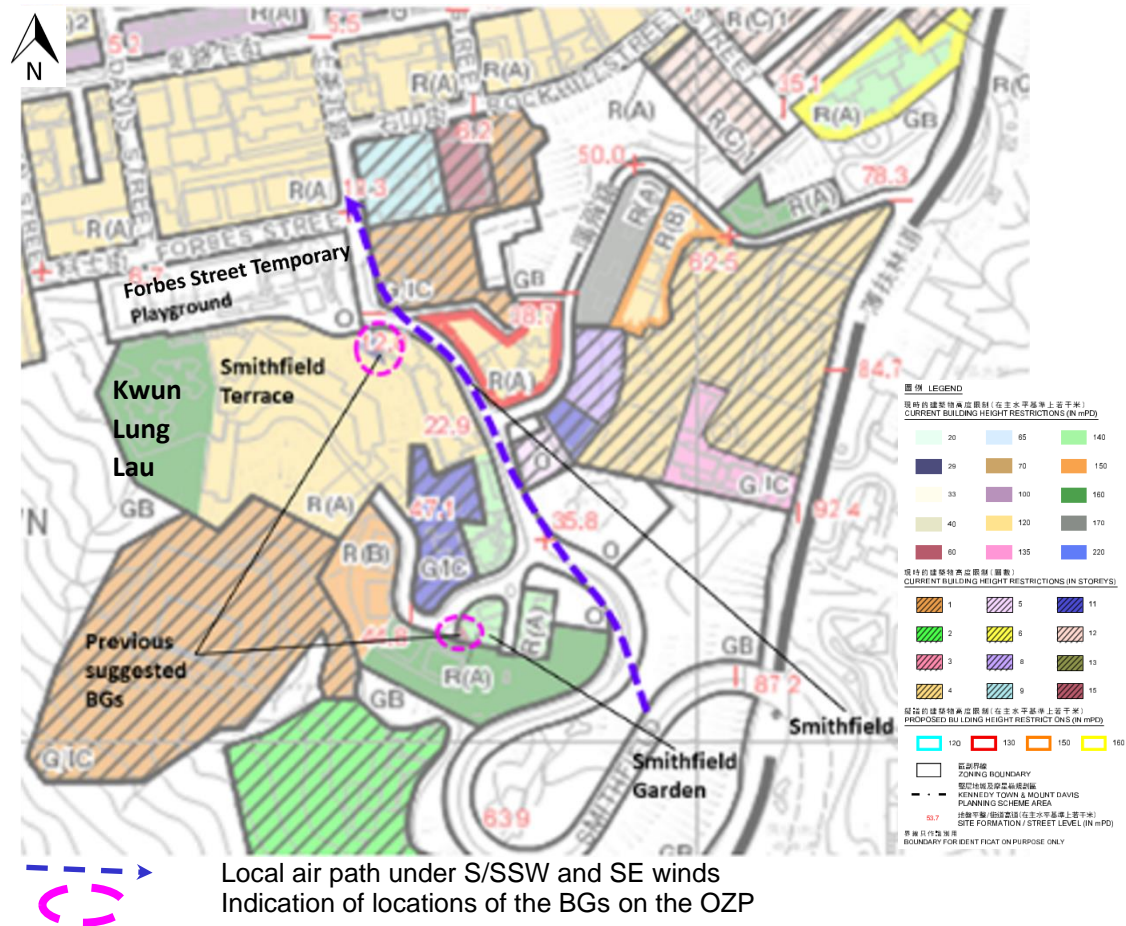
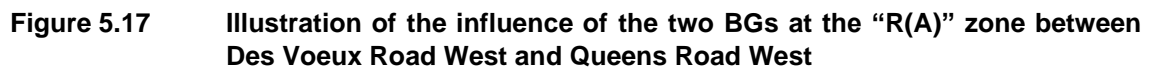


Figure 5.16 Illustration of the two BGs at Smithfield Terrace / Kwun Lung Lau and Smithfield Garden

- 5.38 Two small pieces of BGs are imposed on the OZP as recommended in the AVA EE 2011 (**Figure 5.16**), which attempt to facilitate the air flow along the axis of Smithfield near MTR Kennedy Town Station – hillslope between Smithfield Terrace and Kwun Lung Lau – Lung Wah Street – open space to the south of Smithfield Garden. However, the effectiveness of these two small pieces of BGs may be localized and much dependent on the building morphologies within the nearby “R(A)” site of Kwun Lung Lau and “G/IC” site. Considering the incorporation of SBDG, the section of Smithfield near Site A would be slightly widened, which originally is the bottleneck of the identified air path under S/SE/SSW. This facilitates the prevailing wind from Lung Fu Shan “valley corridor” into Forbes Street Temporary Playground and urban area of Kennedy Town to the north. Therefore, it is considered that the two BGs could be removed.
- 5.39 Two strips of BGs at the “R(A)” zone between Des Voeux Road West and Queen’s Road West are imposed on the OZP as recommended in the AVA EE 2011. Based on the review of wind environment under the existing OZP elaborated in **Section 4** above, these BGs form parts of the local air paths. It is worth to note that the incorporation of these BGs would “break up” the long continues façade of the developments sheltering NE / NNE wind, and directs the air movement under NNE / NE wind to be channeled into Belcher Street and Woo Hop Street (see **Figure 5.17**), implying that these two BGs are essential to the effectiveness of the whole air paths. This cannot be achieved by solely relying on SBDG should the site be redeveloped in future. Thus, these two BGs should be maintained to facilitate regional wind environment under ENE and NE wind directions for the area.



- 5.40 Two strips of BGs (**Figure 5.18**) are designated on the ES of the OZP as recommended in the AVA EE 2013 to guide the proposed public housing development at “R(A)5” zone on Ka Wai Man Road. As discussed in **Section 4**, these two BGs penetrate through the relatively long façade of the “R(A)5” site and elongate the air paths in the western part of Kennedy Town under NNE, SE, S and SSW prevailing wind. Thus, this measure is considered effective and necessary in facilitating the air flow in the region of the urban area of western part of Kennedy Town and should be maintained.
- 5.41 NBA 1 at the “R(A)5” site on Kai Wan Man Road has also been designated on the ES to guide the proposed public housing development (**Figure 5.18**). As discussed in **Section 4**, under south-westerly wind, this NBA elongates the air path of Ka Wai Man Road and would result in an enhancement of the wind environment of within this “R(A)5” site, the “G/IC” site of Bayanihan Kennedy Town Centre and “R(A)” site of Mount Davis 33. While under the NE /ENE winds, this NBA would also allow the air flow from Ka Wai Man Road to penetrate the “R(A)5” site and maintain the local air ventilation performance. Hence, this NBA is considered effective in facilitating regional wind environment and should be maintained. As it is a public housing site and any development would be guided by a Planning Brief which would set out the development parameters and special design requirements, the retention of the NBA/BG requirements in the ES is in line with the recommendations of the AVA EE 2013. A quantitative AVA will need to be conducted for the public housing development at detailed design stage to demonstrate that the future proposal would maintain/enhance the air ventilation performance in the surrounding area. Retention of the NBA/BG in the ES instead of stipulating on the OZP allows flexibility to further optimize the layout design for a better local air ventilation.
- 5.42 Another piece of NBA at the “OU” site (NBA 2) is also designated on the ES of the OZP to guide the future redevelopment of China Merchant Wharf and Godown. The discussions in **Section 4** have shown that this NBA is part of an air path located in the western part of Kennedy Town, allowing NNE wind and sea breeze from the north to infiltrate into the urbanized region near Victoria Road and flow into one of the BGs implemented in “R(A)5” site at Ka Wai Man Road. As a result, the air ventilation performance in the local area would be facilitated and this NBA is

considered effective and recommended to be retained. Redevelopment of this “OU” site would require planning permission from the TPB. Hence, the NBA requirement would be safeguarded by the planning mechanism. Retention of the NBA in the ES is to guide the future redevelopment of the site.

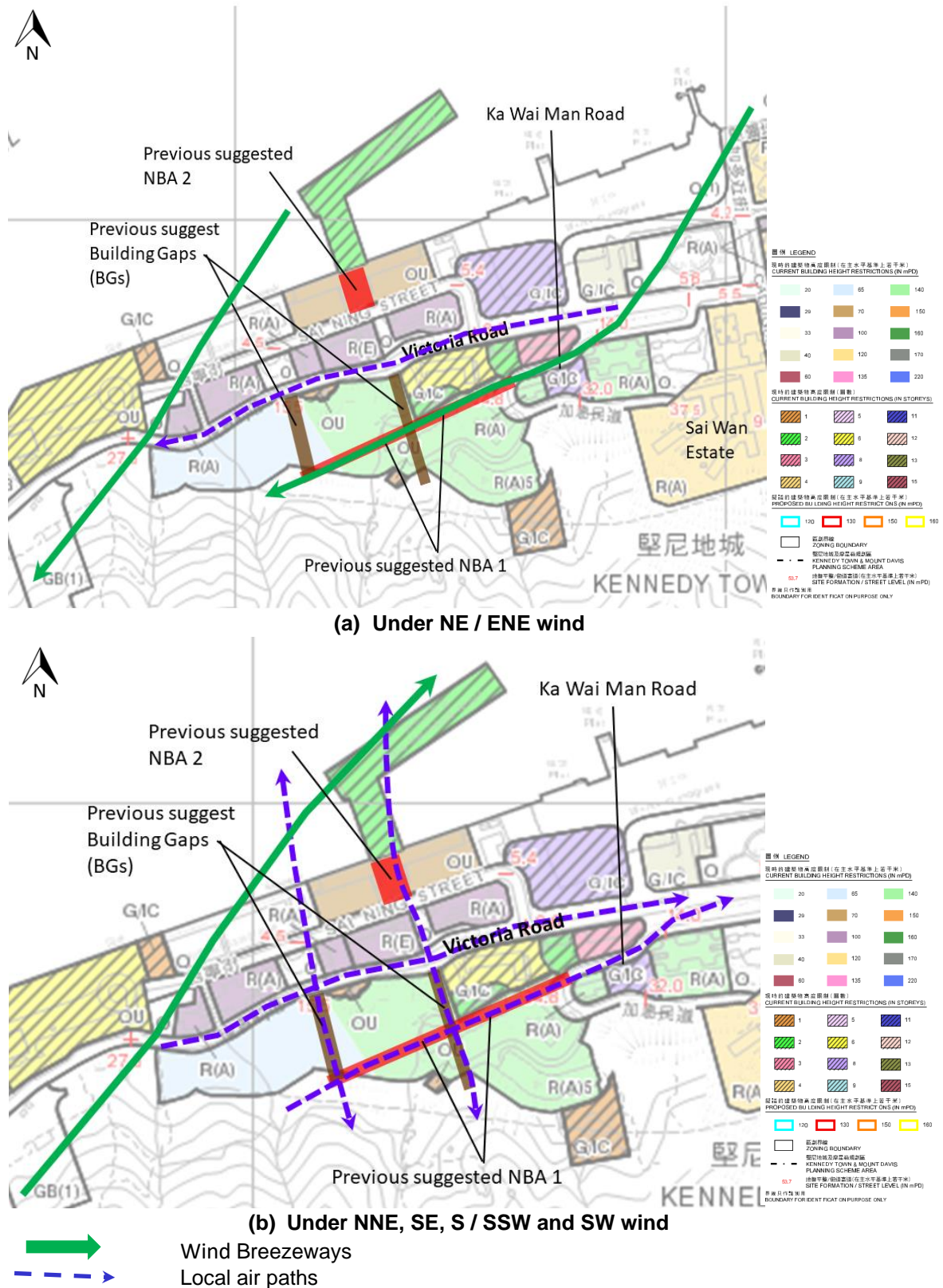


Figure 5.18

Illustration of measures on the ES in the western part of Kennedy Town

5.43 In general, development/redevelopment sites within the Project Area should take the following measures adopted in SBDG into design consideration:

- Maintaining building permeability of at least 20% to 33.3% with reference to PNAP APP-152¹ by provision of building separation
- Minimize the podium bulk with ground coverage of no more than 65% where feasible
- Provision of building setback with reference to PNAP APP-152
- Avoid long continuous facades
- Incorporate greening measure with a target of not less than 30% for sites larger than 1 ha, and not less than 20% for sites below 1 ha, preferably through tree planting at grade
- Refer to the recommendations of design measures in the Hong Kong Planning Standards and Guidelines

¹ <https://www.bd.gov.hk/english/documents/pnap/APP/APP152.pdf>

6 CONCLUSION

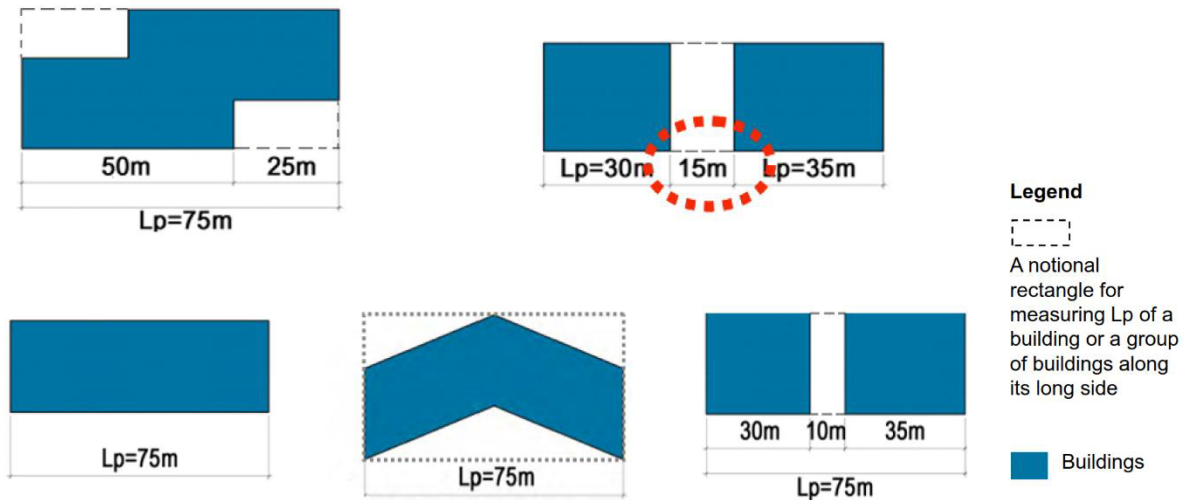
- 6.1 The Project Area is located at the northwest portion of Hong Kong Island, bounded by open sea of Belcher Bay / Sulphur Channel, Hill Road, Pok Fu Lam Road and Mount Davis Road. According to the measurement data from HKO, simulation result from MM5 and RAMS, the annual prevailing winds at the Project Area are constituted by NNE, NE, ENE, E, S, SSW winds, while summer prevailing winds are E, SE, S, SSW, SW directions.
- 6.2 It is understood that in high-density urban areas, solely relying on BHR may not be sufficient in determining the air ventilation performance. NBAs and BGs are some important features from district planning point of view.
- 6.3 For Sites A and B, with similar PRs under the Baseline Scenario and Initial Scenario as well as lower non-domestic SC at the lower zone, potential impact induced by the relaxation of BHRs of the sites to the surrounding pedestrian wind environment would not be significant. Moreover, the adoption of SBDG would introduce building setback along Smithfield at Site A which would further alleviate the potential impact of the relaxation of BH.
- 6.4 For Site C, while the increase in PR and BH under the Initial Scenario would induce some potential adverse air ventilation impacts, the reduction in SC with no podium and potential building setback from Hill Road under SBDG could help alleviate the potential impact on the surrounding pedestrian wind environment.
- 6.5 For Site D, while the SC would remain unchanged under the Initial Scenario, the future redevelopment of the site with relatively low SC with no podium and mild increase in PR would not cause significant impact on the surrounding pedestrian wind environment. Moreover, the potential setback along Pokfield Road under SBDG would slightly help alleviate its potential impact.
- 6.6 For Sites E, considering the relatively small site areas and the surrounding regions being relatively open, the rezoning of the sites from “R(C)2” to “R(B)1” with relaxation of PR, SC and BH would not induce significant impact on the surrounding pedestrian wind environment.
- 6.7 In addition, the planning measures of NBAs and BGs stipulated in the OZP and its ES in accordance with the recommendations from the previous AVA studies have been reviewed. Among these measures, the two small BGs imposed on the “R(A)” sites at Smithfield Terrace and Smithfield Garden could be removed as Smithfield would be slightly widened with the incorporation of SBDG upon redevelopment of Site A which could help enhance the local wind environment.
- 6.8 Others measures as imposed on the OZP and designated on the ES are considered as useful features from district planning point of view and should be maintained.

APPENDIX

Diagrams on Maximum Permissible (Extracted from Sustainable Building Design Guideline)

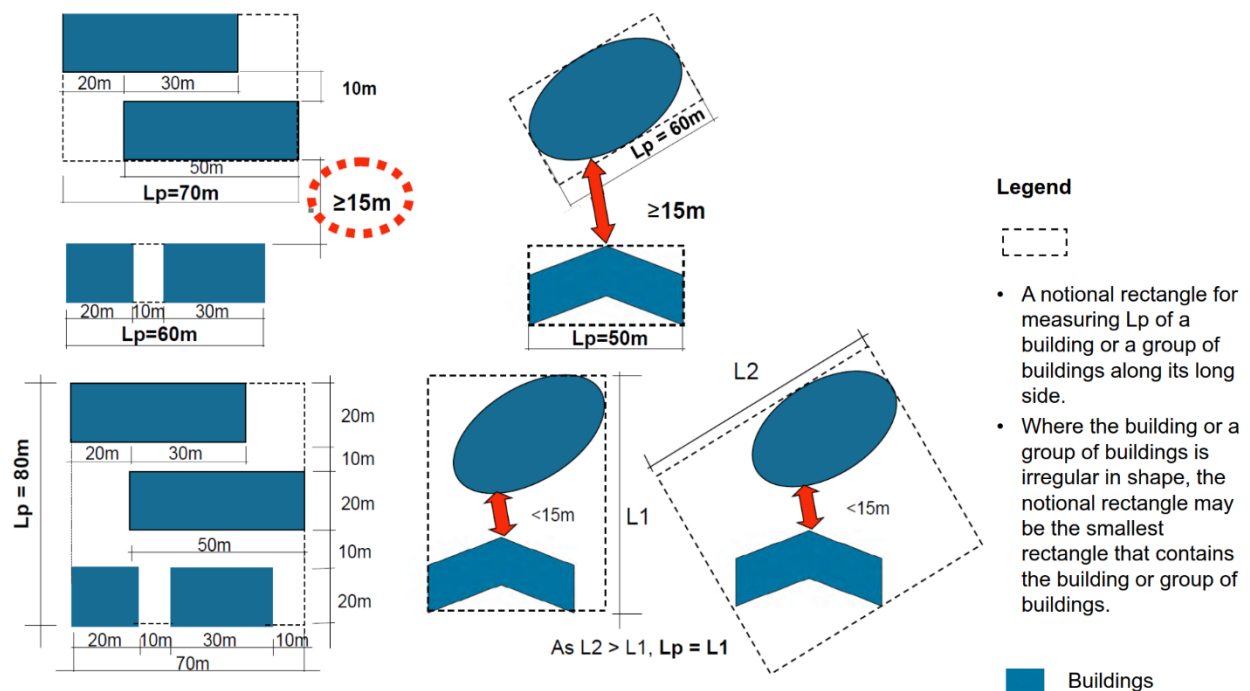
Lp Examples of determining Lp

- Building portions at low zone of height $\leq 6.67\text{m}$ ($1/3H$ of low zone) are disregarded in Lp measurement



Diagrammatic Plans of Buildings

Lp Examples of Lp of a building or group of buildings along its long side

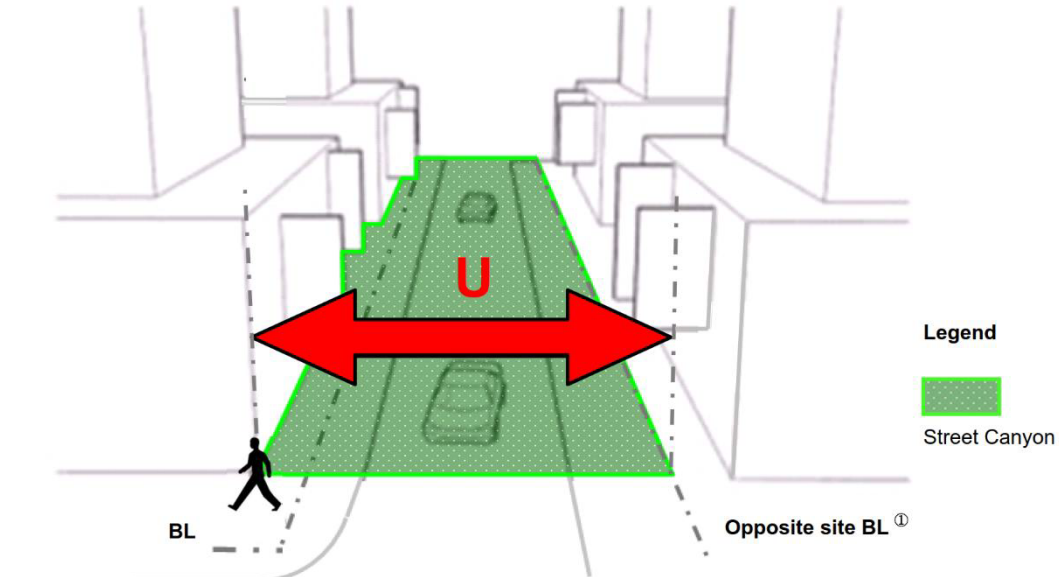


Diagrammatic Plans of Buildings

Diagrams on Maximum Permissible (Extracted from Sustainable Building Design Guideline)

Showing U

- Street canyon shall be vertically unobstructed. Minor projecting features, such as signboard, a covered footbridge and open sided features (balconies, utility platforms, covered walkways, trellises, etc.) may be disregarded.



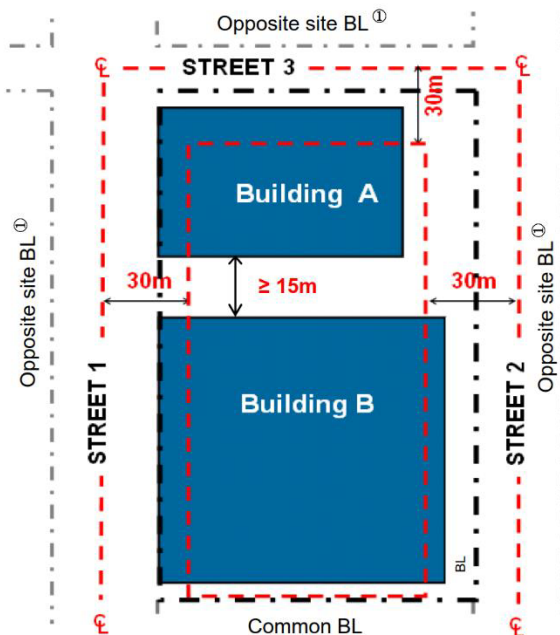
① Opposite side of the street if no opposite site

Perspective Showing Width of Street Canyon

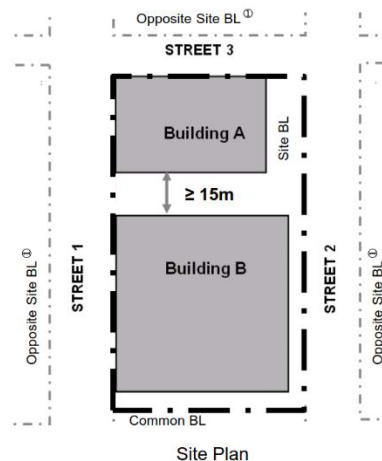
Adjoining Street Canyons

Buildings subject to control on Lp

- Buildings/groups of buildings wholly or partly **within 30m** from the centreline of an adjoining street.



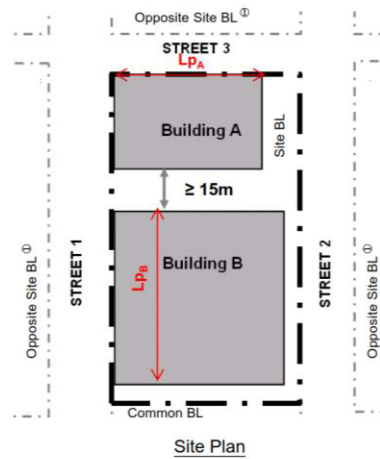
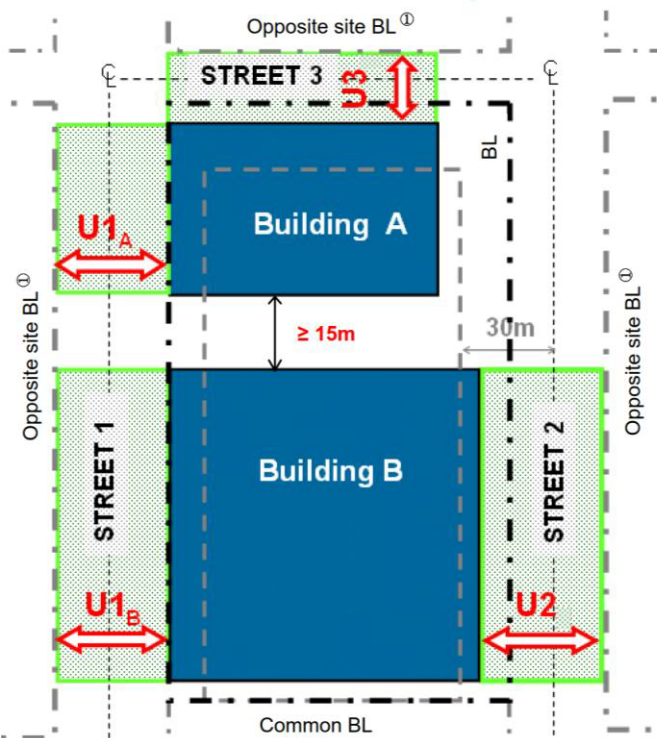
① Opposite side of the street if no opposite site.



Diagrammatic Plans

Diagrams on Maximum Permissible (Extracted from Sustainable Building Design Guideline)

U & Max. Permissible Lp



Max. Lp = 5 x U

- If a building abuts two or more streets, use the least U.

Building A

When $U_3 < U_{1A}$, max. $L_{pA} = 5 \times U_3$

Building B

When $U_{1B} < U_2$, max $L_{pB} = 5 \times U_{1B}$

^① Opposite side of the street if no opposite site.

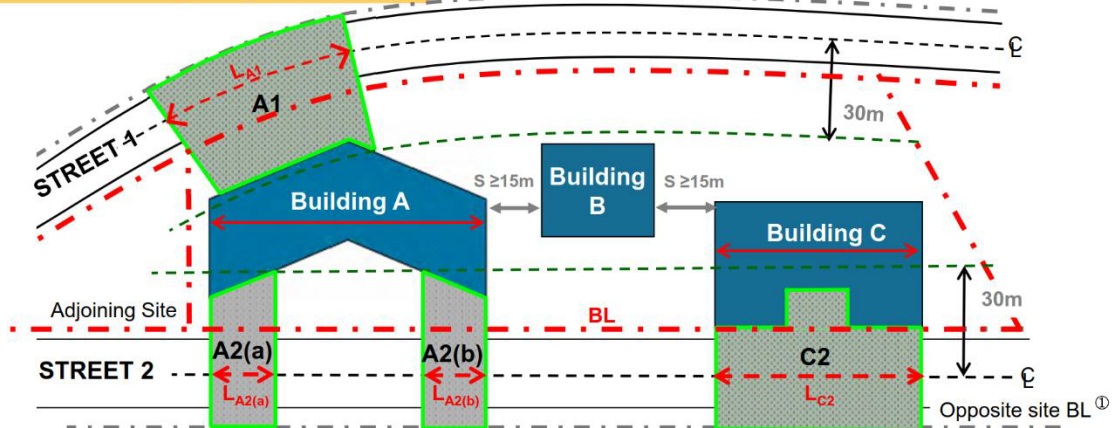
Diagrammatic Plans

U & Max. Permissible Lp

Building A

- When width of the adjoining street canyon varies, Lp is determined by the smallest U.
- When $U_{A1} < U_{A2}$, max. $L_{pA} = 5 \times U_{A1}$

$$U_{A1} = \frac{A1 \text{ (area of street canyon)}}{\text{Length of } L_{A1}}$$



$$U_{A2} = \frac{A2(a) + A2(b) \text{ (total areas of street canyon)}}{\text{Length of } L_{A2(a)} \text{ \& } L_{A2(b)}}$$

$$U_{C2} = \frac{C2 \text{ (area of street canyon)}}{\text{Length of } L_{C2}}$$

^① Opposite side of the street if no opposite site.

Diagrammatic Plan

**VISUAL APPRAISAL IN RELATION TO
PROPOSED AMENDMENTS TO THE
DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/20**



**PLANNING DEPARTMENT
DECEMBER 2020**

1. BACKGROUND

- 1.1 The development restrictions, including building height restrictions (BHRs) and building gaps (BGs) requirements, were first imposed on the draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/18 in 2011. Taking into account the commissioning of the MTR West Island Line in 2014 and the release of the Ex-Kennedy Town Incinerator, Ex-Abattoir sites, Ex-Mount Davis Cottage Area, the Ex-Police Married Officers Quarters and the Ex-Temporary School Site for the Hong Kong Academy to meet various community needs, the Planning Department (PlanD) undertook a comprehensive Land Use Review on the Western Part of Kennedy Town (the Land Use Review). In 2016, upon the completion of the Land Use Review, BHRs were also imposed on the OZP No. S/H1/20 for the area covered by the Land Use Review, while non-building areas (NBAs) and BGs for some sites were stated in the Explanatory Statement (ES) of the OZP.
- 1.2 The development restrictions imposed on two “Residential (Group C)2” (“R(C)2”) sites on the northern side of Mount Davis Road under the draft OZP No. S/H1/18 were the subject of the two judicial reviews (JRs). To follow up the Court’s rulings on the JRs, the Town Planning Board is directed to reconsider the relevant representation and comments. A review on the development restrictions on the OZP including the two JR sites at Mount Davis Road, taking into account of the implications of the Sustainable Building Design Guidelines (SBDG), has been conducted. It is proposed to relax the development restrictions on the OZP including the BHRs for some “Residential (Group A)” (“R(A)”) and “Residential (Group B)” (“R(B)”) sites, as well as rezoning the two JR sites from “R(C)2” to “R(B)1”. A visual appraisal on the impact of the proposed relaxation of BH and PR restrictions for various concerned sites is therefore prepared.

2. BUILDING HEIGHT CONCEPT ON THE DRAFT KENNEDY TOWN & MOUNT DAVIS OZP

- 2.1 Existing BH profile in the area covered by the OZP (the Area) is rather mixed in character (**Figures 1 and 2**). Low-rise house developments ranging from 2 to 3 storeys are mainly found along Mount Davis Road to the southern part of the Area. For the existing residential clusters in the northern part of the Area, most of them are below 25 storeys in height or within a BH of 90mPD. However, there are high-rise residential developments scattered around the Area including The Merton (49 to 57 storeys, 156mPD to 176.3mPD) and Manhattan Heights (54 storeys, 171.2mPD) near the waterfront, The Belcher’s (58 to 62 storeys, 208.6mPD to 220.9mPD), Academic Terrace (32 to 33 storeys, 143.3mPD to 146mPD) and University Heights (41 storeys, 172mPD).

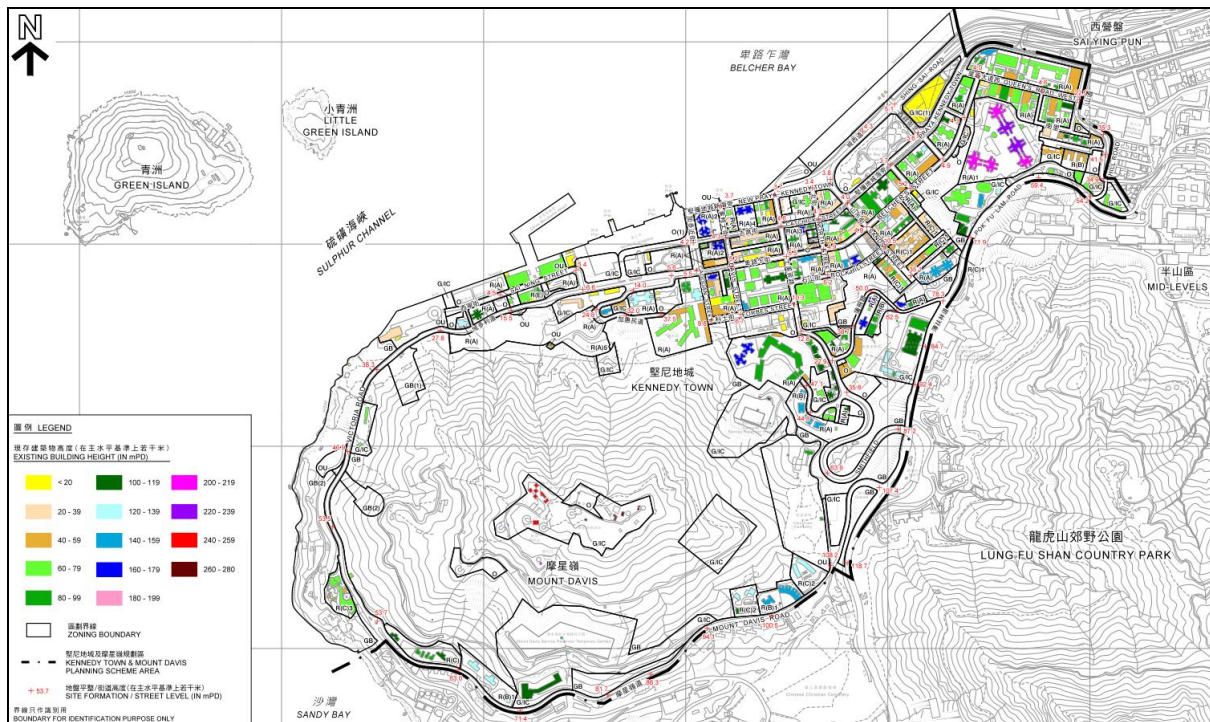


Figure 1
Existing Building Height Profile (mPD)
in the Kennedy Town & Mount Davis Area

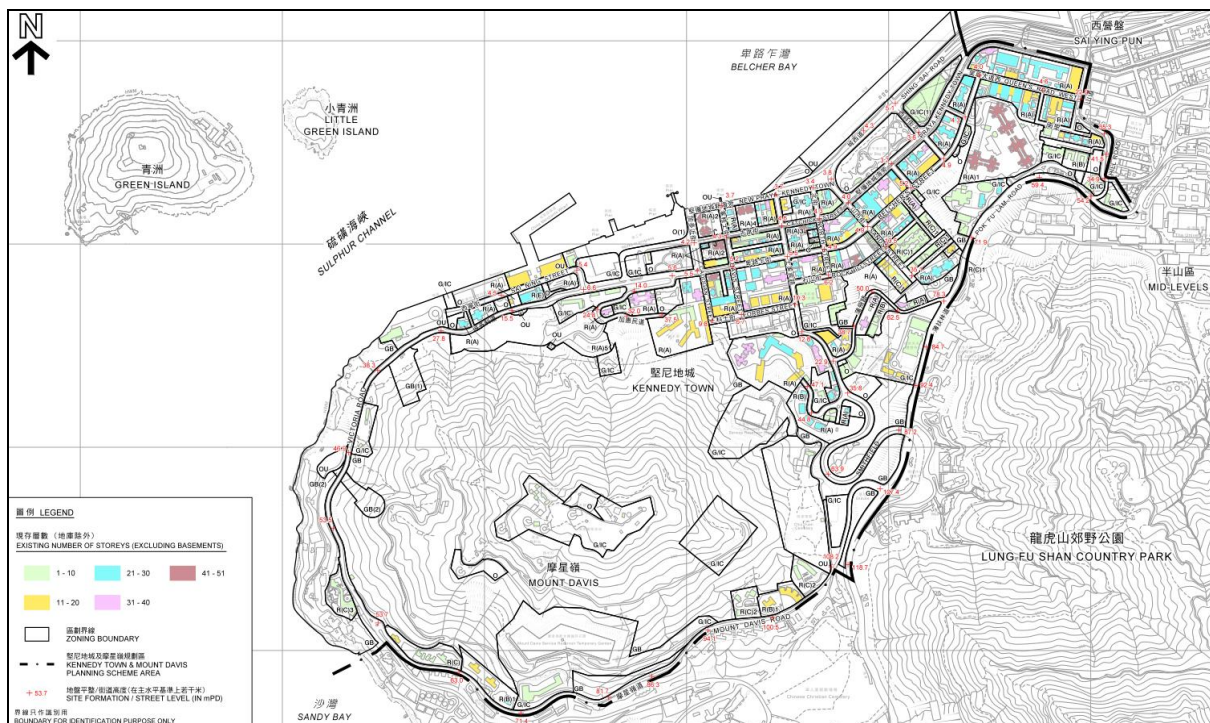


Figure 2
Existing Building Height Profile (No. of Storeys)
in the Kennedy Town & Mount Davis Area

- 2.2 The BHRs on the draft Kennedy Town & Mount Davis OZP No. S/H1/18 were formulated based on an overall BH concept and other relevant considerations including existing BH profile, topography, site formation level, local characteristics, waterfront and foothill setting, compatibility with surroundings, predominant land uses, development intensity, visual impact, air ventilation and a proper balance between public interest and private development right.
- 2.3 The stepped height concept with lower developments along the waterfront and graduation of height profile to echo the natural topographical profile has been adopted. The visual appraisal will focus on preservation of the view to the Area and Victoria Harbour from the local vantage points (VPs).
- 2.4 In general, height bands which commensurate with the planning intention of the various land use zones as well as reflecting the majority of the existing buildings/committed development, except the excessively tall buildings on waterfront, i.e. Manhattan Heights and The Merton, were adopted on the current OZP (**Figure 3**). The BHRs on the current OZP are described below:
- BHRs of **70mPD** and **2 storeys** are stipulated for the “Other Specified Uses” (“OU”) annotated “Commercial, Leisure and Tourism Related Uses” and its pier portion respectively at the waterfront location of the western entrance to the Victoria Harbour.
 - BHR of **100mPD** is stipulated for the “R(A)”, “R(A)3” and “Residential (Group E)” (“R(E)”) sites to the north of Queen’s Road West/Belcher’s Street/Victoria Road. BHR of 100mPD is also stipulated for the “R(A)4” site, i.e. Manhattan Heights without the provision for redevelopment to the existing BH in order to respect the urban design principle of protecting the waterfront to avoid out-of-context and incompatible developments.
 - BHR of **120mPD** is stipulated for The Merton at the waterfront without the provision for redevelopment to the existing BH; and those residential sites to the south of Queen’s Road West and Belcher’s Street; along Pokfield Road; and Kwun Lung Lau (Blocks A to F).
 - BHR of **140mPD** is stipulated for residential sites at Pok Fu Lam Road, Smithfield, Lung Wah Street, Kai Wai Man Road and Mount Davis Road. BHR of **65mPD** is stipulated for the western portion of the public housing site of Kai Wai Man Road in order to provide a stepped building height profile, descending from a maximum BH of 140mPD in the east to 65mPD in the west.
 - BHR of **150mPD** and **160mPD** are stipulated for The University of Hong Kong (HKU) Jockey Club Student Village at Lung Wah Street, **160mPD** for Kwun Lung Lau (Blocks 1 and 2) and residential sites at Pokfield Road and Mount Davis Road.
 - BHR of **60mPD**, **170mPD** and **220mPD** for Hillview Garden at Hill Road, University Heights at Pokfield Road and The Belcher’s at Pok Fu Lam Road to reflect the existing BH respectively.

- Mainly to reflect the existing BHs of the developments to the “R(C)” and its sub-zones, “G/IC” and other “OU” sites.



Figure 3
Building Height Restrictions on
the Current Draft Kennedy Town & Mount Davis OZP No. S/H1/20

3. PROPOSED BUILDING HEIGHT AND PLOT RATIO RESTRICTIONS

- 3.1 To provide flexibility for future redevelopments in complying with the SBDG, it is proposed to relax the BHRs on the OZP for Sites A to D (**Figure 4**).
- 3.2 Upon review of the two JR sites at Mount Davis Road, it is also proposed to rezone the two subject JR sites (i.e. Sites E1 and E2 zoned “R(C)2”) with BHR of 3 storeys, plot ratio (PR) of 0.75 and site coverage of 25% to “R(B)1” zone with stipulation of BHR of 160mPD and PR of 3 (**Figure 4**).
- 3.3 Furthermore, according to the recommendations of the Air Ventilation Assessment (Expert Evaluation) for the Area in 2020, it is proposed to delete the BG requirement for Sites F1 and F2 by relaxing their BHRs (**Figure 4A**).
- 3.4 The proposed amendments to the OZP are shown on the table and **Figures 4 and 4A** below.

Sites with Amendments	Proposed	Current Zoning	Proposed Zoning	Current Development Restrictions on OZP	Proposed Development Restrictions on OZP
A	"R(A)" Site at Pokfield Road	"R(A)"	No change	BH: 120mPD	BH: 130mPD
B	Academic Terrace	"R(A)"	No change	BH: 140mPD	BH: 160mPD
C	Hillview Garden	"R(B)"	No change	BH: 60mPD	BH: 120mPD
D	HKU Residence	"R(B)"	No change	BH: 120mPD	BH: 150mPD
E1	2 Mount Davis Road	"R(C)2"	"R(B)1"	PR: 0.75 SC: 25% BH: 3 Storeys	PR: 3 SC: N/A BH: 160mPD
E2	6-10 Mount Davis Road	"R(C)2"	"R(B)1"	PR: 0.75 SC: 25% BH: 3 Storeys	PR: 3 SC: N/A BH: 160mPD
F1	Western boundary of Smithfield Terrace at 71-77 Smithfield	"R(A)"	No change	BH: 29mPD	BH: 120mPD
F2	Western boundary of Smithfield Garden at 50 Smithfield	"R(A)"	No change	BH: 60mPD	BH: 140mPD

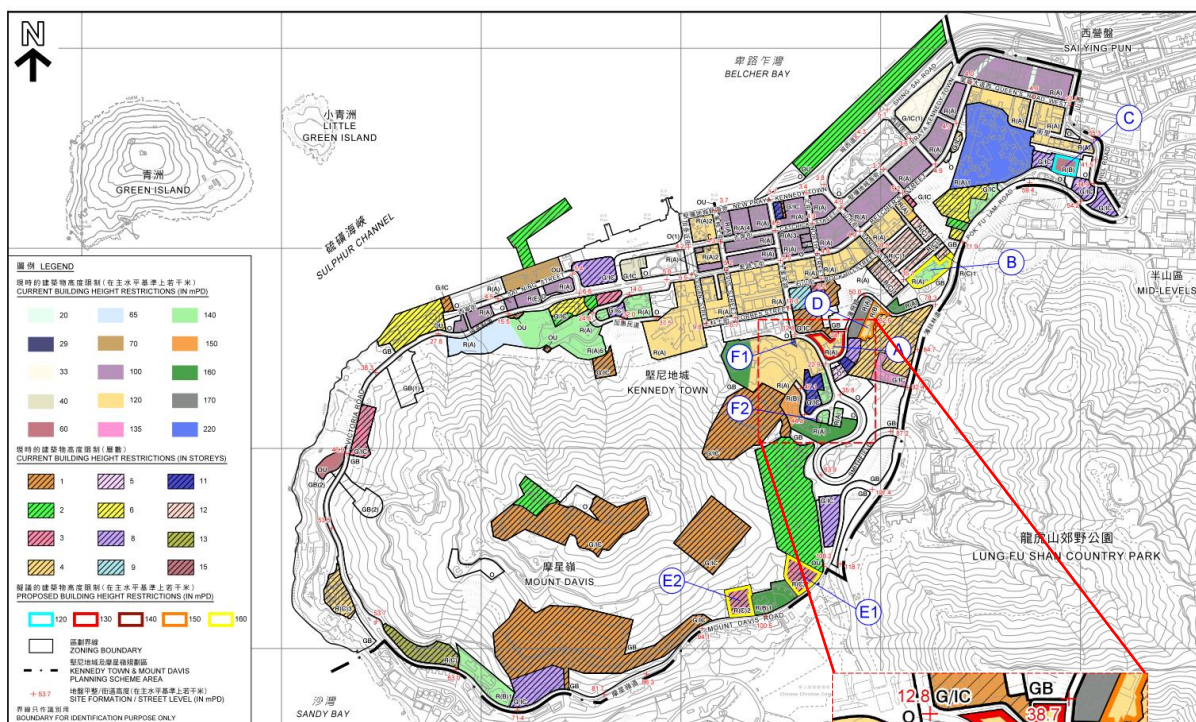


Figure 4
Proposed Building Height Restrictions

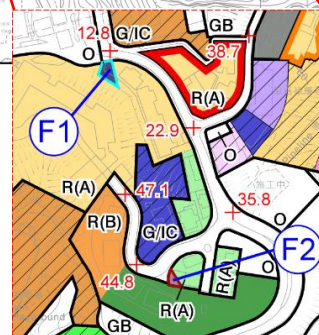


Figure 4A
Enlarged portion of Smithfield Area

3.5 The consolidated BHRs of the draft OZP is attached in **Figure 5** for undertaking the visual appraisal.



Figure 5
Consolidated Building Height Restrictions

4. SELECTION OF LOCAL VIEWING POINTS

4.1 According to the Urban Design Guidelines of Hong Kong Planning Standards and Guidelines, 8 strategic vantage points set out, with the aim of preserving views to ridgelines and peaks, when viewing from Kowloon towards the Hong Kong Island or the view to harbour from Victoria Peak. The two nearest Viewing Points (VPs) are located at the West Kowloon Cultural District and Lion Pavilion of the Peak (**Figure 6**), however, the Area does not fall within the “view fan” of these 2 strategic vantage points. As such, two local VPs (i.e. VPs 1 and 4)¹ are selected to assess the overall possible visual impacts of the BHR relaxation proposals on the Area, taking into consideration the available view, accessibility and popularity to the public (**Figure 6**). These VPs were also adopted in the visual appraisal and photomontages when imposing the BHRs on the draft OZP in 2011.

¹ VP 1 is selected since the Area is located at the western end of Hong Kong Island, no land-based local vantage point can be identified to provide a front view from the west such as Lantau Island and Macau. VP 4 provides a panoramic view from a highland area over the major residential developments in the northern part of the Area.

- 4.2 VPs 2, 3 and 5 are also selected in order to assess the possible visual impacts on the surrounding areas of the sites with proposed BH and PR relaxation proposals in accordance with the Town Planning Board Guidelines No. 41 (TPB-PG No. 41).

VP 1	Major ferry route at the western gateway to Victoria Harbour (looking towards south-eastwards)
VP 2	Covered walkway connecting HKU and MTR HKU Station Exit A (looking towards north-westwards)
VP 3	MTR Kennedy Town Station Exit C (looking towards south-eastwards)
VP 4	Popular hiking trail at Harlech Road (looking towards north-westwards)
VP 5	Pok Fu Lam Road to the west of Queen Mary Hospital (looking towards north-eastwards)

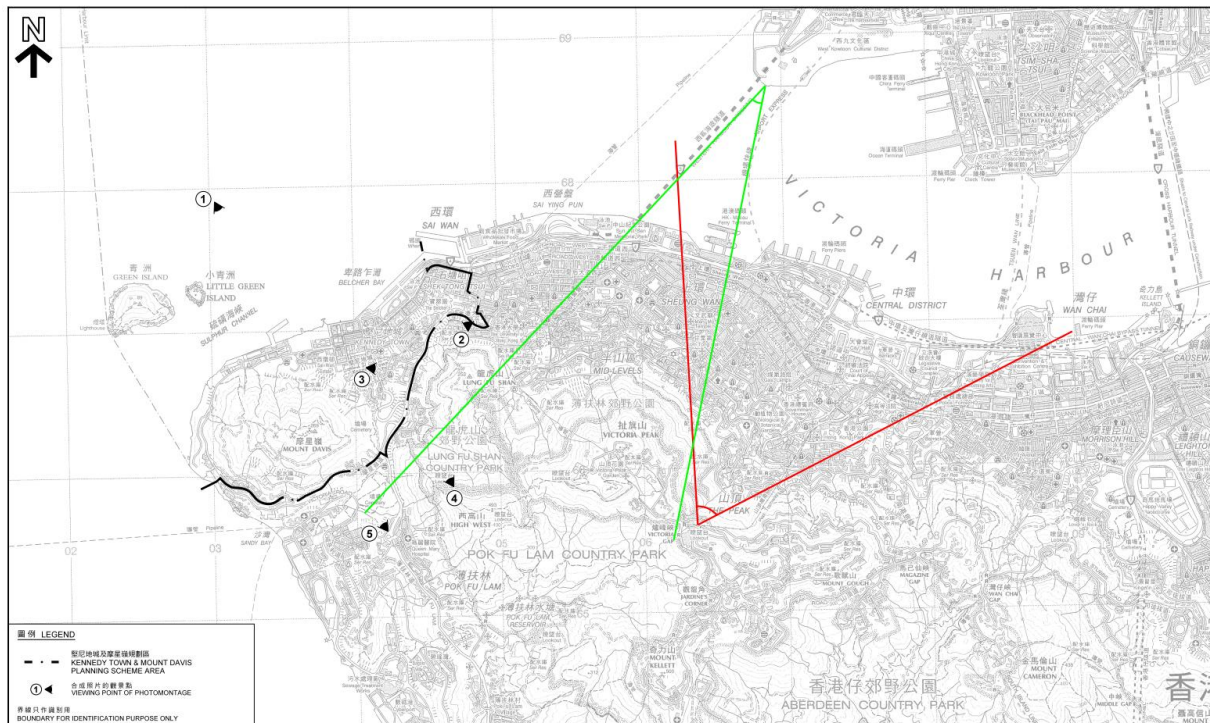


Figure 6
Viewing Points

5. BUILDING HEIGHT PROFILE

- 5.1 In the long term, the BH profile of the Area will mainly follow the BHRs on the OZP, except for those existing and committed developments (such as approved building plans) already exceeded the respective BHRs². Taking into account that developments having fewer storeys and therefore smaller number of units would more likely undergo ownership assembly and that older buildings would have a greater opportunity for redevelopments (especially for sites that have not been fully developed to the maximum development potential), developments with a building age of 30 years or over and with a BH of 15 storeys or below are assumed to have high redevelopment propensity (**Figure 7**)³.
- 5.2 Committed developments, including public housing and sites with planning permission, approved building plans, are also included in the photomontages (**Figure 7**).
- 5.3 The BH profile under the current BHRs in Section 2 above and the proposed BH and PR restrictions in Section 3 above are demonstrated in the photomontages (**Figures 8 to 12**). The photomontages also show the sites which have higher redevelopment propensity as assumed to be redeveloped up to the proposed BHRs.



Figure 7
Sites with High Redevelopment Propensity and Committed Developments

² The existing buildings exclude the “R(A)2” and “R(A)4” sites for The Merton and Manhattan Heights respectively at the waterfront location. No modification to/redevelopment of the “R(A)2” and “R(A)4” sites shall result in excess of the maximum BH of 120mPD and 100mPD respectively according to the Notes of the OZP.

³ Although Sai Wan Estate has a building age over 30 years and with a BH of 15 storeys or below, it has not been included in the photomontages as the Housing Authority has no redevelopment programme for the site so far.

6. VISUAL APPRAISAL

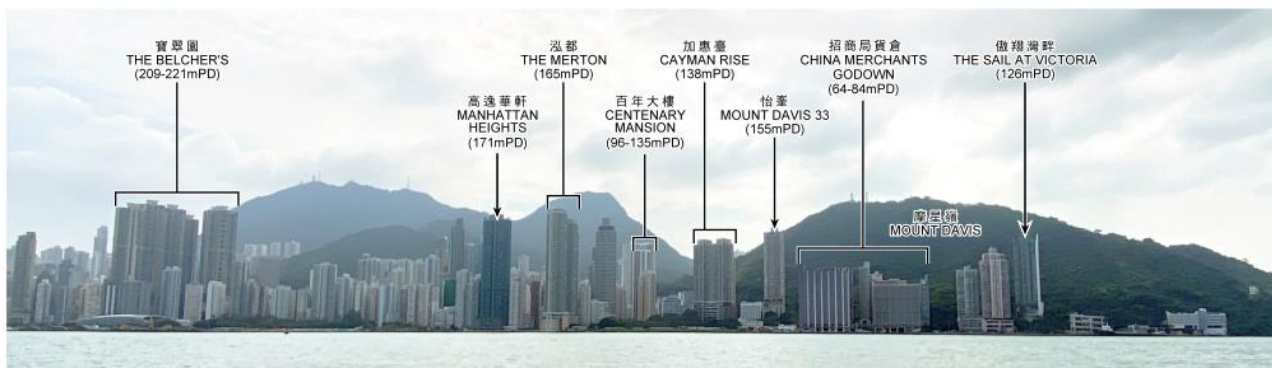
6.1 **VP 1 – The Major Ferry Route at the Western Gateway to Victoria Harbour (Figure 8)**

- 6.1.1 VP 1 is a major ferry route and captures a panoramic view of Kennedy Town from the western gateway to Victoria Harbour. Sensitivity of public viewers at this VP is medium.
- 6.1.2 ***Key visual elements and resources*** – The mountain backdrop of Lung Fu Shan and Mount Davis would be the key visual elements and resources. However, some existing high-rise buildings in the Area have already breached the ridgeline.

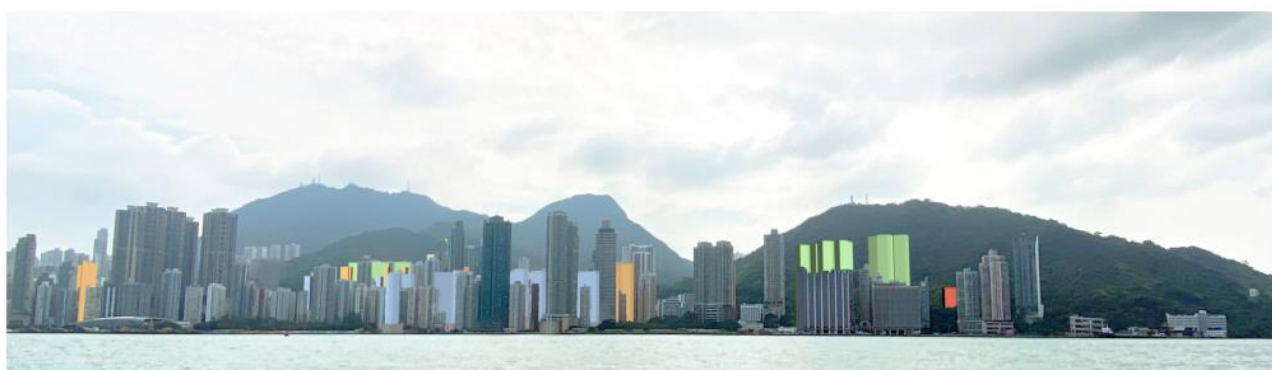
Visual Changes

- 6.1.3 ***Visual composition*** – Since the high-rise developments in the Kennedy Town residential cluster almost screened off the developments subject to relaxation of BHR, the relaxed BHRs are not incompatible with the existing visual context and will not lead to substantial change in visual composition.
- 6.1.4 ***Visual obstruction and effect on visual resources*** – The relaxed BHR of the developments would result in slightly reduction of the visual permeability in comparing with the scheme under the current BHRs. Overall, the potential sites for redevelopments together with the relaxed BHRs within the Area would not breach the mountain backdrop and are compatible with the existing built form and a stepped BH profile is maintained. Important visual access to the mountain backdrop of Lung Fu Shan and Mount Davis could still be preserved.
- 6.1.5 ***Effect on the public viewers*** – The visual permeability of the VP is not affected after the relaxation of BHRs. The potential sites for redevelopments together with the relaxed BHRs do not appear out of place from visual context. As such, the effect on public viewers is considered insignificant.

觀景點 1 VIEWING POINT 1



現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

65mPD 100mPD 120mPD
140mPD 160mPD



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

65mPD 100mPD 120mPD
130mPD 140mPD 160mPD

圖例 LEGEND

擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

Figure 8
VP 1 – Major Ferry Route at the Western Gateway to Victoria Harbour

6.2 **VP 2 – Covered walkway connecting HKU and MTR HKU Station Exit A (Figure 9)**

- 6.2.1 VP 2 serves as a main passageway for students connecting HKU campus and MTR HKU Station on an elevated level. It captures a farther distance of an inland area in which Site C (i.e. Hillview Garden) with BHR relaxation proposal located. Sensitivity of the public viewers at this VP is medium.
- 6.2.2 **Key visual elements and resources** – The existing view comprises some vegetation on both side of Pok Fu Lam Road and a low-rise GIC building (i.e. Yam Pat Building) in the foreground, as well as some high-rise residential buildings in the middle ground with an open skyline in the background.

Visual Changes

- 6.2.3 **Visual composition** – Since the backdrop of this VP is mostly occupied by existing high-rise developments of Kennedy Town residential cluster such as The Belcher, Hotel Jen and Hong Kong Plaza, the relaxed BHR for Site C as well as the potential sites for redevelopments are not incompatible with the existing visual context. The low-rise MTR building next to Yam Pak Building has also screened off part of the development site. BH relaxation proposal respects the character of the residential neighbourhood and is compatible with the setting of the area where the adjacent buildings with BHR of 120mPD (buildings between Queen's Road West and Hill Road with the Kennedy Town & Mount Davis OZP) and 140mPD (buildings between Po Tuck Street and Hill Road within the Sai Ying Pun & Sheung Wan OZP). The redevelopment will not significantly reduce the visual openness of the viewers.
- 6.2.4 **Visual obstruction and effect on visual resources** – The proposed relaxation of BHR will slightly block the open sky view, however, the development would blend in with the existing buildings which are 120mPD in height.
- 6.2.5 **Effect on the public viewers** – The visual permeability of the VP would be reduced although the majority view of open skyline would still be generally maintained. The magnitude of change to this viewpoint is considered intermediate and the effect on public viewers is considered moderate.



Figure 9
VP 2 – Covered walkway connecting HKU and MTR HKU Station

6.3 VP 3 – MTR Kennedy Town Station Exit C (Figure 10)

- 6.3.1 VP 3 is located adjacent to the MTR Kennedy Town Station Exit C and Forbes Street Temporary Playground. It is a popular area used by the local and is a short range VP to assess the visual impacts of the three proposed amendment sites (i.e. Site A: “R(A)” site at Pokfield Road, Site B: Academic Terrace and Site D: HKU Residence) from a short distance public viewer. Sensitivity of the public viewers at this VP is high.
- 6.3.2 **Key visual elements and resources** – The existing view comprises the open air Kennedy Town Station Public Light Bus Terminus and low-rise developments (i.e. MTR Kennedy Town Station Exit A and Smithfield Municipal Services Building) with some vegetation in the foreground, a medium-rise industrial building in the middle ground and some high-rise residential buildings with an open skyline in the background.

Visual Changes

- 6.3.3 **Visual composition** – BH relaxation proposals for Site A (from BHR of 120mPD to 130mPD), Site B (from BHR of 140mPD to 160mPD) and Site D (from 120mPD to 150mPD) respect the backdrop of this VP, which is mostly occupied by some existing high-rise developments. The proposals are compatible with the BH profile of the area where the surrounding sites are restricted to BH of 120mPD (Smithfield Terrace), 140mPD (Po Tak Mansion) and 170mPD (University Heights) on the current OZP. The BH relaxation proposals for Sites A, B and D will not significantly reduce the visual openness of the viewers in comparison with the current BHRs of the sites within the neighbourhood on the OZP.
- 6.3.4 **Visual obstruction and effect on visual resources** – The proposed relaxation of BHRs for Sites A, B and D will slightly block the open sky view in comparing with the scheme under the current BHRs. However, the future redevelopments would blend in with the existing buildings which are ranging from 120mPD to 170mPD in height.
- 6.3.5 **Effect on the public viewers** – The proposed relaxation of BHRs would somewhat affect the view of open skyline. The magnitude of change to this viewpoint is considered slight and the effect on public viewers is considered slight.

觀景點 3 VIEWING POINT 3

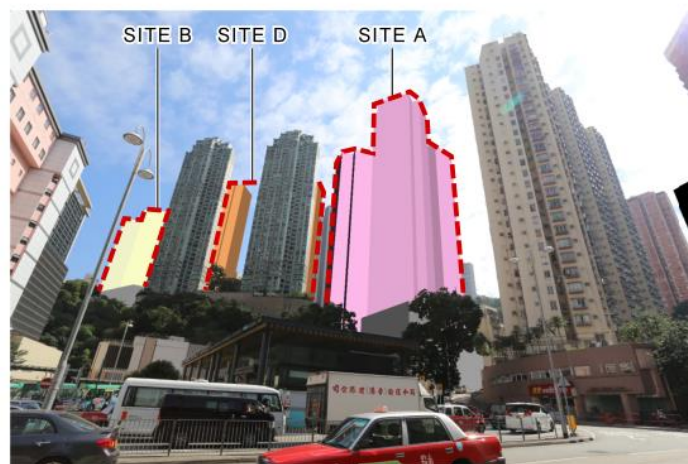


現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING
HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE
120mPD 140mPD



擬議的建築物高度限制
PROPOSED BUILDING
HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE
130mPD 150mPD 160mPD

圖例 LEGEND

	擬議放寬建築物高度限制的地盤 SITES WITH PROPOSED BUILDING HEIGHT RELAXATION		界線只作識別用 BOUNDARY FOR IDENTIFICATION PURPOSE ONLY		建築物高度在主水平基準上(米) BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)
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Figure 10
VP 3 – MTR Kennedy Town Station Exit C

6.4 **VP 4 – Popular hiking trail at Harlech Road (Figure 11)**

- 6.4.1 VP 4 is a popular hiking trail which provides a panoramic view from a highland area over the major residential developments in the northern part of the Area. Sensitivity of the public viewers at this VP is high.
- 6.4.2 ***Key visual elements and resources*** – The key visual elements and resources would be the harbour view, further view of the coastal area and city's skyline of Kowloon.

Visual Changes

- 6.4.3 ***Visual composition*** – The relaxed BHRs for Sites A, B and D as well as the potential sites for redevelopment are mainly in the inland of the Area and are not incompatible in scale with the surroundings, which are mainly high-rise developments in nature. Proposed changes of BHRs are considered compatible with the surrounding urbanised context.
- 6.4.4 ***Visual obstruction and effect on visual resources*** – The increase in BH upon redevelopments and relaxed BHR of the developments would slightly reduce the visual permeability but would not significantly result in visual obstruction to the harbour view in comparing with the scheme under the current BHRs. Key visual resources including open sky view and vegetated slopes remain unchanged. With important visual resources are largely maintained, the magnitude of change in visual context and visual amenity in the view is minimal.
- 6.4.5 ***Effect on the public viewers*** – Although the visual permeability of the VP is slightly reduced, the relaxed BHR of the developments together with the potential sites for redevelopments do not appear to be out of context. The effect on public viewers is considered insignificant.



Figure 11
VP 4 – Popular hiking trail at Harlech Road

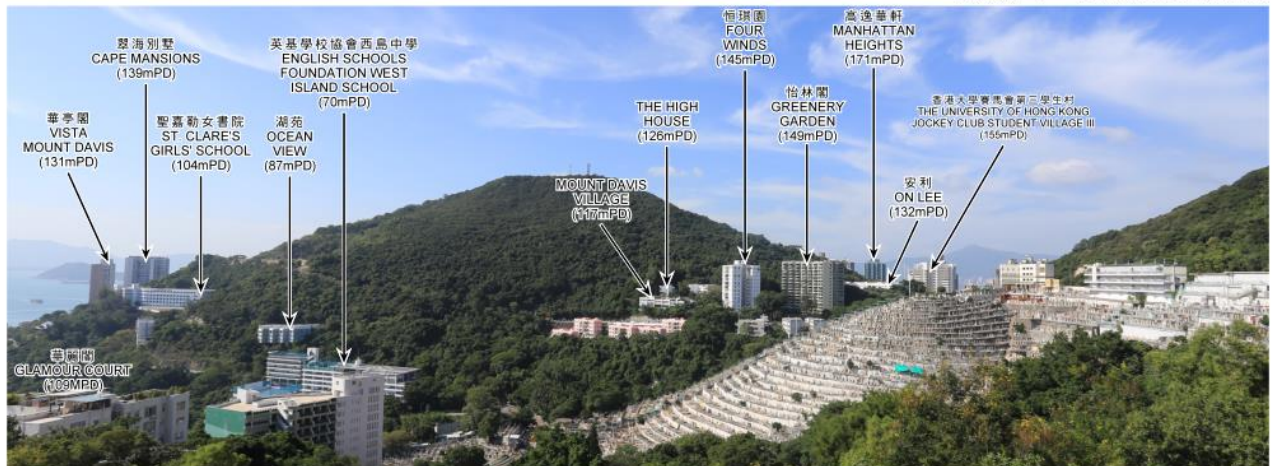
6.5 VP 5 – Pok Fu Lam Road to the west of Queen Mary Hospital (Figure 12)

- 6.5.1 VP 5 is located at the junction of Pok Fu Lam Road and Bisney Road. It captures a panoramic view of Mount Davis and Chiu Yuen Cemetery. Since Pok Fu Lam Road is a primary distributor and VP 5 is located at the northern lane of Pok Fu Lam Road opposite to Queen Mary Hospital, sensitivity of the public viewers at this VP is medium.
- 6.5.2 ***Key visual elements and resources*** – The mountain backdrop of Mount Davis would be the key visual element and resource.

Visual Changes

- 6.5.3 ***Visual composition*** – The future medium-rise redevelopments (with relaxed BH and PR restrictions) at the two JR sites (i.e. Sites E1 and E2) along the northern side of Mount Davis Road would not be incompatible in scale with the adjacent medium-rise residential development (i.e. Greenery Garden) with existing BHR of 160mPD.
- 6.5.4 ***Visual obstruction and effect on visual resources*** – The proposed increase in BH and PR restrictions for Site E1 would result in visual obstruction to part of the ridgeline and sky view which would slightly reduce the visual permeability. However, the magnitude of adverse change to this viewpoint is considered small.
- 6.5.5 ***Effect on the public viewers*** – Although the visual permeability of the VP is reduced, the developments with the proposed relaxed BH and PR do not appear to be out of context. While the view to the skyline between Lung Fu Shan and Mount Davis at this VP would be slightly affected, the visual impact is insignificant as the VP is partly obstructed by some existing developments (i.e. HKU Jockey Club Student Village) in the background.

觀景點 5 VIEWING POINT 5



現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

3 STOREYS 140mPD 160mPD



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

140mPD 160mPD

圖例 LEGEND



擬議放寬建築物高度限制的地點
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION

界線只作識別用

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

建築物高度在主水平基準上(米)

BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

Figure 12
VP 5 – Pok Fu Lam Road to the west of Queen Mary Hospital

7. CONCLUSION

- 7.1 As demonstrated in the visual appraisal, while the proposed amendments would admittedly reduce the visual openness and permeability from some VPs, in particularly VP 2, the resultant BH profile would not affect the mountain backdrops of Lung Fu Shan and Mount Davis by looking towards southwards; and would not obstructed the harbour view from highland area by looking towards northwards as illustrated in **Figures 8** and **11**. Though the building bulk of the future redevelopments on Sites E1 and E2 with relaxed BH and PR restrictions would be greater and would slightly block part of the view to the skyline from Pok Fu Lam Road near Queen Mary Hospital. It is still considered not incompatible in scale with the adjacent existing medium-rise development, i.e. Greenery Garden as illustrated in **Figure 12**.
- 7.2 Moreover, the BHRs relaxation is to allow design flexibility for future redevelopments in meeting the SBDG which will improve the overall building permeability and the visual amenity of the pedestrian environment. The proposed BHRs would be a matter of trade-off amongst different urban design considerations in the dense urban core of the inland area in Kennedy Town. Variation in lot size and development scale as well as differences in design styles and consideration would also contribute to varieties in BH and outlook over the area. In overall terms, the proposed relaxation of BH and PR would not result in unacceptable visual impact.
- 7.3 Based on the visual assessment, it is considered that the proposed BH profile is sympathetic and compatible with the topography, the local character and as-built environment in the Area. Due respect has been given to preserve the waterfront setting and the mountain backdrop of Lung Fu Shan and Mount Davis. The overall BH profile is generally in harmony with the existing environment and no significant adverse visual impact would be envisaged.

**Summary of Representation (R2) and Comments (C1 to C12) and the Planning Department (PlanD)'s Responses
in respect of draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/18**

Part I : The grounds and proposals of the representer (TPB/R/S/H1/18-2) as well as responses are summarised below:

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
<p>2 (Real Estate Developers Association of Hong Kong (REDA))</p>	<p>Oppose Amendment Items A, B1 to B5, C1, D1, E1, G1 to G4, J and L shown on the Plan and Item (a) of Amendments to the Notes of the OZP No. S/H/18 in respect of imposition of building height (BH) and building gap (BG) restrictions.</p> <p><u>Grounds of Representation</u></p> <p><i>BH Concept</i></p> <p>(a) REDA did not oppose to the imposition of building height restrictions (BHRs) in principle but of the view that no consideration has been given to the effects of BHRs on building economics as well as implications for the redevelopment of the Kennedy Town & Mount Davis Planning Scheme Area (the Area) by private sector as well as the form of new buildings.</p>	<p>(i) In formulating the BHRs, relevant considerations including Urban Design Appraisal, Urban Design Guidelines, stepped BH concept, existing BH profile, topography, site formation level, local characteristics, waterfront and foothill setting, compatibility with surrounding areas, predominant land uses and development potential, air ventilation, visual impact and a proper balance between public interest and private development right have been taken into account. In particular, a stepped BH concept with lower developments along the waterfront and gradually increases to the uphill areas.</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
	<p><i>Sustainable Building Design Guidelines (SBDG)</i></p> <p>(b) BHRs are set too low that the SBDG cannot be reasonably implemented and the green features e.g. sky garden under the Joint Practice Notes (JPN) are discouraged.</p> <p>(c) The BHRs should be reviewed and relaxed so that a holistic consideration of the regulations and Practice Notes issued by relevant Government departments are taken into account.</p> <p>(d) The desirable SBD features should be encouraged and accommodated within the BHRs without the need to submit s.16 application for minor relaxation.</p> <p>(e) The Town Planning Board (the Board) had not provided the assumptions in formulating/supporting the BHRs imposed on the OZP.</p>	<p>(ii) To facilitate the Board's reconsideration on R2, a review on the BHRs taking into account the implications of the SBDG has been conducted. It is proposed to relax the BHRs for four residential sites (i.e. (i) "R(A)" sites at the junction of Pokfield Road and Smithfield; (ii) "R(A)" site at Academic Terrace; (iii) "R(B)" site at Hillview Garden and (iv) "R(B)" site at HKU Pokfield Road Residences) to make allowance for future redevelopment to comply with the SBDG. The review reveals that taking into account of the SBDG requirement, no relaxation of the current BHRs for other sites is required either because of (i) the current BHRs are sufficient to accommodate the required BHs; or (ii) design approach such as minimal lowering of floor-to-floor height (FTFH) could be adopted to overcome the maximum 1m difference between the BHR and the required BH; or (iii) the permissible gross floor area (GFA)/plot ratio (PR) as stipulated on the OZP can be accommodated within the current BHRs.</p> <p>(iii) In general, the proposed BHRs have taken into account site level, maximum site coverage (SC) and PR under the Buildings Ordinance (BO) as well as made some reasonable assumptions on redevelopment scheme including the type of redevelopment (e.g. pure residential and composite</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
		<p>commercial/residential development), provision of carpark and loading/unloading facilities and plant rooms at basement level, FTFH and GFA concession under the BO. The permissible development intensity with a FTFH of 3m (typical floor)/5m (podium) for composite buildings in “R(A)” zone and a FTFH of 3m (typical floor) for pure residential buildings in “R(B)” zone. The proposed BHRs have allowed a reasonable FTFH for redevelopment and do not preclude the incorporation of innovative architectural features as well as provision of quality buildings.</p>
	<p><i>Design Flexibility</i></p> <p>(f) BHRs set too low would restrain design flexibility for innovative and unnecessarily constrain the provision of good quality development.</p> <p>(g) It will discourage the creation of space around buildings which results in bulkier building design with greater SC at lower levels, thus resulting in less permeability of urban environment and lowering property values.</p>	<p>(iv) Whether a building is considered bulky or massive depends on many factors rather than BH alone. Given the tendency to maximise the best view in certain direction (particular sea view) and to capitalise on land values on the lower floors, a development with no BH control may be even bulkier as there is a tendency to maximise the FTFH. The provision of better design buildings is not guaranteed by relaxing the BHRs. Besides, as the permissible SC for domestic building over 61m remains the same under the Building (Planning) Regulations, the arguments that the BHRs would force the buildings to become lower and bulkier is not substantiated.</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
	<p><i>Control of ‘Out-of-Context Buildings</i></p> <p>(h) The public concern on ‘out-of-context tall buildings’ appears to be basically about development in the order of 60 storeys or taller in prominent locations. High-rise developments in the order of 40 storeys have been in place in various parts of Hong Kong for years and they are acceptable to the public. The OZP generally allows for absolute heights of only about 95m to 110m for many of the residential sites, equivalent to about 30-35 storeys.</p> <p>(i) No consideration has been given on the adverse impact on private urban renewal initiatives, e.g. The Merton, which was a URA project with planning merits. With the imposition of BHR of 120mPD, it is impossible to redevelop the site with the provision of open space, which was a planning merit.</p>	<p>(v) Whether a development is ‘out-of-context’ is not considered solely on the absolute BH or the number of storeys, but also with reference to the local character and site context, i.e. the characteristics of the neighbourhood. It should be determined by considering how the development relates to the height and massing of the adjacent developments and natural setting. Kennedy Town is an old residential district predominately occupied by medium-rise buildings along narrow streets. The BHRs should be sympathetic and compatible in scale and proportion with the local character, as well as relating to the scale of the streets to avoid canyon effect.</p> <p>(vi) As a general principle, existing/committed development with a height exceeding the relevant BHR would not be affected in the stipulation of BHRs. For the two excessively tall developments at waterfront area (i.e. The Merton and Manhattan Heights), provision for redevelopment to the existing BH was not allowed given they were out-of-context and incompatible with the surrounding developments at the waterfront setting.</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
	<p><i>Urban Design Consideration</i></p> <p>(j) The Area is located outside the view fan of the vantage points identified in the Urban Design Guidelines. Photomontages for the proposed BHRs has been prepared using two local vantage points instead. It revealed that the Area is not a visually sensitive area and the BHRs have been set lower than what is necessary to address the public concern.</p>	<p>(vii) It should be noted that while the view from the recognised strategic vantage points is of regional significance, it does not necessarily mean that areas falling outside their view fans are not visually sensitive. The views from the two identified local vantage points (Plan 15 of the TPB Paper), i.e. on the major ferry route through the western gateway to the Victoria Harbour and a hiking trail of Harlech Road within the Lung Fu Shan Country Park, as well as the local character and waterfront setting should all be taken into account.</p>
	<p><i>Air Ventilation Consideration and BG Requirements</i></p> <p>(k) The imposition of low BHRs would force developments down into a solid mass of building, hence reducing air ventilation at street level.</p> <p>(l) There was no particular air ventilation issue in the Area according to the air ventilation assessment (AVA) report. No detailed information to justify a specific restriction such as the BGs.</p> <p>(m) The BGs are imposed on private properties for the public purpose of ‘air path’ without any compensation. SBDG has provided a much more advanced and flexible approach for the provision of space around and through buildings than the OZP.</p>	<p>(viii) The proposed BHRs have allowed flexibility for incorporation of various design elements including SBDG, which would in general better improve air ventilation.</p> <p>(ix) As the areas designated for BGs are relatively small in relation to the area of the sites, the BG requirements on the OZP should not adversely affect development intensity of the concerned sites and the development potential of the site would not be affected. SBDG and OZP are two different regimes. The former is mainly concerned with detailed building design, while OZP is to illustrate broad land use zonings and planning principles to</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
		<p>guide development and redevelopments. OZP is more concerned with the general building bulk/mass, public space and major air path in a wider district context. It is noted that relying solely on SBDG would not be sufficient to ensure good air ventilation at district level, therefore it is necessary to incorporate air ventilation measures, such as BGs at strategic locations on the OZP to maintain major air paths or create inter-connected air paths of district importance.</p> <p>(x) The updated AVA EE 2020 has confirmed the key role of BGs in creating air paths to facilitate air penetration. The following BGs are still considered essential in benefiting the wind environment of the Area in a wider context and recommended to be retained:</p> <ul style="list-style-type: none"> the two BGs situated between Des Voeux Road West and Queen's Road West on the OZP; <p>(xi) The AVA EE 2020 has also recommended that the two BGs at 50 Smithfield and 71-77 Smithfield be deleted as the effectiveness of the BGs for wind penetration is rather localised and limited and may not be able to serve as a district path for the locality.</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
	<p>(n) The designation of BGs in a number of sites violates the board principles of planning indicated in paragraph 3.2 of Explanatory Statement (ES) that the OZP is to illustrate the broad principles of development. This approach is not appropriate for the scale and generality of what are intended to be broad brush plans determining types of buildings and permitted uses. It is inconsistent with the Town Planning Ordinance (TPO) in relation to the content and application of statutory plans and may subject to legal challenge.</p>	<p>(xii) Sections 3 and 4 of the TPO are intended to give the Board comprehensive powers to control development in any part of Hong Kong. From the planning perspective, designation of building gaps can serve a positive planning purpose and may have other positive planning benefits. Provided that the Board has the necessary and sufficient planning justification, such designation can be part of the planning control within the Board's powers.</p>
	<p><i>Public Consultation</i></p> <p>(o) Prior to the exhibition of the amendments to the OZP, there was no consultation with the affected owners and the development industry. The public have not been informed of the justifications for the BHRs and other development restrictions. No visual impact analysis is made available to the public to indicate the vision for the long term planning of the Area.</p> <p>(p) The owners, stakeholders and the public should be consulted with visual impact assessment and the rationale of the BHR before the restrictions become statutory.</p>	<p>(xiii) It is an established practice that proposed amendments involving BHRs should not be released to public prior to gazetting. The reason is that premature release of such information before exhibition of the amendments might prompt an acceleration of submission of building plans by developers to establish 'fait accompli', hence defeating the purpose of imposing the BHRs.</p> <p>(xiv) Amendments to the OZP were exhibited for public consideration for a period of 2 months in accordance with the provisions of the TPO. The exhibition process itself is a public consultation to seek representation and comments on the draft OZP. During the exhibition period in 2010, PlanD also provided briefings on the OZP amendments to Central and Western District Council, Hong Kong</p>

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation				
		Task Force of Harbourfront Commission and local residents in 3 local consultation forums. The 2-month statutory exhibition period was considered adequate for the public to express their views, while maintaining the efficiency of the process. For the proposed amendments to the OZP No. S/H1/21, we will consult relevant stakeholders in accordance with the prevailing mechanism.				
	<p><i>Others</i></p> <p>(q) No justification has been provided by the Board for imposing different PR and BH restrictions on sites along Mount Davis Road in relation to Amendments Items B3 to B5 (i.e. rezoning of 6-10 Mount Davis Road from “R(B)” to “R(C)2” and rezoning of 2A, 4 and 52-62 Mount Davis Road from “R(B)” to “R(B)1”). The Board should adopt a broad and consistent planning approach in setting the development restrictions.</p> <p>(r) Objected to the following site specific Amendment Items without specifying any grounds:</p> <table><tr><td>B1:</td><td>Amendment to BHR of the “R(C)” zone</td></tr><tr><td>B2:</td><td>Rezoning of 2 Mount Davis Road from “R(B)” to “R(C)2” and stipulation of PR, SC and BH restrictions</td></tr></table>	B1:	Amendment to BHR of the “R(C)” zone	B2:	Rezoning of 2 Mount Davis Road from “R(B)” to “R(C)2” and stipulation of PR, SC and BH restrictions	<p>(xv) A review on the development restrictions of the 2 and 6-10 Mount Davis Road on the OZP has been conducted. It is recommended that the concerned sites be rezoned from “R(C)2” to “R(B)1” with imposition of maximum PR of 3 and BH of 160mPD. The proposed PR and BH restrictions are the same as the development restrictions of the “R(B)1” zone for 2A, 4 and 52-62 Mount Davis Road.</p> <p>(xvi) For Amendment Item B1, the “R(C)” zone (i.e. 64-68 Mount Davis Road) was already subject to a BHR of 10 storeys over 1 level of podium and 2 levels of car park, maximum PR and SC of 1.2 and 20% respectively on the OZP Plan No. S/H1/17 to avoid overloading local road network and to preserve the landscape value of the area. Due to the government policy to encourage provision of carparks in basement, the BHR of the “R(C)” was</p>
B1:	Amendment to BHR of the “R(C)” zone					
B2:	Rezoning of 2 Mount Davis Road from “R(B)” to “R(C)2” and stipulation of PR, SC and BH restrictions					

Representation No. (TPB/R/S/H1/18-)	Subject of Representation		Response to Representation
	C1:	Rezoning of a landward portion of a residential site on Victoria Road from “R(B)” to “R(C)3” and stipulation of PR, SC and BH restrictions	considered appropriate to be amended to 13 storeys including carport.
	D1:	Rezoning of a landward portion of a residential site to the southwest of Chee Sing Kok Social Centre of the Humanity Love from “R(B)” to “R(C)3” and stipulation of PR, SC and BH restrictions	(xvii) For Amendment Item B2, response (xv) above is relevant.
			(xviii) For Amendment Item C1, given the landscape significant and prominent location of the concerned site (i.e. 168 Victoria Road), it was rezoned to “R(C)3” to minimise adverse landscape impact upon redevelopment while the remaining area of the site with dense vegetation was rezoned to “Green Belt”. The site has already been rehabilitated to The Hong Kong Jockey Club University of Chicago Academic Complex.
	<u>Representer’s Proposal</u>		(xix) For Amendment Item D1, the site was subsequently rezoned from “R(C)3” to “Other Specified Uses” annotated “Public Mortuary” in 2016 to facilitate the reprovisioning of Victoria Public Mortuary.
	(s) The BHRs should be reviewed and relaxed to make use of the air space to accommodate floor space, free up the lower level space for better air ventilation and street environment and take into account other practice notes issued by other Government departments. The desirable features under the SBDG and JPN should be		(xx) Responses (ii) and (iii) above are relevant.

Representation No. (TPB/R/S/H1/18-)	Subject of Representation	Response to Representation
	<p>able to be accommodated within the BHRs without the need to apply for minor relaxation of the restrictions.</p> <p>(t) A general relaxation of the BHRs by 20m in many of the development zones and more relaxed height limits for sites at or near future transport nodes to free up more ground level space for pedestrians should be considered.</p> <p>(u) Remove all BG requirements from the OZP. Should the BGs be required to implemented, the land should be zoned “Open Space” (“O”) or ‘Road’ and the concerned owners should be suitably compensated.</p> <p>(v) Planning study for the area should be undertaken. Owners, skateholders and the public should be consulted before imposing the restrictions.</p>	<p>(xxi) A general increase of 20m in BH would significant increase the overall BH profile, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points, and would affect the local character and cityscape.</p> <p>(xxii) Responses (x) and (xi) above are relevant. The BG requirements will only be implemented upon redevelopment. Should these areas be rezoned to “O” or area shown as ‘Road’ as suggested, land resumption would be involved and the development potential of the concerned sites would be affected.</p> <p>(xxiii) Responses (xiii) and (xiv) above are relevant.</p>

Part II : The grounds of the commenters (TPB/R/H1/18-C1 to C12¹) and PlanD's responses are summarised below:

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
C1 (Jade Duty Ltd.)	R2	<u>Grounds of Comments</u>	<p>(i) Responses (ii) and (iii) to R2 above is relevant.</p> <p>(ii) To facilitate the Board's reconsideration on C1 to C12, a review on the development restrictions of the two concerned sites on the OZP has been conducted. It is recommended that the concerned sites be rezoned from "R(C)2" to "R(B)1" with imposition of maximum PR of 3 and BH of 160mPD.</p> <p>(iii) It is considered that allowing medium-rise developments on the concerned sites would not be incompatible with the surrounding developments including Four Winds and Greenery Garden at 4 and 2A Mount Davis</p>
C2 (United Profit Development Ltd.)		Support R2 's view that the BHRs set too low would unnecessarily constrain the provision of good quality development.	
C3 (Welgett Tree Ltd.)		<i>Redevelopment Potential & Urban Design Consideration</i>	
C4 (Johnathan S. Hancok)		(a) Support R2 's opposition to Amendments Items B2 to B4 in relation to the rezoning of sites at 2, 2A, 4 and 6-10 Mount Davis Road with introduction of PR and BH restrictions.	
C5 (Kong Annette (Director of the Comfort Art Ltd.))		(b) The northern uphill side of Mount Davis Road is not a predominately low-rise neighbourhood. There are medium-rise residential towers along the Road (C10).	
C6 (Jeference Ltd.)			
C7 (David Norman)		(c) It is illogical and inequitable to have different PR and BH restrictions for 2 and 6-10 Mount Davis Road (the concerned sites) and the neighbouring sites at 2A and 4 Mount Davis	
C8 (Willow Oak Ltd.)			

¹ TPB/R/H1/18-C1 to C9 are standard comments (Type A). TPB/R/H1/18-C11 and C12 are standard comments (Type B).

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
<p>C9 (Susan Edwards)</p> <p>C10 (Alexander Schrantz & Jayne Kim Schrantz)</p> <p>C11 (The Incorporated Owners of 6 and 10 Mount Davis Road)</p> <p>C12 (Trustees of the Church of England in the Diocese Victoria, Hong Kong) (i.e. the owner of 2 Mount Davis Road)</p>		<p>Road given the similar locations and characteristics.</p> <p>(d) The previous approach of having all the uphill sites on Mount Davis Road zoned “R(B)”, with the same development rights and restrictions for medium density development, was appropriate. The low-rise character of the downhill sites could be maintained through the existing “R(C)” zones on the Pok Fu Lam (PFL) OZP (C11 and C12).</p> <p>(e) The proposed BHR of 160mPD for the 2A and 4 Mount Davis Road would result in a further increase of BHs of the two developments by 11m and 15m respectively. This was against the planning intention put forth by PlanD for the neighbourhood (C3 and C11).</p> <p>(f) The sites are private land and developed for residential purpose. Disagree with high landscape value and predominantly low-rise neighbourhood should be one of the reasons for retaining the existing BH profile (C10 to C12);</p> <p>(g) Rezoning of the sites had place an unreasonable level of control on private lots without any</p>	<p>Road which are medium-rise developments of 13 to 18 storeys, and the northern uphill side of the western end of Mount Davis Road are also medium-rise in nature with residential developments up to 21 storeys (i.e. Vista Mount Davis and Cape Mansions).</p> <p>(iv) Apart from the two concerned sites, the developments on the northern uphill side of Mount Davis Road are predominately medium-rise, whereas the developments along southern downhill side of Road are low-rise in nature. The photomontage (Plan 16e of TPB Paper) demonstrates that although the building bulk of future redevelopments with the proposed PR of 3 and BH of 160mPD would be greater and slightly block part of the view to the skyline from PFL Road near Queen Mary Hospital, it is considered not incompatible in scale with the adjacent “R(B)1” zone with BHR of 160mPD on the OZP and the setting of the northern uphill side of Mount Davis Road.</p> <p>(v) The proposed development restrictions for the two concerned sites are in line with the Residential Density Zone III in the Hong</p>

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
		justifiable public benefit (C11 and C12). It would discourage redevelopment of the existing old buildings and result in the loss of potential development rights without any form of compensation.	Kong Planning Standards and Guidelines (i.e. PR of 3 for developments of 17 storeys or over). Even though the concerned sites fall within the “Landscape Protection Area”/“Development Areas with High Landscape Value” under the Metro Landscape Strategy, it is noted that while redevelopment of the two concerned sites with relaxed PR/BH would further block the green backdrop of Mount Davis, the relaxation of BHRs would not breach the ridgeline of Mount Davis when viewing from Pok Fu Lam Road near Queen Mary Hospital. Hence, it is considered not unacceptable.
		<p><i>Lease and Pok Fu Lam Moratorium (PFLM)</i></p> <p>(h) It is inappropriate to impose BHRs to reflect the existing development intensity at the concerned sites and under the lease conditions or on the basis of PFLM which is a temporary administrative measure and not a planning consideration.</p>	<p>(vi) While it is recommended that the concerned sites be rezoned from “R(C)2” to “R(B)1” with imposition of maximum PR of 3 and BH of 160mPD, partial uplifting of the PFLM is still necessary if lease modification for the sites are required for redevelopment. This would be dealt with separately at the lease modification stage by the Lands Department and relevant policy bureau.</p>

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
		<p><i>No Traffic Study</i></p> <p>(i) The West Island Line and South Island Line would improve the traffic conditions in the areas. The amendments were premature as no traffic assessment was provided by the Board to justify the down zoning of the concerned sites (C3, C11 and C12) nor to indicate that PFLM is still necessary upon the completion of railway (C11 and C12).</p> <p>(j) Transport Department (TD) advised that a higher density of developments on the concerned sites would have adverse traffic impact on the busy junction of Pok Fu Lam Road. However, the junction had been upgraded and the concerned sites had been zoned “R(B)” under previous OZP (C3, C11 and C12).</p>	<p>(vii) TD has no comment on the proposed rezoning of the concerned sites to “R(B)1” with PR of 3.</p> <p>(viii) Response (vi) to C1 to C12 above is relevant.</p>
		<p><i>Spot Zoning Approach</i></p> <p>(k) The BHRs constitute a form of spot zoning is inconsistent with the TPO. It violates the broad principle of planning indicated in paragraphs 3.1 and 3.2 of the ES that the object of the OZP is to indicate only the broad principle of</p>	<p>(ix) Response (xv) to R2 above is relevant. Besides, according to sections 3 and 4 of the TPO, the Board has comprehensive powers to control development in any part of Hong Kong. On that basis, it would be reasonable to find that</p>

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
		developments (C11 and C12).	the Board has the power to impose BHRs on individual sites or for such area within the boundaries of the OZP if there are necessary and sufficient planning justifications. Provided that the imposition of BHRs are justified on planning grounds, the Board's decision should not be considered as inconsistent with the TPO. From the planning perspective, the imposition of BHRs is considered justified as it could provide better planning control on the BH of development/redevelopment and avoid out-of-context development.
		<p><i>Public Consultation</i></p> <p>(l) Oppose to the rezoning without prior consultation.</p> <p>(m) C10 opposes to the Board's refusal to recognise the prior representation from the owners of 6 Mount Davis Road (i.e. Mount Davis Village) on the basis that it was received two days late.</p>	<p>(x) Responses (xiii) and (xiv) to R2 above are relevant.</p> <p>(xi) It is the Board's established practice that representations submitted after the expiration of the specified public inspection period shall be treated as not having been made under the TPO.</p>

Comment No. (TPB/R/S/H1/18-)	Related Representation	Gist of Comments	Response to Comment
		<u>Commenters' Proposals</u> (n) Suggest to rezone the "R(C)2" sites at 2 and 6-10 Mount Davis Road to "R(B)1" with a maximum PR of 3 and a maximum BH of 160mPD.	(xii)Response (ii) to C1 to C12 above is relevant.

TPB Paper No. 8952
For Consideration by the
Town Planning Board on 25.11.2011

DRAFT KENNEDY TOWN AND MOUNT DAVIS OUTLINE ZONING PLAN NO. S/H1/18
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/H1/18 – 1 TO 12 AND COMMENTS NO. TPB/R/S/H1/18 – C1 TO C12

(GROUP 1)

DRAFT KENNEDY TOWN AND MOUNT DAVIS OUTLINE ZONING PLAN NO. S/H1/18
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/H1/18 – 1 TO 12 AND COMMENTS NO. TPB/R/S/H1/18 – C1 TO C12

(GROUP 1)

Subject of Representation/ Representation Site	Representers (Annex III)	Commenters (Annex IV)
Support Building Height Restrictions (BHRs) in General (under Amendment Item A)		
	R1: Designing Hong Kong R8: Democratic Alliance for the Betterment and Progress of Hong Kong (DAB)	
Offering Comment on BHRs		
General concern on the imposition of BHRs of 100mPD and 120mPD for residential sites	R9: 民主黨議員辦事處(甘乃威、楊 浩然、黃堅成、何俊麒、鄭麗琼和 阮品強) Office of Democratic Party (Kam Nai Wai, Yeung Sui Yin, Wong Kin Shing, Ho Chun Ki, Cheng Lai King, Yuen Bun Keung) R10: 莊榮輝 Chong Wing Fai R11: 伍凱欣 Ng Hoi Yan	
BHRs in general	R12: Sujata S. Govada	
Oppose BHRs in General (under Amendment Item A) and Ask for More Lenient Restriction		
BHR in general	R2 : The Real Estate Developers Association of Hong Kong (REDA)	Support : C1: Jade Duty Ltd. C2: United Profit Development Ltd. C3: Welgett Tree Ltd. C4: Jonathan S. Hancock C5: Kong Annette, Comfort Art Ltd. C6: Jeference Ltd. C7: David Norman C8: Willow Oak Ltd. C9: Susan Edwards C10: Alexander Schrantz & Jayne Kim Schrantz C11: Incorporated Owners of Nos. 6 and 10 Mount Davis Road C12: Trustees of the Church of England

Subject of Representation/ Representation Site	Representers (Annex III)	Commenters (Annex IV)
Oppose BHRs for Specific Sites (under Amendment Item A)		
<i>(Ask for More Stringent Restrictions)</i>		
BHR for China Merchants Wharf	R5: Gaiger	
<i>(Ask for More Lenient Restrictions)</i>		
BHR for the properties owned by the University of Hong Kong (HKU)	R3 : HKU	
BHR for China Merchants Wharf	R4: China Merchants Steam navigation Co., Ltd.	
BHR for the sites bounded by Smithfield, Pokfield Road and Pokfied Path	R6: Lee Chi Ping R7: Titano Limited	
Support Building Gaps		
	R1: Designing Hong Kong	
Offering Comments on Building Gaps		
	R12 : Sujata S. Govada	
Oppose Building Gaps and Ask for More Lenient Requirement		
	R2 : REDA	
Offering Comments on Setback Requirement		
Oppose not stipulating setback requirement for widening of footpath/road and improving air ventilation	R8 : DAB	

1. Introduction

- 1.1 On 25.2.2011, the draft Kennedy Town & Mount Davis Zoning Plan (OZP) No. S/H1/18 (the Plan – a reduced OZP is attached at Annex Ia of the Information Note for Members only), incorporating amendments mainly relating to the imposition of BHRs for various development zones and rezoning proposals to reflect the planning intention or existing developments (**Annex Ia**), was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 638 representations were received. On 24.6.2011, the representations were published for three weeks for public comments. A total of 12 comments were received.
- 1.2 On 14.10.2011, the Town Planning Board (the Board) decided to consider all the representations and comments itself. The Board also decided to hear the representations and the related comments in 2 groups: (a) Group 1 on 12 representations (Representation No. 1 (**R1**) to **R12**) and 12 comments (Comment No. 1 (**C1**) to **C12**) mainly in respect of the imposition of BHRs; and (b) Group 2 on 624 representations (**R1**, **R5**, **R8** to **R629**) in relation to all or part of Amendment Items H1 to H5 in respect of the western part of Kennedy Town which is under an ongoing land use review. The Board also considered that **R630** to **R638**, which have not

provided any substance in the representations, should be regarded as invalid.

- 1.3 This paper is to provide the Board with information for the consideration of the representations No. **R1-R12** and the related comments No. **C1-C12** in Group 1.
- 1.4 The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. Background

2.1 Review of the OZP

- 2.1.1 In order to provide better planning control on BH upon development/redevelopment and to meet public aspirations for better living condition and greater certainty and transparency in the statutory planning system, Planning Department (PlanD) has been reviewing various OZPs with a view to incorporating BHRs for development zones to guide future development/redevelopment. The BHRs serve to achieve a good urban form and will help to ensure satisfactory air ventilation condition. This is for the public good and in the interest of the community. In the review process, priority has been given to areas subject to great and imminent development/redevelopment pressure and areas around Victoria Harbour.
- 2.1.2 The Kennedy Town & Mount Davis Planning Scheme Area (the Area), which fronts the western entrance of Victoria Harbour and adjoins the Sai Ying Pun and Sheung Wan district to its east, is a well-established residential area. There are a public cargo working area (PCWA) and a number of public utilities/industrial uses along the northern shore, and some Government, Institution or Community uses in the south-eastern part of the Area. As the Area is facing the western gateway to Victoria Harbour, the BH should be properly controlled to avoid adverse visual impact.
- 2.1.3 As the MTR West Island Line will be extended to the Area in 2014 and there are many old and low-rise buildings, the Area is subject to great development pressure. Apart from the "Residential (Group C)" ("R(C)"), "R(C)1" and "Government, Institution or Community (1)" ("G/IC(1)") zones, there were no BHRs for other development zones on the OZP before this round of amendments. In the absence of BH control, there will be a proliferation of high-rise buildings competing for better view of the harbour, which are out of context with the surrounding environment. Concentration of tall buildings along the narrow streets in the Area would create canyon effect, adversely affecting the local air ventilation at pedestrian level as well as that in the neighbouring districts. There is thus an urgent need to incorporate BH restrictions in the OZP to provide proper guidance for developments in the Area.
- 2.1.4 Given that majority of the sites within the Area are under unrestricted leases, administrative measures or the lease conditions would not provide adequate control on development height to achieve a good urban form. The stipulation of BH restrictions on the OZP is a more effective measure to regulate the development profile of the built environment. Also, it would

set out the planning intention more clearly, making it more transparent and open to public scrutiny. The mechanism will ensure that all stakeholders have the opportunity to express their views on the BH restrictions and rezoning proposals in the statutory plan making process.

- 2.1.5 An Air Ventilation Assessment (AVA) by Expert Evaluation (EE) of the Area has been undertaken to provide a qualitative assessment of the wind environment within the Area, and made a qualitative evaluation of the likely impact of the developments in accordance with BHRs on the pedestrian wind environment, including identifying areas of concern and recommending possible measures to address the potential problems. According to the AVA (**Annex Ib**), which is available for public viewing in PlanD's website, the prevailing annual wind comes from the north-east, east and south while the prevailing summer wind is mainly from the east, south and south-west. Streets are in grid system and well aligned in the Area, and the Area comprises a number of open spaces, low-rise "G/IC" and "Other Specified Uses" ("OU") facilities along the waterfront area, slope areas with vegetations and some other open spaces and low-rise "G/IC" facilities scattered throughout the area and along Pok Fu Lam Road. Mount Davis and adjacent mountain of Lung Fu Shan at the south allow good penetration of wind to the built area. With the imposition of the BHRs and retention of the existing air paths, the wind environment in the Area is generally satisfactory. Apart from imposing suitable BHRs, building gaps should also be imposed to improve pedestrian level air ventilation.

2.2 Amendments to the OZP

The amendments to the OZP, involving mainly the imposition of BHRs on various development zones and rezoning proposals to reflect the planning intention or completed developments, were considered and agreed by the Metro Planning Committee (MPC) on 18.2.2011. The relevant MPC Paper No. 2/11 and the minutes of the MPC meeting are deposited at the Board's Secretariat for Members' inspection. The MPC Paper can be inspected by the public at PlanD's Planning Enquiry Counters and the minutes are available at the Board's website.

2.3 Public Consultation

The amendments incorporated into the OZP were presented to the Central and Western District Council (C&WDC) and the Task Force on Harbourfront Developments on Hong Kong Island (HKTF) of the Harbourfront Commission (HC) on 29.3.2011 and 11.4.2011 respectively. Three local consultation forums were held in April 2011. The views expressed at these meetings and PlanD's responses are set out in the minutes of these meetings at **Annexes IIa to IIe**. The major views, excluding those relating to the land use review area which are covered by TPB Paper No. 8956 for Group 2, and PlanD's responses are summarized below:

HKTF of HC

- (a) the attempts to improve view corridors and air ventilation as shown in the amendments to the OZP were welcomed;

C&WDC

- (b) the existing residential buildings that had already exceeded the BHRs should comply with the BHRs upon redevelopment. A member also enquired on the number of sites with building plans approved before the imposition of BHRs;
- (c) the air ventilation problem at Belcher's Street could not be dealt with by merely imposing BHRs. A member raised concern on whether the Government had assessed the air ventilation impact of The Belcher's to the Western District, and that setback requirements should be imposed to widen the roads in the district. Another member also suggested that redevelopments should be required to set back from the boundary for air ventilation and tree planting purposes;
- (d) the proposed columbarium site should not be incorporated in the draft OZP as it was still under public consultation. The Administration should conduct consultation on the site selection for columbarium use and delete the 8-storey BHR for the site;
- (e) a member supported the imposition of BHRs in general, but raised concern on the stipulation of BHRs on old buildings along Catchick Street and Belcher's Street which would affect the development potential of the buildings. Transfer of PR was proposed to resolve the problem;

Local Forums

- (f) supported the imposition of BHRs as a general measure to preserve the mountain backdrop and quality of the environment. Relaxation of the BHRs is not supported;
- (g) although provision for redevelopment to the existing BH is not allowed for the two excessively tall developments of The Merton and Manhattan Heights, similar restriction had not be imposed on Harbour One at 454A-462A Des Voeux Road West, 3 Cheung Kan Lane and 527 – 531 Queen's Road West. To maintain the integrity of the BH concept at the waterfront, Harbour One should not be allowed to claim the existing BH upon redevelopment;
- (h) the BHRs should have been imposed earlier as a number of sites at Belcher's Street and Catchick Street already had building plans for high-rise developments approved before the imposition of the BHRs;
- (i) it was unfair to impose different BHRs for sites to the north (100mPD) and south of Belcher's Street (120mPD) given their similar site levels and local character. The BHRs would impose adverse impacts on redevelopment value of the old buildings, particularly for small sites. BHRs might also result in standardized buildings upon redevelopment;
- (j) supported the designation of building gaps as a general measure to improve air ventilation. However, the curved alignment of the building gap near Harbour One linking up Des Voeux Road West and Queen's Road West was unsatisfactory. More effective measures such as sky garden or wider building gap at lower levels should be explored to improve air ventilation in the Area;

and

PlanD's responses

- (a) the BHRs on the OZP were stipulated to prevent the development of excessively tall buildings or buildings that would be incompatible with the surrounding environment. In stipulating the BHRs, due regard has been given to the PR of the development sites permitted under the OZP. The stipulation of BHRs would not affect the redevelopment potential of the sites, and as such the issue of PR transfer is not relevant to the imposition of BHRs on the OZP;
- (b) building plans for 8 sites with BH exceeding the BHRs have been approved by the Building Authority before the imposition of BHRs. As a general principle, existing buildings and developments with building plans approved with BH exceeding the relevant BHR will not be affected. However, The Merton (maximum 176.3mPD) and Manhattan Heights (171.2mPD), which are located right on the waterfront and are considered excessive and incompatible with the surrounding developments, are not allowed to be redeveloped to the existing BH in future. As Harbour One is slightly away from the waterfront area with a less excessive BH of 145.9mPD, the same restriction is not imposed;
- (c) the two-tier BHRs of 100mPD and 120mPD in the Kennedy Town Residential Area is mainly to achieve a stepped building height profile ascending from the waterfront to the landward area for better air ventilation and visual permeability;
- (d) whether the design of the buildings is standardized depends on many factors other than BH alone. The BHRs do not preclude the incorporation of innovative architectural features and the provision of a reasonable floor-to-floor height for development/redevelopment. Besides, there is provision for application for minor relaxation of the BHRs under the OZP to cater for development/redevelopment with planning and design merits;
- (e) the BHR of 8 storeys imposed on the "G/IC" site to the east of Chiu Yuen Cemetery has taken into account the site level and the uses always permitted in the "GIC" zone, such as school. Should the site be considered suitable for columbarium use in future, rezoning of the site is required and the C&WDC and the public would be consulted on the columbarium proposal including the BHR before the site is rezoned;
- (f) according to AVA, the Area is of generally satisfactory air ventilation performance as there are considerable coverage of greenery and open spaces. Catchick Street, Belcher's Street and Rock Hill Street are aligned with the annual northeasterly prevailing wind and their width is generally adequate to facilitate air ventilation at street level. Designation of building gaps at appropriate locations can help improve air ventilation in the problem areas between Des Voeux Road West and Queen's Road West (**Plan H-2a**). As such, setback at street level for improving air ventilation is considered not necessary for the Area; and

- (g) the curved alignment of building gap near Harbour One is to a large extent making use of the existing gap above podiums between buildings and to align with Belcher's Street to facilitate prevailing northeasterly wind to penetrate into the inland area. Wider building gap at lower level might significantly affect the development potential of the concerned sites.

3. The Area and Rationales of the OZP Amendments

3.1 The Area and Its Surrounding Areas

The Area

- 3.1.1 The Area (about 172 ha) is located at the north-western end of Hong Kong Island facing the western gateway to Victoria Harbour, with Sai Ying Pun and Sheung Wan to the east, Mid-levels West to the south-east and Pok Fu Lam to the south. The Area is mainly residential in nature with concentration of residential developments in the north-eastern part. A prominent high-rise residential development (i.e. The Belcher's) is located at the eastern part and two public housing estates (i.e. Sai Wan Estate and Kwun Lung Lau) are located in the central part of the Area. Residential developments to the south of Mount Davis are mainly low to medium-rise. PCWA, China Merchants Wharf, some open spaces and temporary uses are along the northern shoreline. The "Green Belt" along the foothills of Mount Davis generally covers the south-western part of the Area. Various GIC uses including schools, facilities of HKU and a cemetery are found in the south-eastern part along Pok Fu Lam Road and Mount Davis Road.

The BHRs

Considerations for Formulating the BHRs (Plan H-1)

- 3.1.2 The BHRs for the Area have been formulated after taking into account various factors, including topography, local characteristics, site formation level, existing BH profile, land uses, compatibility with surrounding developments, the waterfront and foothill setting, the need to balance between public aspirations for a better living environment and private development rights, stepped BH concept, permissible development intensity under the OZP, view to the Area and Victoria Harbour from the two identified local vantage points (on the major outlying islands ferry route through the western gateway to Victoria Harbour and a hiking trail of Harlech Road within the Lung Fu Shan Country Park), existing green/view corridors, as well as recommendations of the AVA have been taken into account (**Plan H-2**).
- 3.1.3 A Urban Design Appraisal (Annex VIII of MPC Paper No. 2/11) has been conducted and the broad urban design principles set out in the Urban Design Guidelines (UDG) (Chapter 11 of the Hong Kong Planning Standards and Guidelines) have been taken into consideration. The urban design principles adopted are summarized as follows:
 - (a) stepped height concept with lower developments along the waterfront and gradation of height profile to echo the natural topographical profile should

be adopted;

- (b) the existing BH profile, except the excessively tall buildings on the waterfront, and the development character of the Area should be respected;
- (c) the view to the Area and Victoria Harbour from the local vantage points should be preserved as far as possible;
- (d) the BH profile should be sympathetic and compatible in scale and proportion with the surrounding developments and to protect the setting of and views towards the heritage buildings;
- (e) building heights should relate to the scale of the streets to avoid canyon effect; and
- (f) existing green/view corridors and major air paths should be preserved. Open spaces and low-rise GIC sites should be retained to serve as visual and spatial relief.

3.1.4 The review has taken into consideration the recommendations of the AVA, particularly the requirement to maintain the existing height profile of the low-rise “G/IC” sites, the “Open Space” (“O”) and “Other Specified Uses” (“OU”) zones as breathing spaces and air paths for the Area in general. The air paths from Victoria Harbour and Mount Davis will also be maintained.

3.1.5 In formulating the BHRs, it is generally ensured that upon incorporation of the restrictions, private development sites (except for “G/IC” and “OU” sites) would be able to accommodate the maximum PR/GFA permissible under the OZP, taking into account the development restrictions under the lease. The BH bands also ensure that the urban design principles as set out in the urban design appraisal would not be negated.

3.1.6 According to the Urban Design Appraisal, the Area can be divided into 7 sub-areas (**Plan H-1**). The characteristics and rationales for the BHRs of these sub-areas are described below.

Kennedy Town Residential Cluster

(General BHRs of 100mPD, 120mPD and 140mPD, BHRs of 60mPD and 220mPD for Specific sites)

3.1.7 This cluster is mainly residential in nature and facing to Belcher Bay. To maintain a generally low profile for waterfront developments, and taking into account the topography, site levels (generally about 6mPD), local character and predominant land uses among other factors, a stepped height profile with two height bands (100mPD and 120mPD) from the waterfront to the more inland area are imposed. These height bands are generally comparable to those in the Sai Ying Pun and Sheung Wan OZP to the immediate east of the area. BHRs of 60mPD and 220mPD are imposed for Hill View Garden at Hill Road and The Belcher’s to generally reflect the completed developments. The Merton (49 to 57 storeys, 156.9-176.3mPD or 152.8-172.7m) and Manhattan Heights (54 storeys, 171.2mPD or 167.1m) are considered as out-of-context and incompatible with the surrounding developments at the waterfront setting. As such, provision for redevelopment to

the existing BH is not allowed for these two excessively tall developments.

Foothill Residential Cluster

(General BHRs of 120mPD to 160mPD, 170mPD and 1 to 15 storeys)

- 3.1.8 This cluster comprises low-rise GIC uses at Rock Hill Street/Smithfield, low to medium-rise residential development in the “R(C)1” zone (already with BHR) at the eastern part, and high-rise residential developments at higher site levels (up to about 50mPD) along Smithfield and Pokfield Road. As a continuation of the stepped height profile, the BHRs gradually increase uphill. The low-rise character of the developments in the “R(C)1”, “G/IC” and “O” zones along the major air path from Pok Fu Lam Road to Forbes Street is maintained to serve as breathing space and visual relief in the Area.

Pok Fu Lam Road West Cluster

(120mPD to 140mPD, and 2 to 11 storeys)

- 3.1.9 This cluster is mainly occupied by GIC and open space uses, as well as student hostels and staff quarters of HKU along Pok Fu Lam Road, which is a major air path for southwesterly wind. Given the local character, existing BH profile and topography, a gradually increase in BH profile from Pok Fu Lam Road to Pokfield Road is adopted. The BHRs for the GIC uses are to reflect the existing BH generally. A BHR of 8 storeys is proposed for the “G/IC” site to the east of Chiu Yuen Cemetery, taking into account the site level as well as the uses always permitted in the “GIC” zone, such as school. The BHR is proposed as a general guidance for future development with a view to minimizing the potential visual impact on the surrounding area. It is also a potential site for columbarium use subject to further feasibility studies and public consultation. HKU Pokfield Road Residence is rezoned from “R(A)” and “G/IC” to “R(B)” with a BHR of 120mPD.
- 3.1.10 It is noted that HKU have plans to redevelop 3 sites along Pok Fu Lam Road, including Yam Pak Building, Ricci Hall, Flora Ho Sports Centre and Lindsay Ride Sports Centre, for academic and hostel uses. As the redevelopment proposals are still at a preliminary stage, the BHRs imposed for the HKU sites are mainly to reflect the BH of the completed developments. Subject to availability of more detailed proposals and technical assessments, the BHRs for these 3 sites would need to be reviewed in future.

Green Mountain Backdrop

(140mPD, 160mPD, and 1 to 8 storeys and 13 storeys)

- 3.1.11 There is a great variation in the topography of the area, ranging from about 60mPD in the northern foothill area to about 260mPD at top of Mount Davis. Developments in this area mainly include low-rise houses and medium-rise buildings along Mount Davis Road, with site levels increase from about 40mPD at the northern part of Victoria Road to about 110mPD at the eastern end of Mount Davis Road. The area mainly falls within “Landscape Protection Area”, and partly falls within “Development Area of High Landscape Value” designated under the Metroplan Landscape Strategy. The southern part of the area along Mount Davis Road also falls within the Pok Fu Lam Moratorium area where land sale is deferred and no lease modification is allowed for more intensive development to avoid aggravating the traffic conditions. In view of the high landscape value and the

predominately low-rise neighbourhood on both sides of Mount Davis Road, the planning intention is to maintain a low BH profile.

Mount Davis Coastal Area
(4 to 6 storeys)

3.1.12 This sub-area consists of vegetated slopes to the west of Victoria Road which form part of the green natural coastline and facing the western gateway to Victoria Harbour. This area also falls within “Development Area of High Landscape Value” and “Landscape Protection Area” designated under the Metroplan Landscape Strategy. Given the prominent location, the two “R(B)” sites are re-zoned to “R(C)3” with BHR of 4 storeys. A BHR of 6 storeys is imposed for Island West Transfer Station.

Belcher Bay Cluster
(2 storeys)

3.1.13 This sub-area is in the north-eastern part of the Area. The western portion of the PCWA, an open-air temporary bus terminus and sitting-out area occupy the waterfront area. The low-rise character of this cluster is maintained to facilitate sea breeze from the north. A BHR of 2 storeys is imposed for PCWA to tally with the BHR for the eastern part of the PCWA which falls within Sai Ying Pun & Sheung Wan OZP.

Area under ongoing land use review
(60mPD, 80mPD, 100mPD and 1 to 6 storeys)

3.1.14 This area, which comprises the ex-Kennedy Town Incinerator and Abattoir site, ex-Police Married officer’s Quarters, ex-Mount Davis Cottage Area and some residential developments and GIC uses, is under an ongoing land use review. As such, BHRs are imposed for the existing private developments and GIC uses under private ownership to be retained in the review area to ensure proper planning control on these sites. BHRs of 60mPD and 80mPD are imposed for the godown building portion of China Merchants Wharf (CMW) taking into account its waterfront location. BHR of 100mPD is imposed for developments at Sai Ning Street to tally with the BHR in the Kennedy Town Residential Cluster. The Government land under review is rezoned to “Undetermined” (“U”) and BHRs will be incorporated upon completion of the land use review.

Building Gaps

3.1.15 To avoid blockage of annual prevailing wind from the northeast and to improve air permeability at Belcher’s Street and the inland areas, two building gaps of 10m wide above 20mPD (about 15m above ground level) are imposed between Des Voeux Road West and Queen’s Road West to generally align with Belcher’s Street and Woo Hop Street to facilitate prevailing northeasterly wind penetrating into the inland area. In addition, two building gaps of 12m wide above 29mPD and 60mPD (about 15m above ground level) are designated to the west of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield respectively to facilitate southerly valley wind penetrating into the Area (**Plan H-2a**).

3.2 Planning Intention

3.2.1 The Area is characterized by mainly residential uses supported by local retail and community uses. The planning intention is to maintain the Area as a residential area, with open spaces and GIC developments that commensurate with the infrastructure capacities while giving due respect to heritage features.

3.2.2 The planning intentions of the zones which are the subjects of representations and comments are as follows:

“R(A)” – primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building;

“R(B)” – primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board;

“R(C)” – primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board;

“I” – primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone;

“G/IC” – primarily for the provision of GIC 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, organizations providing social services to meet community needs, and other institutional establishments; and

“OU” annotated “Pier” – primarily for pier use providing marine services in the harbour areas.

4. The Representations

4.1 Subject of Representations (Plans H-3a and H-3b)

4.1.1 The 12 representations covered by this Paper are in respect of amendments items relating to the imposition of BH and building gap restrictions. **R1**, submitted by Designing Hong Kong, generally supports the imposition of BH and building gap restrictions for the Area. **R8**, submitted by the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), also supports the imposition of BHRs, but object to not stipulating setback requirement for widening of footpath/road and improving air ventilation. **R2**, submitted by the Real Estate Developers Association of Hong Kong (REDA), opposes all amendment items in respect of the imposition of BH and building gap restrictions. **R3** submitted by HKU opposes the stipulation of BHRs for their properties. **R4** and **R5**, submitted

by the China Merchants Steam navigation Co., Ltd. and Gaiger respectively, oppose the BHRs of China Merchants Wharf (CMW). **R6** and **R7**, submitted by Lee Chi Ping and Titano Limited respectively, oppose the BHR at sites bounded by Pokfield Path, Smithfield and Pokfield Road. **R9** to **R11**, submitted by the Office of Democratic Party (Kam Nai Wai, Yeung Sui Yin, Wong Kin Shing, Ho Chun Ki, Cheng Lai King, Yuen Bun Keung), Chong Wing Fai and Ng Hoi Yan respectively, raise concern on the stipulation of BHRs of 100mPD and 120mPD for residential sites which may affect the property/resumption value. **R12**, submitted by Sujata S. Govada, provides comments on the stipulation of BH and building gap restrictions, as well as other amendments. The representations can be summarized as follows:

	Representation No.	Nature	Subject
Building Height Restrictions			
Support	2 (R1 and R8)	General	• R1 and R8 : support BHRs
Provide comment	4 (R9-R12)	General	• R9 – R11 : BHRs of 100mPD and 120mPD may affect the property/resumption value • R12 : imposition of BHRs without reducing PR will result in short and bulkier buildings
Oppose	6 (R2-R7)	• R2 : General • R3-R7 : Specific sites	<u>Ask for more stringent restrictions</u> • R5 : against BHR at China Merchants Wharf (CMW) <u>Ask for more lenient restrictions</u> • R2 : against all amendment items in respect of imposition of BHRs • R3 : against BHRs on HKU's properties • R4 : against BHR on CMW • R6 & R7 : against BHRs on area bounded by Pokfield Path, Smithfield and Pokfield Road
Building Gaps			
Support	1	General	• R1 : support designation of building gaps
Provide Comment	1	General	• R12 : building gaps should not be provided based on AVA only
Oppose	1	General	• R2 : against designation of building gaps
Setback Requirement			
Provide Comment	1	General	• R8 : against not stipulating setback requirement

4.1.2 The submissions from the representations are attached at **Annexes III-1 to III-12** for Members' reference. The grounds of representations and the representers' proposals are summarized in paragraph 4.3 below.

4.2 Comments on Representations (Plans H-3a and H-3b)

Among the 12 related comments received, all support **R2** and oppose Amendment Items B2 to B4 in respect of the rezoning of the residential sites at 2-10 Mount Davis Road, and imposition of PR and BHRs on these sites. The comments on the representations are at **Annexes IV-1 to IV-3**.

4.3 General Grounds of Representations and Representers' Proposals

4.3.1 **Supportive Representation on Imposition of BHRs**

R1 supports the imposition of BHRs as a general measure to control development and strive for a better urban landscape. **R8** also supports the imposition of BHRs in general and proposes to allow higher BH at smaller sites if they could be amalgamated into larger sites for better urban design and improvement of the environment.

4.3.2 **Representations Offering Comments on BHRs**

- (a) **R9-R11** raise concern on the stipulation of BHRs of 100mPD and 120mPD for residential sites which may affect the property/resumption value, and that the BH restrictions would not be applicable to buildings under construction or sites already have building plan approvals.
- (b) **R12** comments that imposition of BHRs without reducing the plot ratio (PR) will result in short and bulkier buildings. A district urban design vision formulated based on community engagement should be completed before changes to the OZP are made. Podium developments with 100% site coverage (SC) should be discouraged. Minor BH relaxation in return for public benefits at street level is welcomed and should also be provided to encourage underground parking.

4.3.3 **Adverse Representations for More Lenient BHRs**

The general grounds and proposals, which are mainly raised by REDA (**R2**), Lee Chi Ping (**R6**) and Titano Limited (**R7**), are summarized below.

Building Height Concept and Control of Out-of-Context Buildings

- (a) The stepped building height concept is utopian and unrealistic. It can never be achieved notwithstanding full implementation of the BHRs on the OZP since some of the existing high-rise buildings have already breached the BHRs. The proposed height bands fail to take into account the actual site topography in the Area (**R6 & R7**).
- (b) The recent public concern on “out-of-context tall buildings” appears to be basically about development in the order of 60 storeys or taller in prominent locations. High-rise developments in the order of 40 storeys have been in place in various parts of Hong Kong for years and they are acceptable to the public. The OZP generally allows for absolute heights of only about 95m to 110m for many of the residential sites, equivalent to about 30 to 35 storeys. BHRs have been set lower than what is necessary to address the public concern. As the planning scheme area is not a visually sensitive area, a general increase of 20m to most of the development sites would not have adverse visual impact (**R2**).

Built Form, Design Flexibility and Air Ventilation

- (c) No consideration has been given to the effects of BHRs on building economics, implications on the redevelopment of the Area by private sector as well as the form of new buildings. BHRs set too low would restrain design flexibility for innovative architectural design and unnecessarily constrain the provision of good quality development. It will result in a monotonous urban form with lower and bulkier buildings, discourage the creation of space around buildings and create a solid wall effect closer to ground level, thus resulting in less permeability of the urban environment, reducing air ventilation at street level and lowering of property values (R2 & R7).

More Relaxed BHRs Required for Sustainable Building Design

- (d) BHRs are set too low that the Sustainable Building Design (SBD) Guidelines cannot be reasonably implemented and the green features e.g. sky garden under the Joint Practice Notes (JPN) are discouraged. The BHRs should be reviewed and relaxed so that a holistic consideration of the regulations and Practice Notes issued by relevant Government departments are taken into account. The desirable SBD features should be encouraged and accommodated within the BHRs without the need to submit s.16 application for minor relaxation. As both the OZP amendments and the SBD Guidelines appear to have the same or similar objectives, the Board should take the view that it needs to facilitate the implementation of the SBD Guidelines as they are to achieve a better overall urban environment (R2).

Redevelopment Potential and Development Process

- (e) The BHRs would impose adverse impacts on redevelopment value and financial viability for private sector's redevelopment projects, and hamper developer's action to purchase properties, thus slowing down the pace of urban renewal. Although a minor relaxation clause is incorporated, developments with planning and design merits will be penalized by the lengthened development process (R6 & R7).

Proposals

- (f) The BH restrictions should be reviewed and relaxed to make use of the air space to accommodate floor space, free up the lower level space for better air ventilation and street environment, and take into account other practice notes issued by other government departments. The desirable features under the SBD Guidelines and the JPN should be able to be accommodated within the BHRs without the need to apply for minor relaxation of the restrictions (R2).
- (g) A general relaxation of the BHRs by 20m in many of the development zones and more relaxed height limits for sites at or near future transport nodes to free up more ground level space for pedestrians should be considered (R2).
- (h) Planning study for the area should be undertaken. Owners, stakeholders and the public should be consulted before imposing the restrictions (R2).

4.3.4 Representations in Respect of Building Gaps and Setback Requirements

Supportive Representations for More Stringent Control

R1 supports the designation of building gaps as a general measure to control development and strive for a better urban landscape. **R8** proposes to stipulate setback requirement at appropriate locations for widening of footpath/road and improving air ventilation.

Representation Offering Comments on Building Gaps

R12 comments that building gaps should not be provided based on AVA only, but also on urban design considerations.

Adverse Representations for More Lenient Control

R2 opposes the designation of building gap in general. The general grounds and proposals are summarized below.

Inconsistent with the Town Planning Ordinance (TPO)

- (a) The designation of building gaps in a number of sites violates the broad principles of planning indicated in paragraph 3.2 of the Explanatory Statement (ES) that the object of the OZP is to illustrate the broad principles of development. This approach is not appropriate for the scale and generality of what are intended to be broad brush plans determining types of buildings and permitted uses. It is inconsistent with the TPO in relation to the content and application of statutory plans and may subject to legal challenge.

No compensation

- (b) According to the EE of the AVA, the air ventilation of the Area is generally satisfactory. The building gaps are imposed on private properties for the public purpose of “air path” without any compensation.

SBD Guidelines

- (c) SBD Guidelines has provided a much more advanced and flexible approach for the provision of space around and through buildings than the OZP.

Proposals

- (d) Remove all building gap requirements from the OZP. Should the building gaps be required to be implemented, the land should be zoned “O” or ‘Road’ and the concerned owners should be suitably compensated.

4.3.5 Representations in Respect of Public Consultation

Prior to the exhibition of the amendments to the OZP, there was no consultation with the affected owners and the development industry. The public have not been informed of the justifications for the BHRs and other development restrictions.

No visual impact analysis is made available to the public to indicate the vision for the long term planning of the planning area. Without such information, the public cannot reasonably comment on the need for the restrictions. The owners, stakeholders and the public should be consulted with the visual impact assessment and the rationale of the BHR before the restrictions become statutory (R2 and R4).

4.4 Responses to General Grounds of Representations and Representers' Proposals

4.4.1 **Adverse Representations for More Lenient BHRs**

Urban Design Considerations

General

- (a) Apart from air ventilation consideration, the BHRs have been formulated based on an overall BH concept and other relevant considerations including the existing BH profile, topography, site formation level, local characteristics, the waterfront and foothill setting, compatibility with the surrounding areas, land uses, stepped BH concept and permissible development intensity under the OZP. A Urban Design Appraisal (Annex VIII of MPC Paper No. 2/11) has been conducted and the broad urban design principles set out in the UDG have also been taken into consideration.
- (b) The BHRs are drawn up to provide better planning control on the BH of development/redevelopment as there is a tendency to develop high-rise buildings in the Area to maximize the view of the harbour. These high-rise developments are out-of-context in the locality, have negative impacts on the visual quality of the Area, and violate the stepped height concept. The concentration of tall buildings, along with the narrow streets in the Area, would also create canyon effect and adversely affect the local air ventilation at pedestrian level as well as that in the neighbouring districts. The BHRs provide a stepped BH profile appropriate to the local setting, and are sufficient to accommodate the development intensity permitted under the OZP.

Building Height Concept and Control of Out-of-Context Buildings

- (c) The urban design principles adopted in the formulation of the BHRs and the building height concepts for the 7 sub-areas are explained in paragraphs 3.1.2 to 3.1.14 above. In particular, a stepped BH concept with lower developments along the waterfront and gradually increases to the uphill areas of Mount Davis and Lung Fu Shan has been adopted. The stepped BH profile is intended to prevent the proliferation of excessively tall or "out-of-context" buildings and to secure a compatible and organised cityscape that would echo the natural topographical setting. It has taken into account the site level and topography, among other factors.
- (d) As a general principle, existing/committed development with a height exceeding the relevant BHR will not be affected in the stipulation of BHRs. Although the heights of some existing developments have breached the BHRs, there should be an overall stepped BH concept to provide an appropriate framework to guide the future development/redevelopment in the

Area as many sites in the Area have not yet been developed to the development intensity permissible under the OZP. For the two excessively tall developments (i.e. The Merton and Manhattan Heights), provision for redevelopment to the existing BH is not allowed given they are out-of-context and incompatible with the surrounding developments at the waterfront setting.

- (e) Whether a development is “out-of-context” is not considered solely on the absolute BH or the number of storeys, but also with reference to the local character and site context, i.e. the characteristics of the neighbourhood. It should be determined by considering how the development relates to the height and massing of the adjacent developments and natural setting. Kennedy Town is an old residential district predominantly occupied by medium-rise buildings along narrow streets. The BHRs should be sympathetic and compatible in scale and proportion with the local character, as well as relating to the scale of the streets to avoid canyon effect.
- (f) Regarding **R2**’s argument that the Area is not a visually sensitive area, it should be noted that while the view from the recognised strategic vantage points is of regional significance, it does not necessarily mean that areas falling outside the view fans are not visually sensitive. The view from the two identified local vantage points (**Plan H-8a**), i.e. on the major outlying islands ferry route through the western gateway to Victoria Harbour and a hiking trail of Harlech Road within the Lung Fu Shan Country Park, as well as the local character and waterfront setting should all be respected.
- (g) **R2**’s proposal for a general increase of 20m in BH would significant increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points, and would adversely affect the local character and cityscape (**Plan H-8b**).

Built form, design flexibility and Air Ventilation

- (h) The BHRs per se would not result in bulkier buildings or wall effect affecting air ventilation. In the course of BH review, an assessment was conducted to ensure that development intensity permitted under the OZP could generally be accommodated under BHRs. The assessment took into account such basic information as site area, site level, maximum site coverage under the Buildings Ordinance (BO) as well as some assumptions on the redevelopment scheme including the type of redevelopment (e.g. pure residential, composite commercial/residential development), the provision of car park and loading/loading facilities and some of the plant rooms at basement level, reasonable floor-to-floor height and possible GFA concession under the BO. Flexibility is allowed in designing the shape and form of the buildings and the BHRs do not preclude the incorporation of innovative architectural design. The ES has already included the provision of separation between buildings to enhance air and visual permeability as one of the criteria for consideration of application for minor relaxation of BHRs.
- (i) Whether a building is considered bulky or massive depends on many factors rather than BH alone. Given the tendency to maximize the best view in

certain direction (particular sea view) and to capitalize on land values on the lower floors, a development with no BH control may be even bulkier as there is a tendency to maximize the floor-to-floor height. The provision of better design buildings is not guaranteed by relaxing the BHRs. Besides, as the permissible SC for domestic building over 61m remains the same under Building (Planning) Regulations, the arguments that the BHRs would force the buildings to become lower and bulkier is not substantiated.

- (j) There is provision for application for minor relaxation of the BHRs under the OZP to cater for development/redevelopment with planning and design merits. The consideration criteria of such applications include the provision of innovative building design, separation between buildings, better streetscape and good quality street level public urban space. Any innovative scheme with planning and design merits would be duly considered by the Board in accordance with such criteria through the planning permission system.

More Relaxed BHRs Required for Sustainable Building Design

- (k) **R2** contends that the BHRs are set too low that the SBD Guidelines cannot be reasonably implemented and the provision of green features e.g. sky garden under the JPN are discouraged. It should be noted that the measures on SBD Guidelines/JPN and the OZP restrictions are under two separate development control regimes, i.e. the building regime and town planning regime respectively, although they are complementary with each other. The SBD Guidelines and JPN, which are administrative measures and are complied on a voluntary basis for the granting of Gross Floor Area (GFA) concession/the exemption from GFA calculation under the Buildings Ordinance (BO), are generally applicable to all building developments with no reference to specific district characteristics and site circumstances. On the other hand, the OZP restrictions are statutory control to achieve planning objectives specific to the district.
- (l) The compliance with the SBD Guidelines/JPN involves detailed building design matters, e.g. for the former, calculation of the projected façade length of building and the separation distance and permeability of buildings¹ can only be firmed up after a detailed building scheme has been drawn up by the architects. In the absence of concrete building schemes, it would not be possible in the OZP review stage to determine how the SBD Guidelines would impact on the building development and design at individual sites. The compliance of the SBD Guidelines or otherwise would be checked by the Buildings Department at the building plans submission stage where detailed building schemes have been prepared by the architects. Without any detailed scheme, there is also no basis for **R2** to allege that the BHRs would jeopardize the implementation of the SBD Guidelines.
- (m) The provision for application for minor relaxation of the BHRs under the

¹ The detailed requirements of SBD guidelines are set out in Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers Nos. APP-151 and 152. The assessment and method of measurement of the “continuous projected façade length of buildings” and “separating distance and permeability of buildings” are set out in Appendices B to E of APP-152.

OZP can cater for development/redevelopment with planning and design merits which may include schemes with the incorporation of SBD features, and ensure that such development schemes are implemented according to the planning approvals.

Urban Design Vision/Planning Study

- (n) In formulating the overall BH concept for the Area and in determining the BHRs and relevant requirements, the broad urban design principles set out in the UDG have been taken into consideration and a Urban Design Appraisal has been conducted. Details of the urban design considerations in stipulating the BHRs are mentioned in paragraphs 3.1.2 to 3.1.14 above. Various urban design considerations, including stepped height concept with relatively lower BH near the waterfront, respecting existing development character and BH profile, preservation of view at major local vantage points, compatible building mass with the surroundings, reference to the scale of the streets to avoid canyon effect, preservation of existing green/view corridors and major air paths, as well as enhancement of visual permeability and air ventilation, had already been duly taken into account.

Redevelopment Potential and Development Process

- (o) In formulating the BHRs, it has been ensured that the development sites would generally be able to accommodate the development intensity as permitted on the OZP. The BHRs have provided reasonable scope for redevelopment while avoiding out-of-context buildings. The imposition of BHRs would not result in a decrease in the development intensity permitted on the OZP, and hence would not jeopardize the redevelopment potential of the concerned sites.
- (p) Development schemes with planning and design merits and requiring minor relaxation of the BHRs can be considered by the Board through the planning permission system. As there is a statutory time limit for the Board to consider such applications under the Ordinance, the development process would not be unduly lengthened. The BHRs have struck a balance between community aspiration for a better living environment and private development rights.

4.4.2 Supportive Representation on Imposition of BHRs

Regarding **R8's** proposal to allow higher BH for smaller sites that could be amalgamated into larger sites, it should be noted that the BHRs are sufficient to cater for the development intensity permitted under the OZP for amalgamated sites. Besides, there is provision for application for minor relaxation of the BHRs under the OZP and one of the criteria for consideration is amalgamating smaller sites for achieving better urban design and local area improvements.

4.4.3 Representations Offering Comments on BHRs

- (a) As the concern raised by **R9-R11** on the redevelopment potential and the BHR would not be applicable to buildings under construction/with building plan approvals, and **R12's** comments on built form and urban design vision

are similar in nature with the general points expressed by **R2** and **R7**, PlanD's responses in paragraph 4.4.1 above are relevant.

- (b) With respect to **R12**'s proposal to encourage underground parking through minor relaxation clause, it should be noted that in assessing whether the development intensity permitted under the OZP could generally be accommodated under the BHRs, it is assumed that the car park would be provided on basement levels. Should there be any site constraints for the provision of underground car park, there is provision for application for minor relaxation of the BHRs under the OZP and one of the criteria for consideration is accommodating building design to address specific site constraints in achieving the permissible PR under the OZP. Besides, incentive has been provided by the SBD Guidelines to encourage basement car park with greater GFA concession. Regarding **R12**'s comment on the SC of podium developments, the minor relaxation clause will also cater for development schemes with planning and design merits including those of reduced SC for providing better streetscape/good quality street level public urban space.

4.4.4 Building Gaps and Setback Requirements

More Stringent Control

- (a) Regarding **R8**'s proposal to stipulate setback requirements, it should be noted that according to the AVA, the Area is of generally satisfactory air ventilation performance as there are considerable coverage of greenery and open spaces. Streets are well connected to seafront for wind entry or well aligned for prevailing wind penetration. Catchick Street, Belcher's Street and Rock Hill Street are aligned with the annual prevailing wind from the northeast and the width of the streets are generally adequate to facilitate air ventilation at street level. The low-rise development and open space at the Kennedy Town Swimming Pool and Belcher Bay Park, as well as the streets perpendicular to the waterfront also allow sea breeze penetrating into the inland area. Designating two 10m wide building gaps at podium level between Des Voeux Road West and Queen's Road West (i.e. G1 & G2 on **Plan H-2a**) can facilitate prevailing northeasterly wind to enter the inner area, in particular Belcher's Street, to improve air ventilation at street level. As such, setback at street level for improving air ventilation is considered not necessary for the Area. Moreover, imposition of setback requirement may pose undue constraints on future development/redevelopment of small lots which are common in the Area. According to TD's advice, there is currently no comprehensive road widening scheme in the northern part of Kennedy Town. However, upon receipt of redevelopment proposal, improvement by setting back the buildings for footpath/road widening could be recommended to Buildings Department for consideration where necessary.

Designate Building Gaps Based on Urban Design Considerations

- (b) With respect to **R12**'s comment that building gaps should be designated based on urban design considerations in addition to AVA, it should be noted that the purpose of designating building gaps on the OZP is to improve air ventilation in the Area by facilitating prevailing northeasterly wind and

southerly valley wind to penetrate into the inland area. Air ventilation is subject to a combination of factors including site topography, man-made and natural settings, building form and disposition, BH and bulk, wind/view corridors, as well as prevailing wind directions. The AVA has assessed the existing wind environment in the Area and made a qualitative evaluation of the likely impact of the developments in accordance with BHRs on the pedestrian wind environment, including identifying areas of concern and recommending possible measures to address the potential problems. In designating building gaps, the above considerations as well as land uses and development/redevelopment potential of the affected sites have been duly taken into account. It is considered to be an appropriate approach for the designation of building gaps. The provision for application for minor relaxation of the BHR under the OZP can cater for schemes with planning and design merits including those which would provide greater separation between buildings in the detailed design of a development/redevelopment.

Inconsistent with the Town Planning Ordinance

- (c) **R2** opines that designation of building gaps is inconsistent with the Ordinance and may subject to legal challenge. According to legal advice provided by the Department of Justice (DoJ), sections 3 and 4 of the Ordinance and the scheme of the legislation are intended to give the Board comprehensive powers to control development in any part of Hong Kong. From the planning perspective, designation of building gaps can serve a positive planning purpose and may have other positive planning benefits. Provided that the Board has the necessary and sufficient planning justifications, such designation can be a part of the planning control within the Board's powers.

No Compensation

- (d) **R2** contends that there is no compensation for the designation of building gaps which are for public purpose. As the areas designated for building gaps (G1 to G4 in paragraph 3.1.15 and **Plan H-2a**) are relatively small in relation to the area of the sites, the building gap requirements on the OZP should not adversely affect development intensity of the concerned sites and the development potential of the sites would not be affected. Should these areas be rezoned to "O" or 'Road' as suggested, land resumption would be involved and the development potential would be affected.

4.4.5 Public Consultation

- (a) It is an established practice that proposed amendments involving BHRs should not be released to public prior to gazetting. The reason is that premature release of such information before exhibition of the amendments might prompt an acceleration of submission of building plans by developers to establish "fait accompli", hence defeating the purpose of imposing the BHRs.
- (b) The rationales for the BHRs and building gap requirements have been set out clearly in MPC Paper No. 2/11, the AVA report, the Urban Design Appraisal and the ES of the OZP. All these documents are available to the public.

Photomontages showing the visual impacts of the proposed BHRs with view from local vantage points were included in the MPC Paper (Plans 15A and 15B).

- (c) Amendments to the OZP were exhibited for public inspection for a period of 2 months in accordance with the provisions of the Ordinance. The exhibition process itself is a public consultation to seek representations and comments on the draft OZP. During the exhibition period, PlanD also provided briefings on the OZP amendments to C&WDC, HKTF of HC and local residents in 3 local consultation forums (see paragraph 2.3 above for more details). The two-month statutory exhibition period is considered adequate for consultation with the public, while maintaining the efficiency of the process.

4.5 Representations Relating to Specific Sites

- 4.5.1 The specific grounds and proposals of R3-R7 are summarized below together with PlanD's responses.

4.5.2 *Sites Covering HKU's Properties:*

Yam Pak Building (Site A) ("G/IC", 8 storeys) (Plan H-4a)

Ricci Hall and Ho Tim Hall (Site B) ("G/IC", 6 storeys) (Plan H-4b)

Lady Ho Tung Hall and Starr Hall (Site C) ("G/IC", 140mPD) (Plan H-4b)

Lindsay Ride Sports Centre and Flora Ho Sports Centre (Site D) ("G/IC", 4 storeys) (Plan H-4c)

Lee Shau Kee Hall, Suen Chi Sun Hall and Morrison Hall (Site E) ("G/IC", 135mPD) (Plan H-4c)

Pokfield Road Residences (Site F) ("R(B)", 120mPD) (Plan H-4c)

Proposed student hostel at Lung Wah Street (Site G) ("R(B)", 150 and 160mPD) (Plan H-4d)

R3 : HKU

Representation Sites and Their Surroundings (Plans H-4a to H-4d1)

- (a) Most of the properties owned by HKU are located along Pok Fu Lam Road. Yam Pak Building (Site A) at 79C Pok Fu Lam Road is a 5-storey building located at the same level of HKU's main campus.
- (b) Sites B and C at 91A to 93 Pok Fu Lam Road are mainly occupied by HKU's student hostels. Site B comprises a 1 to 6-storey (excluding 1 level of basement at Block C) Ricci Hall and a 1-storey (excluding 1 level of basement) Ho Tim Hall. Site C comprises two high-rise student hotels including Lady Ho Tung Hall (20 storeys excluding 1 level of basement and 123.7mPD) and Starr Hall (25 storeys and 139.3mPD). They are surrounded by The Belcher's (about 58 to 62 storeys /208.6mPD to 220.9mPD) to the north and the electricity substations (2 and 6 storeys) to the south.
- (c) Sites D, E and F form a cluster of HKU's sports centre, student hostels and staff quarters. Site D includes a 3-storey Lindsay Ride Sports Centre and a 3-storey (excluding 1 level of basement) Flora Ho Sports Centre. Site E comprises three high-rise student hostels, namely Lee Shau Kee Hall (17

storeys, 132.7mPD), Suen Chi Sun Hall (17 storeys, 132.7mPD) and Morrison Hall (16 storeys, 128mPD). Site F is occupied by 5 blocks of Pokfield Road Residences with BH of 6 to 7 storeys (84.7mPD to 86.6mPD). The site is rezoned from “R(A)” and “G/IC” to “R(B)” with a BHR of 120mPD.

- (d) Site G comprises 4 blocks of HKU’s student hostels under construction at Lung Wah Street. The proposed BH for Blocks C & D, and Blocks A & B are 146mPD and 155.4mPD respectively. A number of residential and GIC uses are located to the north of the site.

Land Administration

- (e) Yam Pak Building (Site A) comprises Inland Lot (IL) 2610 s.C RP and a small portion of the building falls within Government land and is covered by Government Land Licence No. NH-0030. Ricci Hall (Site B) comprises IL 2610 s.A. Ho Tim Hall, Lady Ho Tung Hall and Starr Hall (Site C) comprises of IL 2610 RP. These sites are restricted under the lease to uses for the purpose of the HKU. There is no special clause on the permissible GFA, SC, and BH under the lease.
- (f) Sites D, E and F comprise IL 7704 RP. Site D is restricted under the lease for the provision of recreational facilities for students of HKU. Site E is restricted for the provision of student hostels and ancillary facilities for students of HKU, domestic GFA of 9,293m² to 15,488m², non-domestic GFA of 1,129m² to 1,881m², and BHR of 133mPD. Site F is restricted for the provision of domestic accommodation for the housing of the staff and employees of HKU and dependant members. Student hostel with GFA of 6,398.2m² is permitted within Site F under a Temporary Waiver.
- (g) Lung Wah Street student hostel (Site G) comprises IL 9012. There are GFA restriction of 28,023m² to 46,705m², BHR of 162mPD and requirements for the provision of car parking spaces and public open space under the lease.

Specific Grounds of Representation

- (h) Given the limited land resources, HKU has to seriously review its land bank for future growth and redevelopment, in particular to provide more student hostels to cope with the internationalization of the university. The BHRs will limit the redevelopment potential of the affected buildings to existing bulk. This will inhibit the long term development strategies and future expansion of HKU and violate the spirit of the Policy Address that Hong Kong should develop an education hub in the regional area.

Proposals

- (i) Remove the BHRs for the properties owned by HKU within the “G/IC” and “R(B)” zones.

Responses

- (j) HKU’s need to provide more facilities and student hostels to cater for future

growth and redevelopment is noted. In the course of the review of the OZP, HKU submitted a campus development direction and strategy with some preliminary proposals to redevelop 3 sites along Pok Fu Lam Road, including Yam Pak Building (Site A), Ricci Hall (at Site B), Flora Ho Sports Centre and Lindsay Ride Sports Centre (Site D) for academic and hostel uses for PlanD's consideration. The proposals were circulated to relevant Government departments for comments and expert advice from the AVA consultants was also sought (see pages 19 and 20 of the AVA report at **Annex Ib**). There were concerns raised on such aspects as traffic, building height and bulk and setback requirement on the redevelopment proposals. As such, revised proposals and technical assessments would need to be submitted by HKU to substantiate their redevelopment proposals.

- (k) In imposition of BHRs for "G/IC" sites, the established practice is to reflect the BH of existing and committed developments. As HKU's redevelopment proposals are still at a preliminary stage, both HKU and the Education Bureau (EDB) have been informed that the redevelopment proposals could not be incorporated in this round of OZP amendment. Hence, the BHRs for these 3 sites are mainly to reflect the BH of the existing developments. Subject to availability of revised and more detailed proposals, and with policy support from EDB and acceptance by relevant Government departments, the BHRs for these sites could be amended in future to cater for HKU's redevelopment proposals.
- (l) It is noted that the buildings at Site C (i.e. Lady Ho Tung Hall and Starr Hall) and Site E (i.e. Lee Shau Kee Hall, Suen Chi Sun Hall and Morrison Hall) were recently redeveloped in 2001 and 2005 respectively. As such, imposition of the BHRs to reflect the height of these existing buildings is considered appropriate.
- (m) Current developments at Pokfield Road Residence (Site F) are 6 to 7-storey buildings (84.7mPD-86.6mPD) with a PR of about 2.4². The site was rezoned from "R(A)" and "G/IC" to "R(B)" given staff quarters are regarded as residential use and there is no commercial use. The BHR of 120mPD is imposed with a view to achieving a stepped BH profile from Pok Fu Lam Road to Pokfield Road. Compared with the existing development, the imposition of BHR of 120mPD under the "R(B)" zoning has already provided reasonable scope for redevelopment to cater for HKU's need for expansion in future.
- (n) The site at Lung Wah Street (Site G) has been granted to HKU for student hostel use in 2008. According to the latest approved building plans on 8.12.2010, the proposed development comprises 4 blocks with proposed BHs of 146mPD (Blocks C & D) and 155.4mPD (Blocks A & B). The BHRs for the site (150mPD for Blocks C & D and 160mPD for Blocks A & B), generally reflect the heights of the development under construction.
- (o) Given that there is no PR restriction on the "G/IC" sites, deletion of BHRs for HKU's properties would result in proliferation of high-rise developments

² The PR is calculated based on the GFA of 6,398m² for the Pokfield Road Residence and the site area of 2,699m² for the "R(B)" zone.

along Pok Fu Lam Road and Lung Wah Street, which may have adverse visual, air and traffic impacts.

4.5.3 *China Merchants Wharf (CMW):*
Godown building portion (Site A) ("I", 60 and 80mPD)
Pier portion (Site B) ("OU(Pier)", 1 storey)

R4 – China Merchants Steam Navigation Co., Ltd. (Sites A and B)

R5 – Gaiger (Site A)

Representation Sites and Their Surroundings (Plans H-5a to H-5a1)

- (a) The CMW at Sai Ning Street comprises two 13-storey (63.7mPD) and 16-storey (83.9mPD) godown buildings, as well as a pier which is being used as a temporary cruise terminal in addition to cargo handling. The site is surrounded by Victoria Public Mortuary and the ex-Kennedy Town and Incinerator site to the east, Kennedy Town Temporary Recreation Ground to the west, and a bus terminus and sitting-out area, which are rezoned to "U" pending completion of the land use review. Besides, there are some residential and industrial buildings (BHR of 100mPD) to the south and south-west of the site on the opposite side of Sai Ning Street.

Land Administration

- (b) The site falls within IL 8623. The pier is restricted for the purpose of a cargo handling pier and the remaining area is restricted to be used for the purpose of a godown or godowns for cargo handling purposes only. The types of building permitted to be erected are godown or godowns, ancillary offices and such canteen and welfare facilities for the workman employed on IL 8623, with a maximum GFA of 46,445.42m². The pier is also being used as a temporary cruise terminal under Short-term Waiver.

Specific Grounds of Representations

R4

- (c) The BHRs are unreasonable and without prior consultation. This would discourage the rejuvenation of the site for tourism related uses/uses compatible with the surrounding areas.
- (d) The BHRs only reflect the existing BH which cannot cater for the current needs. Development potential of the site has not been fully utilized. As the height of Mount Davis is 269mPD, BHRs of 188mPD to 215mPD³ for the site would not breach the 20% to 30% building free zone recommended by the Metroplan (1991) guidelines. Deletion of BHRs for the site would not cause adverse visual impact.

R5

- (e) R5 has opposite view to R4 in that the existing godown buildings of CMW are out of scale. Future developments at the site should not be permitted to the existing bulk.

³ The BHs of 188mPD to 215mPD as put forward by the representer are estimated by reducing the height of Mount Davis (269mPD) by 20% to 30%.

Proposals

- R4
- (f) Delete the BHRs. BHR should be proposed with the intention to encourage the owner to open up part of the site for waterfront promenade and provide pier facilities for the promotion of tourism.
- R5
- (g) Reduce the BHRs of the "I" zone for a harmonious scale of development at the waterfront.

Responses

- R4
- (a) According to UDG, lower developments of appropriate scale should be located on the waterfront to avoid dominating the harbour and to increase permeability to the water body. As the site is located right on the waterfront, the BHRs have been imposed carefully with a view to ensuring a harmonious waterfront. The BHRs for CMW (60mPD and 80mPD for the western and eastern buildings respectively) are similar to the existing BH of the godown buildings (Site A), would create a BH variation for the long sea frontage of about 150m of the subject site. With the provision for redevelopment to the existing BH, the site is allowed to redevelop to 63.7mPD and 83.9mPD at the western and eastern portions, which are the maximum tolerable BHs at the waterfront setting.
- (b) In formulating BHRs for the site, it has been ensured that upon incorporation of the restrictions, the site would be able to accommodate the PR as permitted under the OZP and the lease. CMW, with existing GFA and PR of 46,323.42m² and about 7.5 respectively, has been developed to the allowable intensity under the lease. While PlanD is aware of the owner's intention to rejuvenate the site for tourism related uses in the longer term, such uses within the "I" and "OU(Pier)" zones require planning permission from the Board. Regarding R4's argument that the BHRs would discourage the rejuvenation of the site, it should be noted that the incentive for redevelopment depends on many factors rather than BH alone. The site is right on the waterfront, and appropriate BHRs should be imposed to ensure that the future redevelopment would be compatible with the waterfront setting. Should the site be redeveloped for leisure and tourism-related uses, it should be planned in a comprehensive manner. Moreover, development of 1 storey is allowed under the OZP for the pier portion of the site, this provides some design flexibility and scope for expansion.
- (c) With respect to R4's argument that the BHRs of 188mPD to 215mPD would not breach the 20% to 30% building free zone in the Metroplan Guidelines, it should be noted that the representer has wrongly interpreted the meaning of the building free zone and estimated the permitted BH by reducing the height of Mount Davis (269mPD) by 20% to 30%. According to Metroplan Guidelines, building free zone refers to the requirement that developments should not be permitted to obstruct visibility of the upper 20%-30% of elevation up to the ridgelines of the Hong Kong Island when viewed from the

strategic vantage points⁴. As the Area does not fall within the “view fan” of the strategic vantage points, two local vantage points are identified to assess the visual impacts of the BHRs (**Plan H-8a**). It is shown on **Plans H-8b** and **H-8c** that the BH proposed by the representer will result in a significant reduction in the visual permeability to the mountain backdrop of Mount Davis and the water body of Victoria Harbour from the two local vantage points. The proposal to delete the BHRs for the CMW site would jeopardize the integrity of the stepped BH concept and result in out-of-context development on the waterfront. It is therefore not supported.

R5

- (d) On the **R5**'s proposal of lowering the BHR for the “I” zone, it should be noted that the BHRs for the godown building portion of CMW have taken into account the height of the existing buildings and the need to maintain a relatively low BH in the waterfront area. The BHRs of 60mPD and 80mPD are lower than the BHR of 100mPD for the developments to the south of Sai Ning Street to provide a stepped height profile from the waterfront to the inland area. Reducing the BHRs would pose undue constraints on future redevelopment and have adverse impact on the development right. As the BHRs have struck a balance between public interest and private development right, the proposal to reduce the BHR of the “I” zone is not supported.

4.5.4 *Sites bounded by Pokfield Path, Smithfield and Pokfield Road (“R(A)”, 120mPD)*

R6 – 李志平 Lee Chi Ping

R7 – Titano Limited

Representation Sites and Their Surroundings (Plans H-6a to H-6a2)

- (a) The site is occupied by an industrial building (Cheung Hing Industrial Building, 59.4mPD) at 12P Smithfield and four residential buildings at 12R and 12S-12T Smithfield, and 38 and 40 Pokfield Road. The four residential buildings include Wai Wah Court (114.3mPD), Sun Fat Building (47.3mPD), Poksmith Villa (66.1mPD) and Pokfield Garden (92.4mPD). The site, which is located at site level sites of about 17mPD to 28mPD, are surrounded by residential developments to the north-east (University Heights, 172mPD) and west (Smithfield Terrace, 96.1mPD to 119.7mPD), and GIC facilities to the north (future Kennedy Town MTR station (1 storey), Smithfield Municipal Services Building (9 storeys) and Kennedy Town Community Complex (15 storeys)) and south (Our Lady of the Rosary Church St. Charles School (6 storeys), Caritas Mok Cheung Sui Kun Community Centre (11 storeys) and Telephone exchange (5 storeys)).

Land Administration

- (b) Cheung Hing Industrial Building comprises IL 4097 s.A RP. Wai Wah Court comprises IL 4097 s.C s.D s.E & s.F. Sun Fat Building comprises IL 4097 s.G & RP. The lease governing the above sites are virtually unrestricted

⁴ The three strategic vantage points for viewing from Kowloon towards the Hong Kong Island ridgelines include proposed West Kowloon Cultural District, Cultural Complex at Tsim Sha Tsui and proposed promenade at South East Kowloon Development.

except the standard offensive trade clause and design & disposition clause.

- (c) Poksmith Villa and Pokfield Garden comprise IL 8205 and IL 8254 respectively. Both sites are restricted under the lease to private residential uses and no structure shall be erected within 10 feet of the lot boundary abutting Pokfield Road. Poksmith Villa is restricted to a maximum GFA of 3,912.71m². Pokfield Garden is restricted to a maximum BH of 18 storeys over carports, and the provision of 72 flats for Government servants on local terms of service.

Specific Grounds of Representation

- (d) The registered owner of two storeys of Cheung Hing Industrial Building (**R7**) and a local resident (**R6**) comment that the BH bands fail to take into account the actual site topography. Although the subject area is situated on a higher level of about 24mPD, the BHR of 120mPD is the same as the Kennedy Town Residential Cluster which is situated on a lower level of about 5mPD. It is also unfair that University Heights, with a site level of about 55mPD, is subject to a BHR of 170mPD to reflect the existing BH (**R6 and R7**).

Proposals

- (e) Delete the BH restriction or to relax the BH restriction to 140mPD (**R6**).
- (f) Revise the BH restriction to 140mPD for design flexibility and clearer stepped BH profile from the waterfront (100mPD to 120mPD) to the uphill area (160mPD to 170mPD) (**R7**).

Responses

- (a) In the formulation of BHRs, while site level has been taken into account, it is not the only consideration. Other factors such as existing BH profile, local characteristics, land uses, compatibility with the surrounding developments, stepped building height concept, permissible development intensity under the OZP, recommendations of AVA and the need to balance public aspiration for a better living environment and private development rights should also be considered. As mentioned in the paragraphs 3.1.2 to 3.1.8 above, a stepped BH concept with lower developments along the waterfront and gradation of height profile in the inland and uphill areas has been adopted. The BHR of 120mPD for the subject site and adjacent areas is mainly acting as a transition between the low height band (100mPD) on the waterfront and the higher height bands (140mPD to 160mPD) in the uphill area. The BHR of 170mPD for University Heights is to generally reflect the existing BH at specific site.
- (b) Given the site levels of about 17mPD to 28mPD at the subject site, the BHRs of 120mPD would allow residential developments with absolute BHs of about 92m to 103m, which are similar to the absolute BHs allowed for other height bands of 100mPD, 140mPD and 160mPD within the "R(A)" zone. The absolute BH is equivalent to around 24 to 27 storeys above a 3-storey podium. This can well accommodate the development intensity as permitted on the OZP. As such, the BHR would not adversely affect the

development intensity of the sites permitted under the OZP.

- (c) As the BHR of 120mPD for the subject site has provided reasonable scope for redevelopment while maintains the integrity of the overall stepped BH profile, **R6's** and **R7's** proposals to delete the BHR or revise the BHR to 140mPD are considered inappropriate and are therefore not supported.

5. The Comments

5.1 Grounds of Comments and Commenters' Proposals

Redevelopment Potential

- 5.1.1 **C1-C12** are property owners/residents at 2 (On Lee) and 6-10 Mount Davis Road (Mount Davis Village and the High House) and support **R2's** view that BHRs set too low would unnecessarily constrain the provision of good quality development. While their objections are relating to the rezoning of 2 and 6-10 Mount Davis Road to "R(C)2" (Amendment Items B2 and B3) with PR restriction of 0.75, SC of 25% and BHR of 3 storeys, and rezoning the adjacent sites at 2A Mount Davis Road (Greenery Garden) and 4 Mount Davis Road (Four Winds Apartment) to "R(B)1" (Amendment Item B4) with PR of 3 and BHR of 160mPD, they mainly oppose the "R(C)2" zoning and the imposition of PR and BHR on their sites at 2 and 6-10 Mount Davis Road (**Plans H-7a to H-7a4**). They are of the view that it is illogical and inequitable to have different PR and BHRs for their sites and the neighbouring sites at 2A and 4 Mount Davis Road given their similar locations and characteristics. It is inappropriate to impose BHRs to reflect the existing development intensity at the sites and under the lease conditions, or on the basis of Pok Fu Lam Moratorium (PFLM) which is a temporary administrative measure. Their property value has been significantly reduced without prior consultation and any form of compensation.
- 5.1.2 **C11** and **C12** disagree that high landscape value and predominantly low-rise neighbourhood should be one of the reasons for retaining the existing BH profile, and state that redevelopment of all the sites to restrictions under "R(B)1" would not have any significant negative landscape impact. Besides, there is no traffic study to indicate that PFLM is still necessary. Any rezoning proposal that will result in a loss of potential development rights must be deferred and supported by relevant traffic study.
- 5.1.3 **C1-C12** suggest rezone the sites at 2 and 6-10 Mount Davis Road to "R(B)1" with a maximum PR of 3 and a maximum BH of 160mPD.

Spot Zoning Approach

- 5.1.4 The BHRs constitute a form of "spot" zoning which is inappropriate and unlawful. It is not permitted under sections 3 and 4 of the Ordinance in relation to the content and application of statutory plans. It violates the broad principle of planning indicated in paragraphs 3.1 and 3.2 of the ES that the object of the OZP is to indicate only the broad principles of development (**C11 & C12**).

Public Consultation

- 5.1.5 C1-C12 oppose to the rezoning of the sites without prior consultation. C10 also opposes to the Board's refusal to recognize the prior representation from the owners at Mount Davis Village on the basis that it was received two days late.

5.2 Commenters' Sites and Their Surroundings (Plans H-7a to H-7a4)

- 5.2.1 2 Mount Davis Road (On Lee) and 6-10 Mount Davis Road (Mount Davis Village with an existing PR of about 0.67 and The High House) are mainly occupied by 3-storey residential buildings with open car park. 2A Mount Davis Road (Greenery Garden) has already been developed into four 18-storey (148.7mPD, including one basement car park) residential blocks with an existing PR of about 5.93. 4 Mount Davis Road (Four Winds Apartments) is a 13-storey (144.9mPD) residential building.
- 5.2.2 All of the sites fall within Residential Density Zone III, "Landscape Protection Area" designated under the Metroplan Landscape Strategy, as well as the Pok Fu Lam Moratorium (PFLM) area where no lease modification is allowed for more intensive development so as to avoid aggravating the traffic conditions. The existing developments at Mount Davis Road are mainly low-rise residential buildings (1 to 4 storeys) and GIC facilities, except a few medium-rise developments at the eastern (13 to 18 storeys at "R(B)1" zone) and western end (10 to 21 storeys at "R(B)1" and "R(C)" zones). The immediate neighbourhood to the south of Mount Davis Road is predominately low-rise residential in nature and is zoned "R(C)3" with BH restriction of maximum 3 storeys including carports stipulated on the Pok Fu Lam OZP. Areas to the north of the sites are predominantly vegetated slopes with Chiu Yuen Cemetery located at the north-east.

5.3 Land Administration

"R(C)" sites

- 5.3.1 2 Mount Davis Road comprises IL 2080 RP and is restricted to private residential use subject to a maximum BH of 3 storeys and a maximum roofed over area of 25% under the lease. Carports under the building will be counted as number of storeys and single storey car ports will be permitted in addition to the coverage limitation. 6&10 Mount Davis Road comprise IL 2335 RP, IL2335 s.A ss1 and IL 2090 RP. 8 Mount Davis Road comprises IL2335 s.A RP. 6-10 Mount Davis Road are restricted to private residential use subject to maximum roofed over area of 30% for 2-storey and 25% for 3-storey buildings. Single storey car ports will be permitted in addition to the coverage limitation.

"R(B)" sites

- 5.3.2 2A Mount Davis Road comprises IL 2090 s.A RP & Ext. The user of the lease is virtually unrestricted except non-offensive trade clause and no more than 4 houses shall be erected in the lot. 4 Mount Davis Road comprises IL

2090 s.A ss.1 and is restricted to private residential use. The existing building height of 12-storey over one carport floor complies with the lease. Besides, no building structure shall be erected within 25 feet of Mount Davis Road.

5.4 Responses to Grounds of Comments and Commenter's Proposals

Redevelopment Potential

Rezoning of 2 and 6-10 Mount Davis Road to "R(C)2"

- 5.4.1 The concerned sites are located at the foothill of Mount Davis with a green natural setting. Given the sites fall within "Landscape Protection Area" designated under the Metroplan Landscape Strategy, and the existing developments at Mount Davis Road are predominantly low-rise residential buildings (1 to 4 storeys), the planning intention is to maintain a low BH profile and development intensity along Mount Davis Road so as to preserve the high landscape value and the local character.
- 5.4.2 Apart from the above-mentioned considerations, the development intensity allowable under the lease has also been taken into account in formulating the development restrictions for the sites. Rezoning of the sites to "R(C)2" with PR restriction of 0.75, SC restriction of 25% and BHR of 3 storeys would not adversely affect the lease entitlements. PFLM is not one of the considerations in the imposition of the restrictions and so the commenter's allegation that it is inappropriate to impose BHRs based on the temporary administrative measure of PFLM is irrelevant. The rezoning of the sites to "R(C)2" reflects the planning intention to maintain a low-rise neighbourhood along Mount Davis Road so as to preserve the local character and high landscape value. To cater for site-specific circumstances and schemes with planning and design merits, there is provision for minor relaxation of the BHR and each application will be considered on its individual merits.
- 5.4.3 With respect to the commenters' proposal to rezone 2 and 6-10 Mount Davis Road to "R(B)1" with PR restriction of 3 and BHR of 160mPD, TD advises that higher development intensity at Mount Davis Road would have adverse traffic impact given the limited capacity of the narrow 2-way 2-lane single carriageway of Mount Davis Road and the busy junction at Pok Fu Lam Road/Smithfield. Besides, it would affect the effectiveness of the planning intention to preserve the landscape value and low-rise character of the neighbourhood.
- 5.4.4 Regarding C1-C12's comment that BH restrictions set too low would unnecessarily constrain the provision of good quality development, PlanD's responses to the relevant representers' proposals in paragraph 4.4.1 above are relevant.

Rezoning of 2A and 4 Mount Davis Road to "R(B)1"

- 5.4.5 2A and 4 Mount Davis Road have been developed into four 18-storey residential blocks and a 13-storey residential building (both including 1 storey of car park) by technical modification and lease modification in 1980s

and 1960s respectively. Rezoning of 2A and 4 Mount Davis Road to "R(B)1" with PR restriction of 3 and BHR of 160mPD has taken account of the lease entitlements.

Spot Zoning Approach

5.4.6 According to legal advice provided by DoJ, sections 3 and 4 of the Ordinance and the scheme of the legislation are intended to give the Board comprehensive powers to control development in any part of Hong Kong. On that basis, it would be reasonable to find that the Board has the power to impose BHRs on individual sites or for such area within the boundaries of the OZP if there are necessary and sufficient planning justifications. Provided that the imposition of the BHRs are justified on planning grounds, the Board's decision should not be considered as inconsistent with the Ordinance or unreasonably affecting private property rights. From the planning perspective, the imposition of BHRs is considered justified as it could provide better planning control on the BH of development/redevelopment and avoid out-of-context development.

Public Consultation

5.4.7 Regarding C1-C12's objection to the rezoning without prior consultation, PlanD's responses to the relevant representers' proposals in paragraph 4.4.5 are relevant. With respect to C10's objection to the Board's refusal to recognize the prior representation, it should be noted that it is the Board's established practice that representations submitted after the expiration of the specified public inspection period shall be treated as not having been made under the Ordinance.

6. Consultation

6.1 The following Government bureaux/departments have been consulted and their comments have been incorporated in the above paragraphs, where appropriate:

- (a) Chief Building Surveyor/Hong Kong West, Buildings Department;
- (b) Commissioner for Transport;
- (c) District Lands Officer/Hong Kong West & South, Lands Department;
- (d) Chief Town Planner/Urban Design and Landscape, Planning Department; and
- (e) Department of Justice.

6.2 The following departments have no comment on the representations and comments:

- (a) Secretary for Development;
- (b) Project Manager (Hong Kong Island & Islands), Civil Engineering and Development Department;
- (c) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (d) Antiquities and Monuments Office, Leisure and Cultural Services Department;
- (e) Chief Highway Engineer/Hong Kong, Highways Department;
- (f) Chief Highway Engineer/Railway Development 2-2, Highways Department;

- (g) Director of Environmental Protection;
- (h) Director of Fire Services;
- (i) Chief Engineer/Development(2), Water Supplies Department;
- (j) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (k) Commissioner of Police;
- (l) District Officer (Central & Western);
- (m) Director of Electrical and Mechanical Services;
- (n) Director of Agriculture, Fisheries and Conservation;
- (o) Director of Health; and
- (p) Head of Geotechnical Engineering Office, Civil Engineering and Development Department.

7. Planning Department's Views

- 7.1 The support of **R1** and **R8** for the imposition of BHRs and building gaps is noted. The concern raised by **R9-R11** on the redevelopment potential and **R12's** comment on built form are similar to the point expressed by **R2, R6 & R7** and the responses in paragraph 7.2 below are relevant.
- 7.2 Based on the assessments in paragraph 4 above and for the following reasons, the Planning Department does not support R2 to R8 and considers that the Plan should not be amended to meet the representations:

BHRs

General

- (a) The purpose of imposing BHRs in the Area is to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, have been taken into consideration.
- (b) Sections 3 and 4 of the Ordinance and the scheme of the legislation are intended to give the Board comprehensive powers to control development in any part of Hong Kong. The Board has the power to impose BHRs and building gaps on individual sites or for such areas within the boundaries of the OZP where there are necessary and sufficient planning justifications (**R2, C11 & C12**).
- (c) There would not be adverse impacts on the development intensity permitted under the OZP and property value in general. For an existing building which having already exceeded the BHRs, the rights of redeveloping the buildings to their existing heights would be respected on the OZP unless otherwise specified. The BHRs have struck a balance between public aspirations for a

better living environment and private development rights. (R6, R7 & R9 - R11).

- (d) The BHRs are formulated on the basis of reasonable assumptions with allowance for design flexibility to accommodate development intensity permissible under the OZP. The BHRs will not result in larger building bulk. The provision of better designed sustainable buildings is not guaranteed with more relaxed BH control (R2, R7, R12 & C1 - C12).
- (e) To cater for site-specific circumstances and schemes with planning and design merits, there is provision for application for minor relaxation of the BHRs under the OZP. Each application will be considered by the Board on its individual merits.
- (f) The measures on SBD Guidelines/JPN and the OZP restrictions are under two separate development control regimes, although they are complementary with each other. The SBD Guidelines and JPN are administrative measures which are complied on a voluntary basis without reference to specific district characteristics. OZP restrictions are statutory control to achieve planning objectives specific to the district (R2).
- (g) Blanket relaxation of the BHRs by 20m is not supported as it would significantly increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points and adversely affect the local character and cityscape, which is not in line with the intended planning control (R2).

Specific

- (h) Deletion of BHRs for HKU's properties would result in proliferation of high-rise developments along Pok Fu Lam Road and Lung Wah Street, which may have adverse visual, air and traffic impacts (R3).
- (i) Deletion of BHRs at the CMW site would jeopardize the integrity of the stepped BH concept and result in out-of-context development on the waterfront, resulting in a significant reduction in the visual permeability to the mountain backdrop of Mount Davis and the water body of Victoria Harbour from the two local vantage points (R4).
- (j) Reducing the BHRs at the CMW site would pose undue constraints on future redevelopment and have adverse impact on the development right (R5).
- (k) Revising the BHR for the site bounded by Pokfield Path, Smithfield and Pokfield Road from 120mPD to 140mPD would jeopardize the integrity of the overall stepped BH profile. The BHR has provided reasonable scope for redevelopment (R6 & R7).
- (l) Rezoning 2 and 6-10 Mount Davis Road to "R(B)1" would result in proliferation of high-rise developments in the low-rise neighbourhood, which is not in line with the planning intention to preserve the local character and landscape value of the area. It would also result in adverse traffic impact at

Mount Davis Road and the surrounding areas (C1 to C12).

Building Gap and Setback Requirements

- (m) Designation of building gap requirements on the OZP can serve a positive planning purpose and have positive planning benefits by improving air ventilation. It has legal basis as it would form part of the planning control of the Board, which has the necessary and sufficient justifications. Designation of building gaps would not adversely affect the development potential of the affected sites (R2).
- (n) With the imposition of BHRs and designation of building gaps, the Area is of generally satisfactory air ventilation performance. There is currently no comprehensive road widening scheme in the northern part of Kennedy Town. However, upon receipt of redevelopment proposal, improvement by setting back the buildings for footpath/road widening could be recommended to Buildings Department for consideration where necessary. Besides, the stipulation of setback requirement would pose undue constraints on future development/redevelopment of small lots which are common in the Area (R8).

Public Consultation

- (o) The two-month statutory exhibition period and provision for representations and comments formed part of the public consultation process. Any premature release of information before exhibition of the amendments to the OZP might prompt an acceleration of submission of building plans, thus nullifying the effectiveness of imposing the BHRs. All information supporting the BHR and building gap requirements on the OZP including the AVA Report and Urban Design Appraisal, is available for public inspection (R2 and R4, C1 to C12).

8. Decision Sought

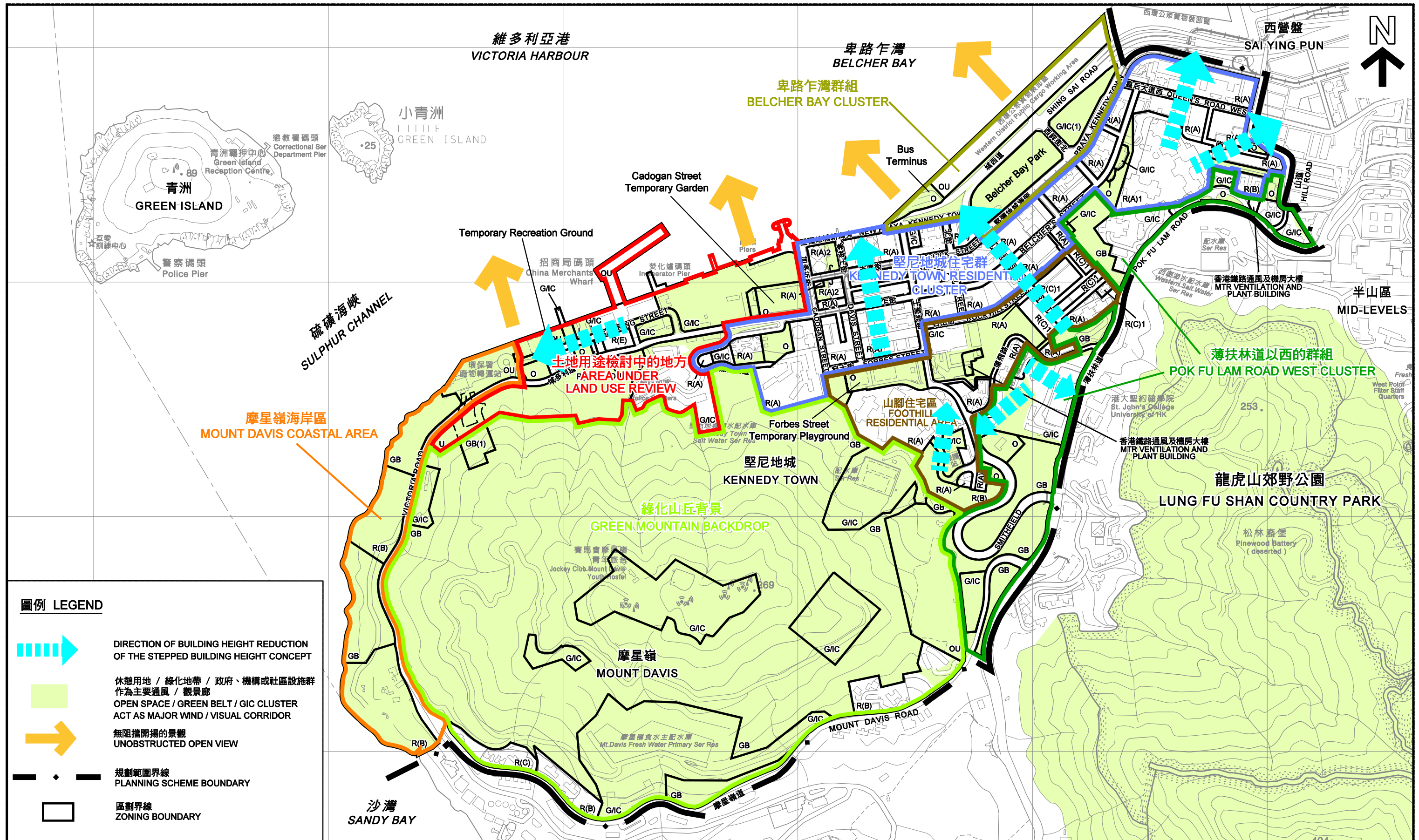
The Board is invited to give consideration to the representations and comments and decide whether to propose/not to propose any amendment to the Plan to meet/partially meet the representations.

9. Attachments

Plan H-1	Concept Plan for the Building Height Profile
Plan H-2	Major Air Spaces and Air/Wind Paths in Kennedy Town & Mount Davis Planning Scheme Area
Plan H-2a	Demarcation of Building Gaps
Plan H-3a	Amendments Incorporated in Draft Kennedy Town & Mount Davis OZP No. S/H1/18
Plan H-3b	Location Plan for Representation Sites and Comment Sites
Plans H-4a to H-7a4	Site Plans and Photos for the Representation and Comment Sites
Plan H-8a	Location of viewpoints

Plans H-8b to H-8c	Photomontages showing the BH profile in accordance with the BHRs on the OZP and proposed by representers
Annex Ia	Schedule of Amendments to the Draft Kennedy Town & Mount Davis OZP No. S/H1/17
Annex Ib	Expert Evaluation on Air Ventilation Assessment of the Kennedy Town & Mount Davis Area
Annex IIa	Minutes of C&WDC Meeting on 29.3.2011
Annex IIb	Minutes of HKTF of HC Meeting on 11.4.2011
Annex IIc	Minutes of Local Forum on 1.4.2011
Annex IId	Minutes of Local Forum on 14.4.2011
Annex IIe	Minutes of Local Forum on 19.4.2011
Annex III	List of Representers R1 to R12
Annexes III-1 to III-12	Submissions made by Representers R1 to R12 (for Members only)
Annex IV	List of Commenters C1 to C12
Annex IV-1 to IV-3	Submissions made by Commenters C1 to C12 (for Members only)

**PLANNING DEPARTMENT
NOVEMBER 2011**



本摘要圖於2011年11月18日擬備，
所根據的資料為測量編號HM10C
EXTRACT PLAN PREPARED ON 18.11.2011
BASED ON SURVEY SHEET No. HM10C

建築物高度輪廓的概念規劃圖
CONCEPT PLAN FOR THE BUILDING HEIGHT PROFILE

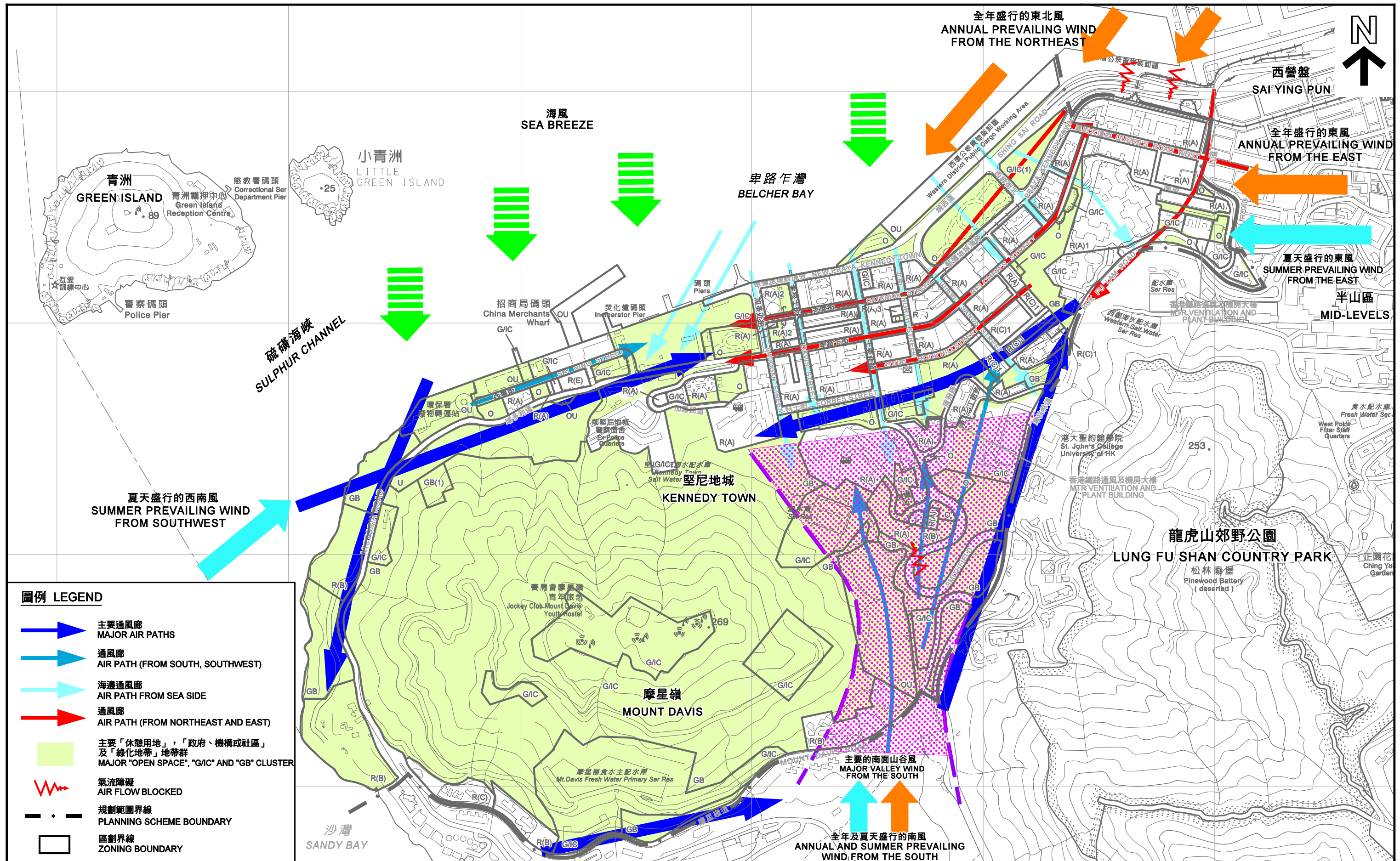
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METRES 100 0 100 200 300 400 500 600 700 METRES

規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18

圖 PLAN
H-1



本摘要圖於2011年11月18日擬備，
所根據的資料為測量編號HM10C
EXTRACT PLAN PREPARED ON 18.11.2011
BASED ON SURVEY SHEET No. HM10C

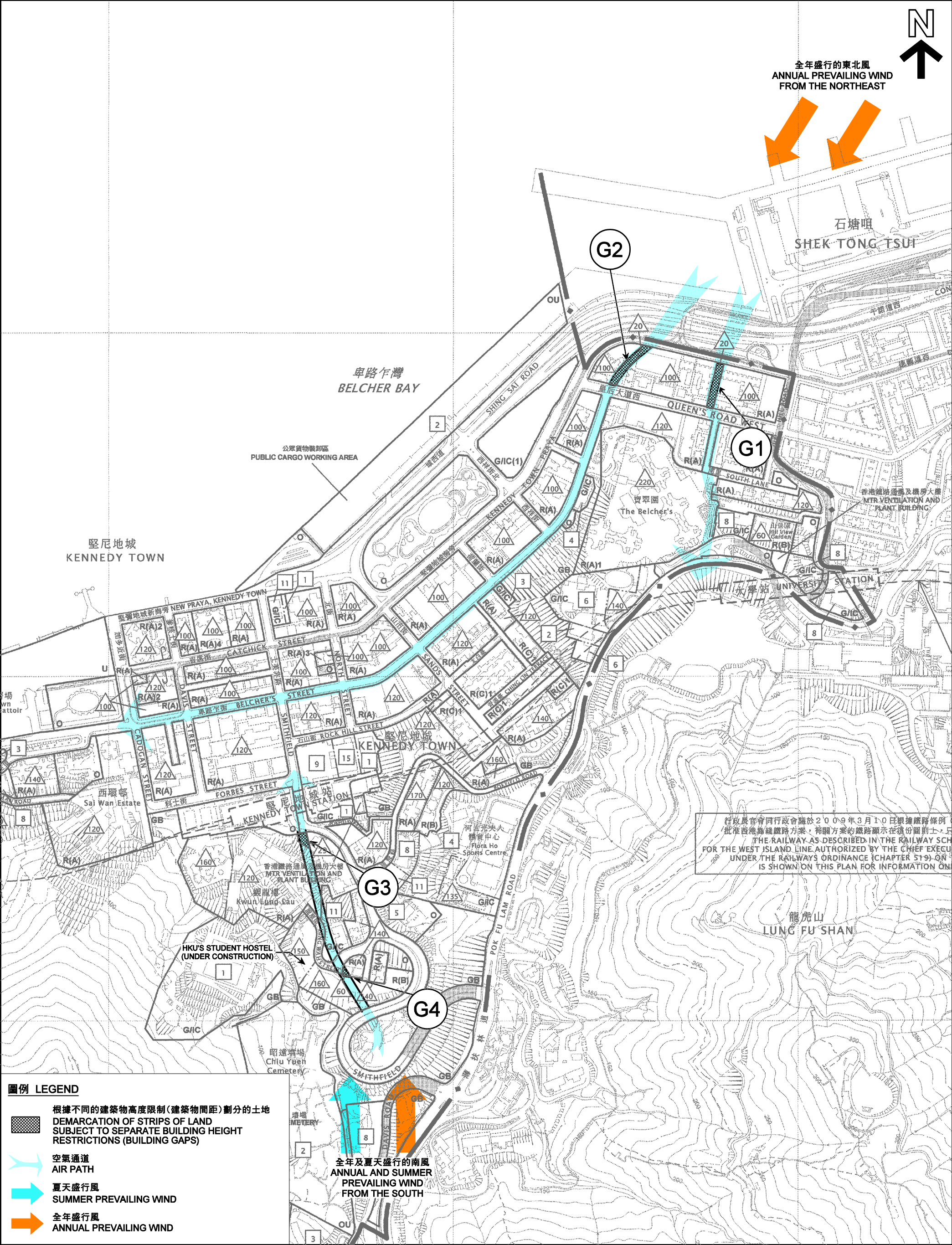
堅尼地城及摩星嶺規劃區內的透氣空間及氣流/風向路徑
MAJOR AIR SPACES AND AIR/WIND PATHS IN KENNEDY TOWN & MOUNT DAVIS PLANNING SCHEME AREA

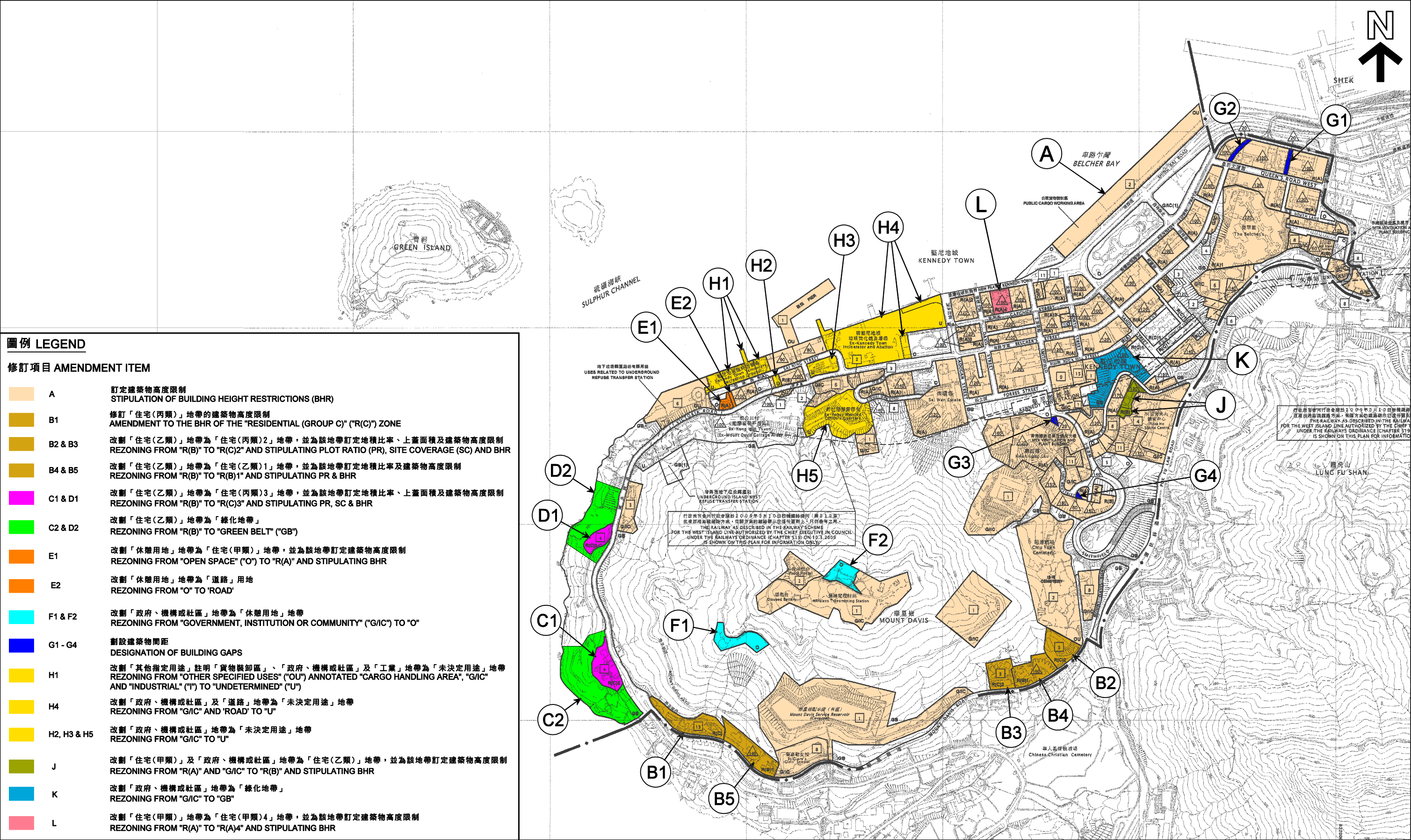
SCALE 1 : 7 500 比例尺
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規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
R/S/H1/18

圖 PLAN
H-2





圖例 LEGEND	
修訂項目 AMENDMENT ITEM	
A	訂定建築物高度限制 STIPULATION OF BUILDING HEIGHT RESTRICTIONS (BHR)
B1	修訂「住宅(丙類)」地帶的建築物高度限制 AMENDMENT TO THE BHR OF THE "RESIDENTIAL (GROUP C)" ("R(C)") ZONE
B2 & B3	改劃「住宅(乙類)」地帶為「住宅(丙類)2」地帶，並為該地帶訂定地積比率、上蓋面積及建築物高度限制 REZONING FROM "R(B)" TO "R(C)2" AND STIPULATING PLOT RATIO (PR), SITE COVERAGE (SC) AND BHR
B4 & B5	改劃「住宅(乙類)」地帶為「住宅(乙類)1」地帶，並為該地帶訂定地積比率及建築物高度限制 REZONING FROM "R(B)" TO "R(B)1" AND STIPULATING PR & BHR
C1 & D1	改劃「住宅(乙類)」地帶為「住宅(丙類)3」地帶，並為該地帶訂定地積比率、上蓋面積及建築物高度限制 REZONING FROM "R(B)" TO "R(C)3" AND STIPULATING PR, SC & BHR
C2 & D2	改劃「住宅(乙類)」地帶為「綠化地帶」 REZONING FROM "R(B)" TO "GREEN BELT" ("GB")
E1	改劃「休憩用地」地帶為「住宅(甲類)」地帶，並為該地帶訂定建築物高度限制 REZONING FROM "OPEN SPACE" ("O") TO "R(A)" AND STIPULATING BHR
E2	改劃「休憩用地」地帶為「道路」用地 REZONING FROM "O" TO "ROAD"
F1 & F2	改劃「政府、機構或社區」地帶為「休憩用地」地帶 REZONING FROM "GOVERNMENT, INSTITUTION OR COMMUNITY" ("G/I/C") TO "O"
G1 - G4	劃設建築物間距 DESIGNATION OF BUILDING GAPS
H1	改劃「其他指定用途」註明「貨物裝卸區」、「政府、機構或社區」及「工業」地帶為「未決定用途」地帶 REZONING FROM "OTHER SPECIFIED USES" ("OU") ANNOTATED "CARGO HANDLING AREA", "G/I/C" AND "INDUSTRIAL" ("I") TO "UNDETERMINED" ("U")
H4	改劃「政府、機構或社區」及「道路」地帶為「未決定用途」地帶 REZONING FROM "G/I/C" AND "ROAD" TO "U"
H2, H3 & H5	改劃「政府、機構或社區」地帶為「未決定用途」地帶 REZONING FROM "G/I/C" TO "U"
J	改劃「住宅(甲類)」及「政府、機構或社區」地帶為「住宅(乙類)」地帶，並為該地帶訂定建築物高度限制 REZONING FROM "R(A)" AND "G/I/C" TO "R(B)" AND STIPULATING BHR
K	改劃「政府、機構或社區」地帶為「綠化地帶」 REZONING FROM "G/I/C" TO "GB"
L	改劃「住宅(甲類)」地帶為「住宅(甲類)4」地帶，並為該地帶訂定建築物高度限制 REZONING FROM "R(A)" TO "R(A)4" AND STIPULATING BHR

本摘要圖於2011年10月7日擬備，所根據的資料為於2011年6月30日展示的分區計劃大綱圖編號 S/H1/18
EXTRACT PLAN PREPARED ON 7.10.2011
BASED ON OUTLINE ZONING PLAN No. S/H1/18
EXHIBITED ON 30.6.2011

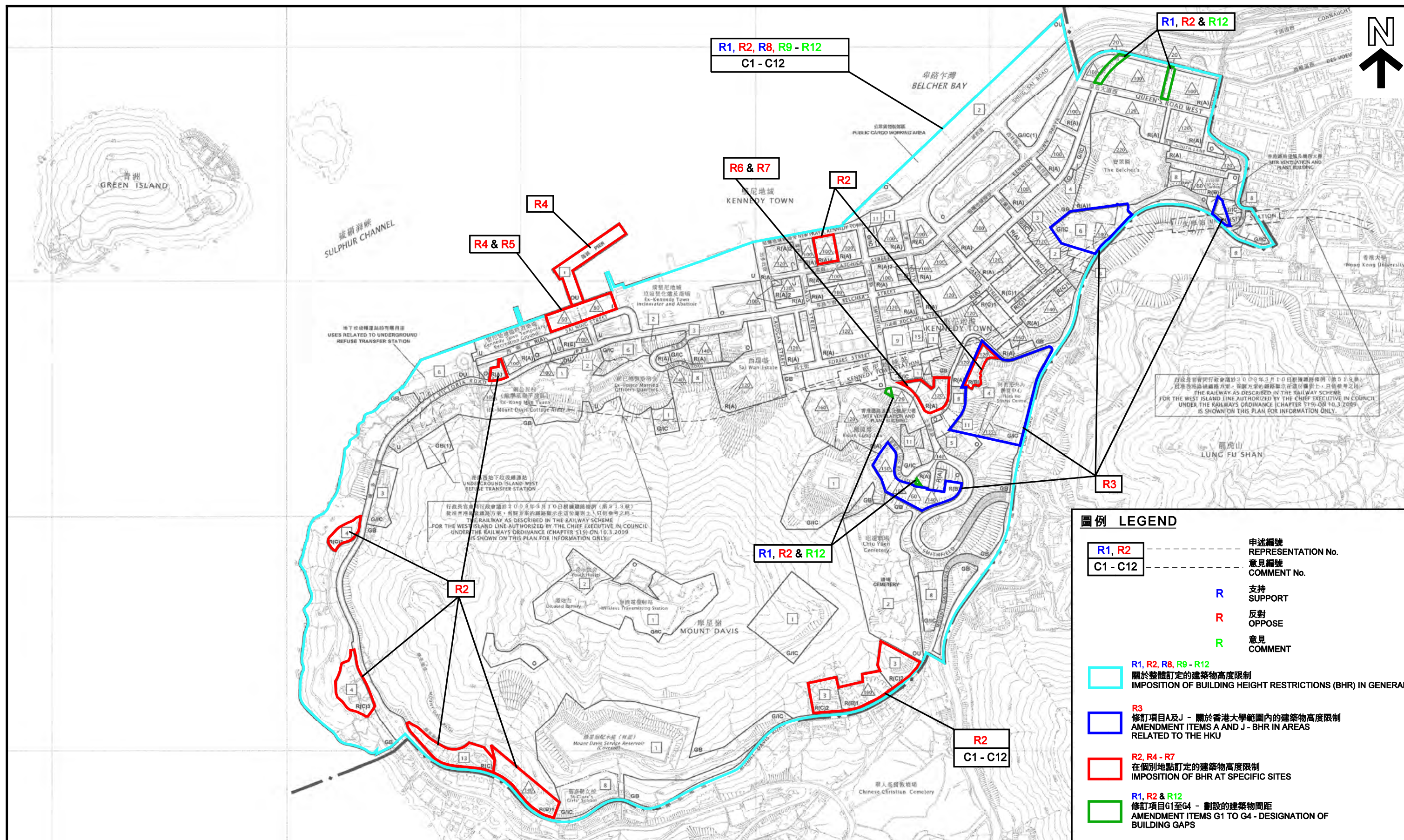
納入堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18 的修訂項目
AMENDMENTS INCORPORATED INTO DRAFT KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/18

SCALE 1 : 9 000 比例尺

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
R/S/H1/18

圖 PLAN
H-3a



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/H1/18 提出的申述個案編號R1-R12，以及相關意見編號C1-C12
 REPRESENTATIONS No. R1-R12 AND RELATED COMMENTS No. C1-C12
 IN RESPECT OF THE DRAFT KENNEDY TOWN AND MOUNT DAVIS OUTLINE ZONING PLAN No. S/H1/18

SCALE 1 : 7 500 比例尺
 METRES 100 0 100 200 300 400 500 600 700 METRES

本摘要圖於2011年11月4日擬備，
 所根據的資料為於2011年2月25日
 展示的分區計劃大綱圖編號 S/H1/18
 EXTRACT PLAN PREPARED ON 4.11.2011
 BASED ON OUTLINE ZONING PLAN No.
 S/H1/18 EXHIBITED ON 25.2.2011

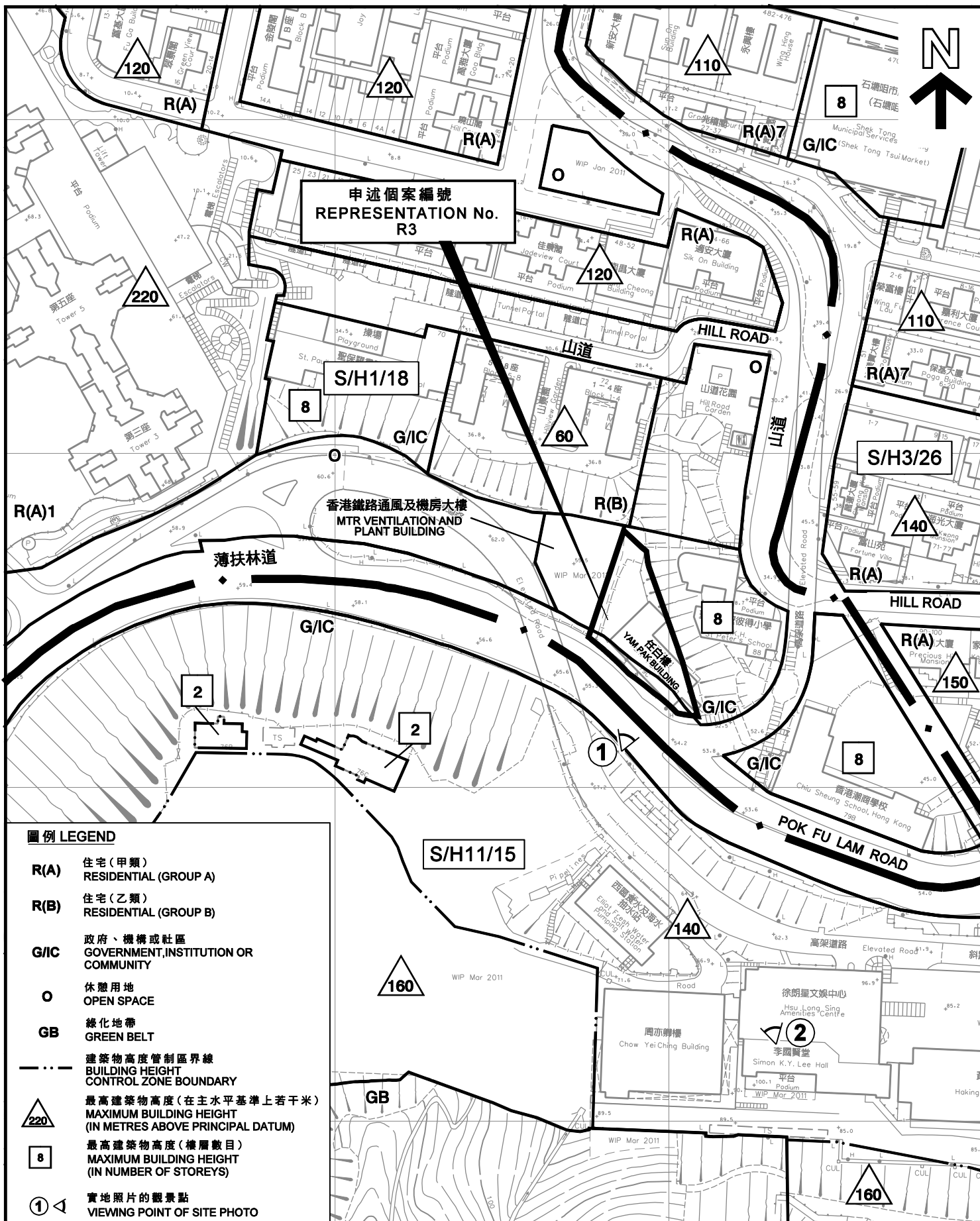
規劃署
 PLANNING DEPARTMENT



參考編號
 REFERENCE No.

R/S/H1/18 - G1

圖 PLAN
 H-3b



平面圖 SITE PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

SCALE 1 : 1 500 比例尺

米 METRES 25 0 25 50 METRES 米

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 4a

本摘要圖於2011年11月17日擬備，
所根據的資料為測量圖編號
11-SW-7A和C
EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SURVEY SHEETS No.
11-SW-7A & C



實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS

IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

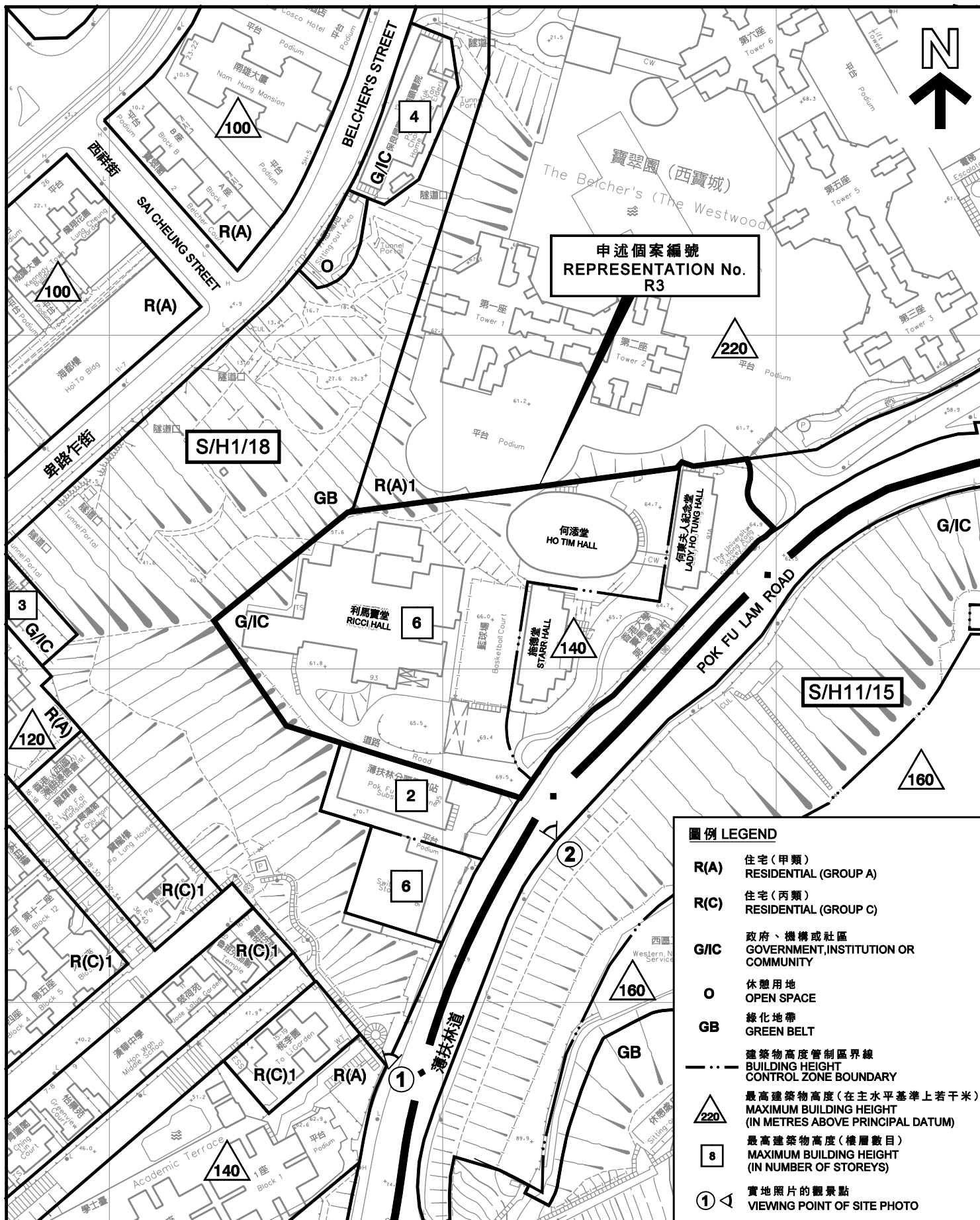
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 4a1

本圖於2011年11月16日擬備，所根據的
資料為攝於2011年11月15日(上)及
2011年11月7日(下)的實地照片
EXTRACT PLAN PREPARED ON 16.11.2011
BASED ON SITE PHOTOS TAKEN ON
15.11.2011 (UPPER) & 7.11.2011 (LOWER)



平面圖 SITE PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

SCALE 1 : 1 500 比例尺

米 METRES 25 0 25 50 METRES 米

規劃署
PLANNING
DEPARTMENT

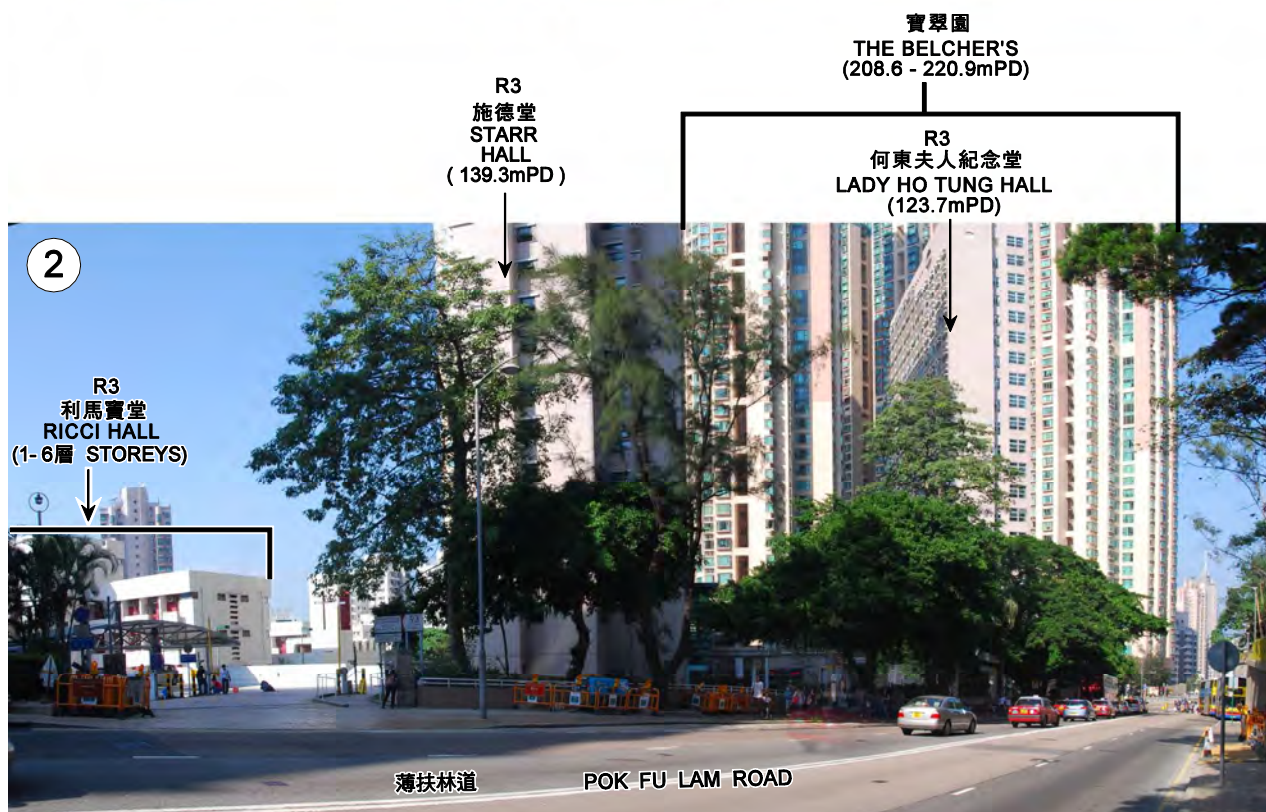


參考編號
REFERENCE No.

R/S/H1/18 - G1

圖 PLAN
H - 4b

本摘要圖於2011年11月3日擬備，
所根據的資料為測量圖編號
11-SW-7A和C
EXTRACT PLAN PREPARED ON 3.11.2011
BASED ON SURVEY SHEETS No.
11-SW-7A & C



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

R/S/H1/18 - G1

圖 PLAN
H - 4b1

本圖於2011年11月17日擬備，所根據的
資料為攝於2011年11月15日(上)及
2011年11月6日(下)的實地照片

EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SITE PHOTOS TAKEN ON
15.11.2011 (UPPER) & 6.11.2011 (LOWER)



PLAN
H - 4c



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

R/S/H1/18 - G1

圖 PLAN
H - 4c1

本圖於2011年11月17日擬備，所根據的
資料為攝於2011年11月15日的實地照片
EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SITE PHOTOS TAKEN ON 15.11.2011



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

R/S/H1/18 - G1

圖 PLAN
H - 4c2

本圖於2011年11月16日擬備，所根據的
資料為攝於2011年11月15日(上)及
2011年11月5日(下)的實地照片
EXTRACT PLAN PREPARED ON 16.11.2011
BASED ON SITE PHOTOS TAKEN ON
15.11.2011 (UPPER) & 5.11.2011 (LOWER)



建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

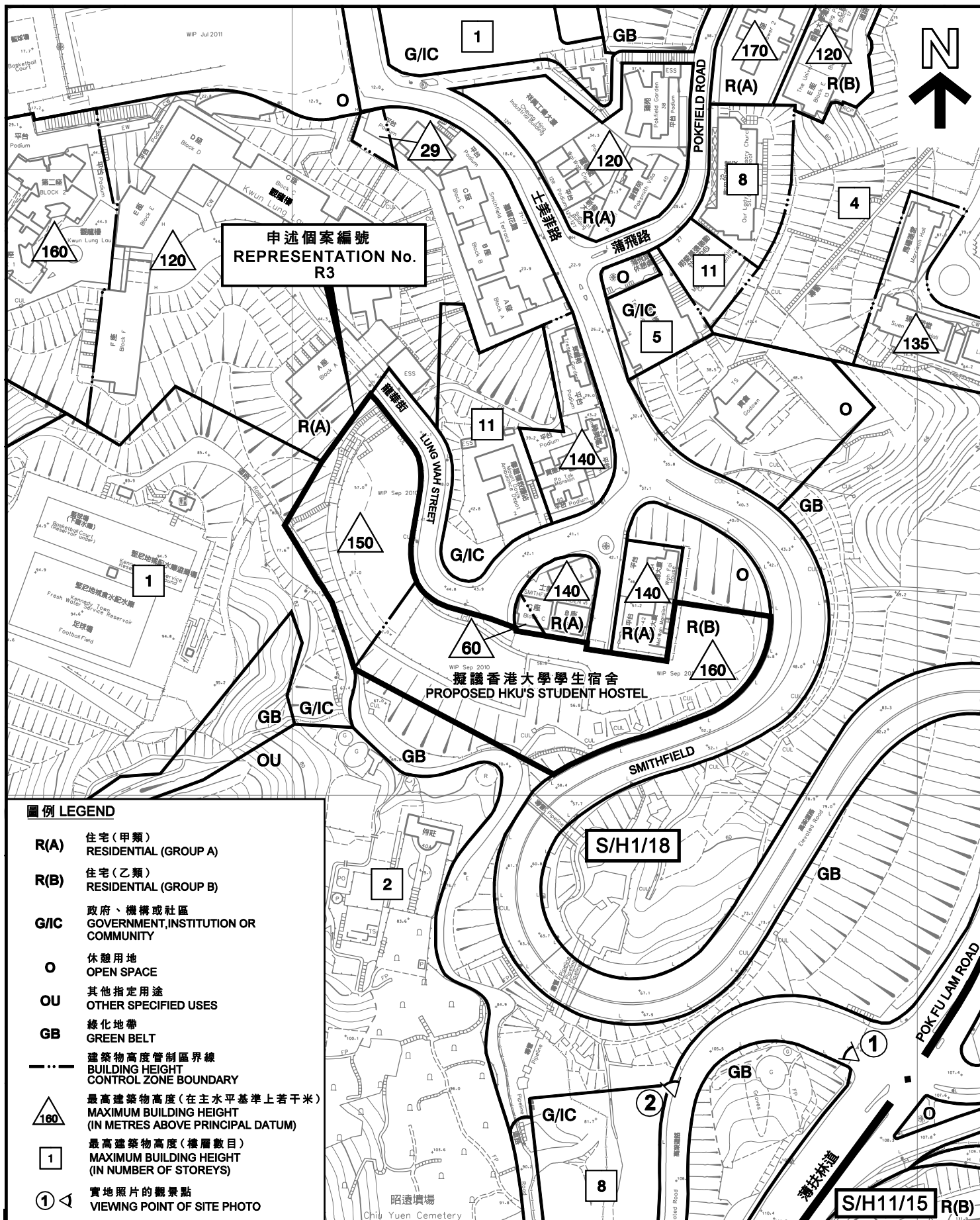
規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 4c3

本圖於2011年11月17日擬備，所根據的
資料為攝於2011年11月15日的實地照片
EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SITE PHOTOS TAKEN ON 15.11.2011



本摘要圖於2011年11月3日擬備，
所根據的資料為測量圖編號
11-SW-6D, 7C, 11B和12A
EXTRACT PLAN PREPARED ON 3.11.2011
BASED ON SURVEY SHEETS No.
11-SW-6D, 7C, 11B & 12A

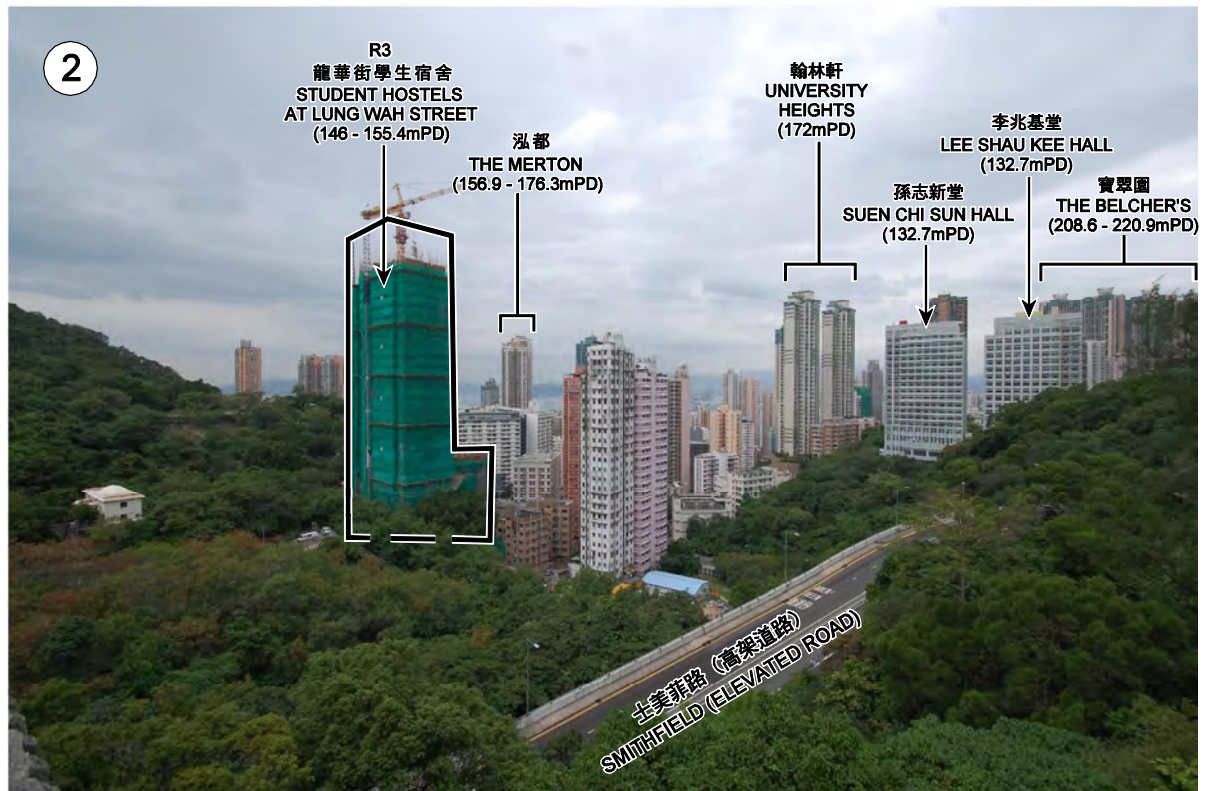
就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 4d



 申述地點 (界線只作識別用)
 REPRESENTATION SITE
 (BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)
 建築物高度在主水平基準以上 (米)
 BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
 提出的申述
 REPRESENTATIONS
 IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
 OUTLINE ZONING PLAN No. S/H1/18

規劃署
 PLANNING
 DEPARTMENT



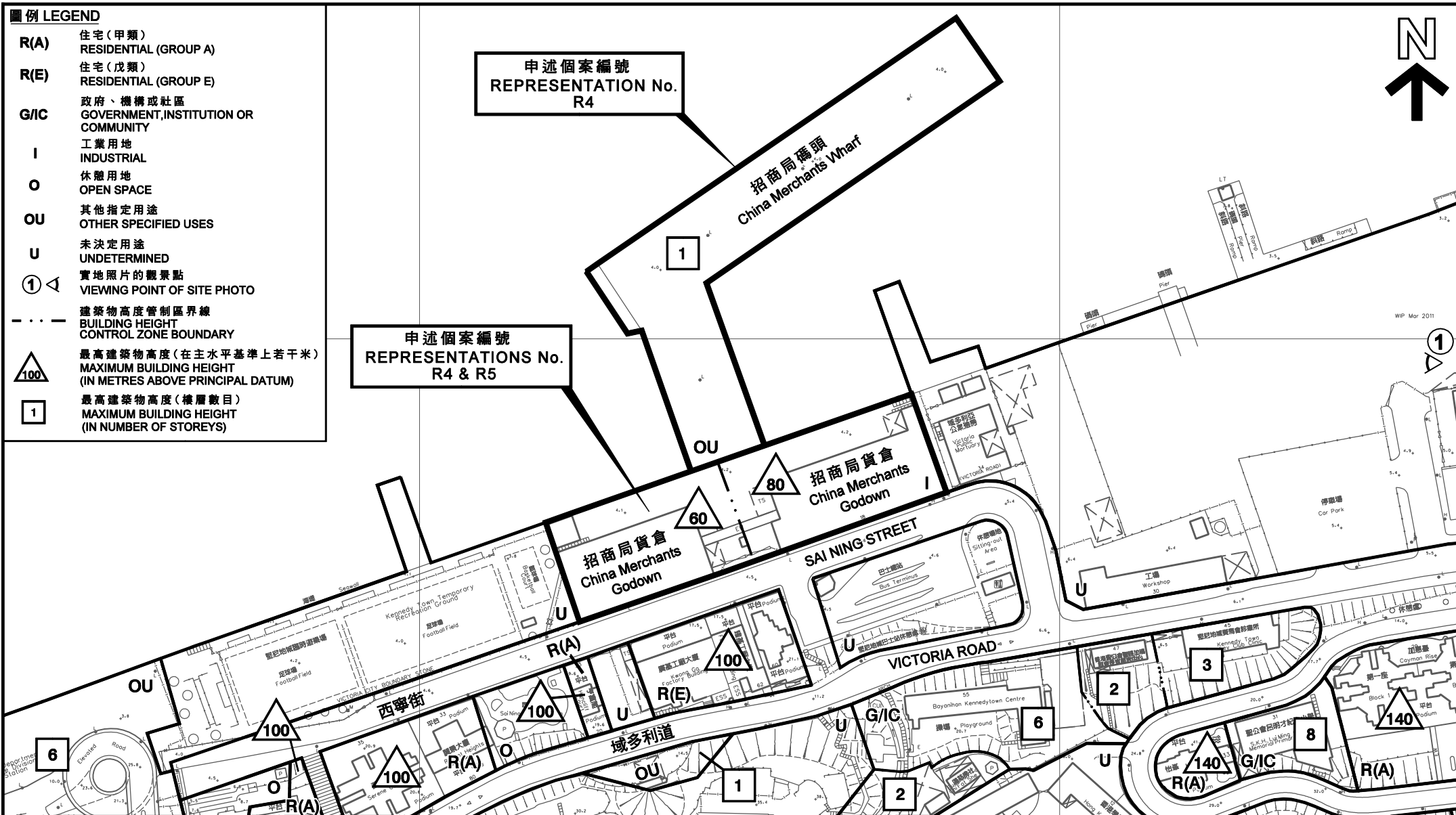
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 REFERENCE No.
 R/S/H1/18 - 3

圖 PLAN
 H - 4d1

本圖於2011年10月20日擬備，所根據的
 資料為攝於2011年10月4日的實地照片
 EXTRACT PLAN PREPARED ON 20.10.2011
 BASED ON SITE PHOTOS TAKEN ON 4.10.2011

圖例 LEGEND

- R(A)** 住宅(甲類)
RESIDENTIAL (GROUP A)
- R(E)** 住宅(戊類)
RESIDENTIAL (GROUP E)
- G/I/C** 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY
- I** 工業用地
INDUSTRIAL
- O** 休憩用地
OPEN SPACE
- OU** 其他指定用途
OTHER SPECIFIED USES
- U** 未決定用途
UNDETERMINED
- ①** 實地照片的觀景點
VIEWING POINT OF SITE PHOTO
- 建築物高度管制區界線
BUILDING HEIGHT CONTROL ZONE BOUNDARY
- △100** 最高建築物高度(在主水平基準上若干米)
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)
- 1** 最高建築物高度(樓層數目)
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

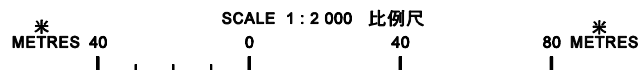


平面圖 SITE PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18提出的申述

REPRESENTATIONS

IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS OUTLINE ZONING PLAN No. S/H1/18



規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

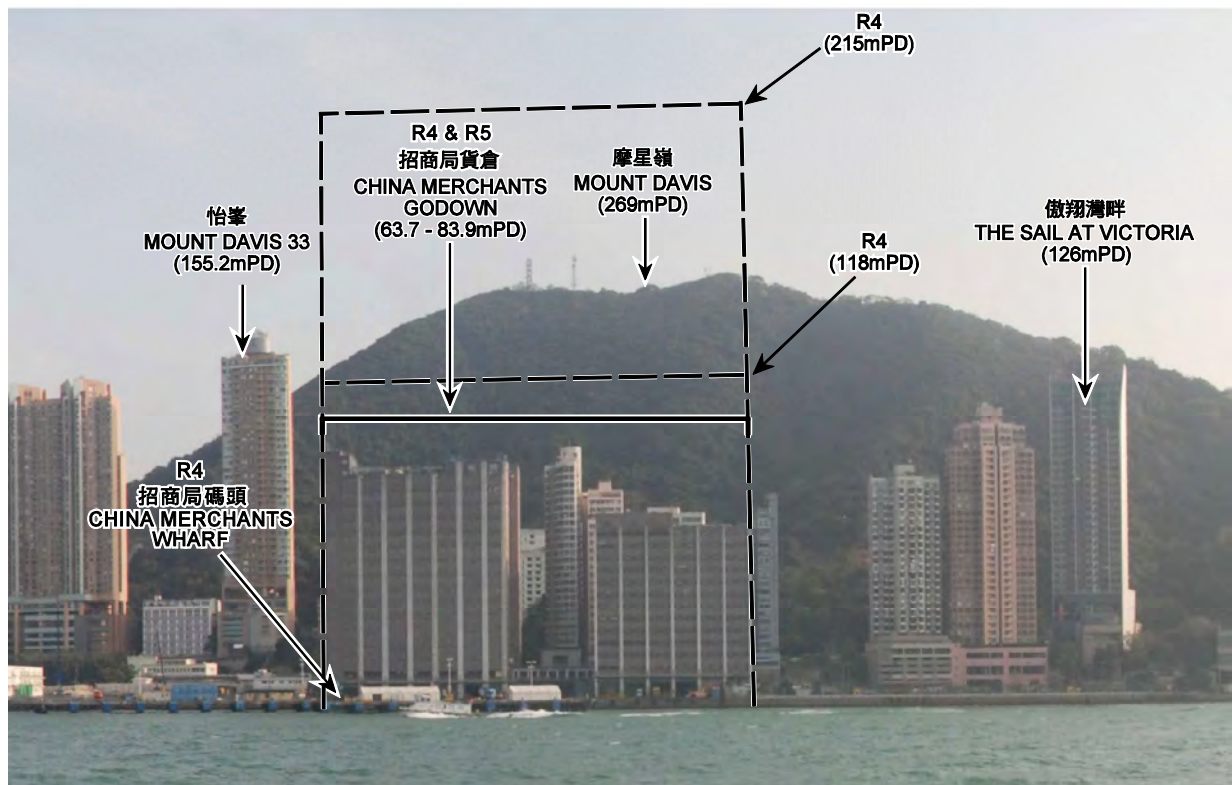
R/S/H1/18 - G1

圖 PLAN

H - 5a

本摘要圖於2011年11月11日擬備，
所根據的資料為測量圖編號
11-SW-6C和D

EXTRACT PLAN PREPARED ON 11.11.2011
BASED ON SURVEY SHEETS No.
11-SW-6C & D



從維多利亞港西面門廊的離島渡輪航線眺望

VIEW FROM OUTLYING ISLAND FERRY ROUTES THROUGH
WESTERN GATEWAY TO VICTORIA HARBOUR

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H/18
提出的申述

REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H/18

規劃署
PLANNING
DEPARTMENT



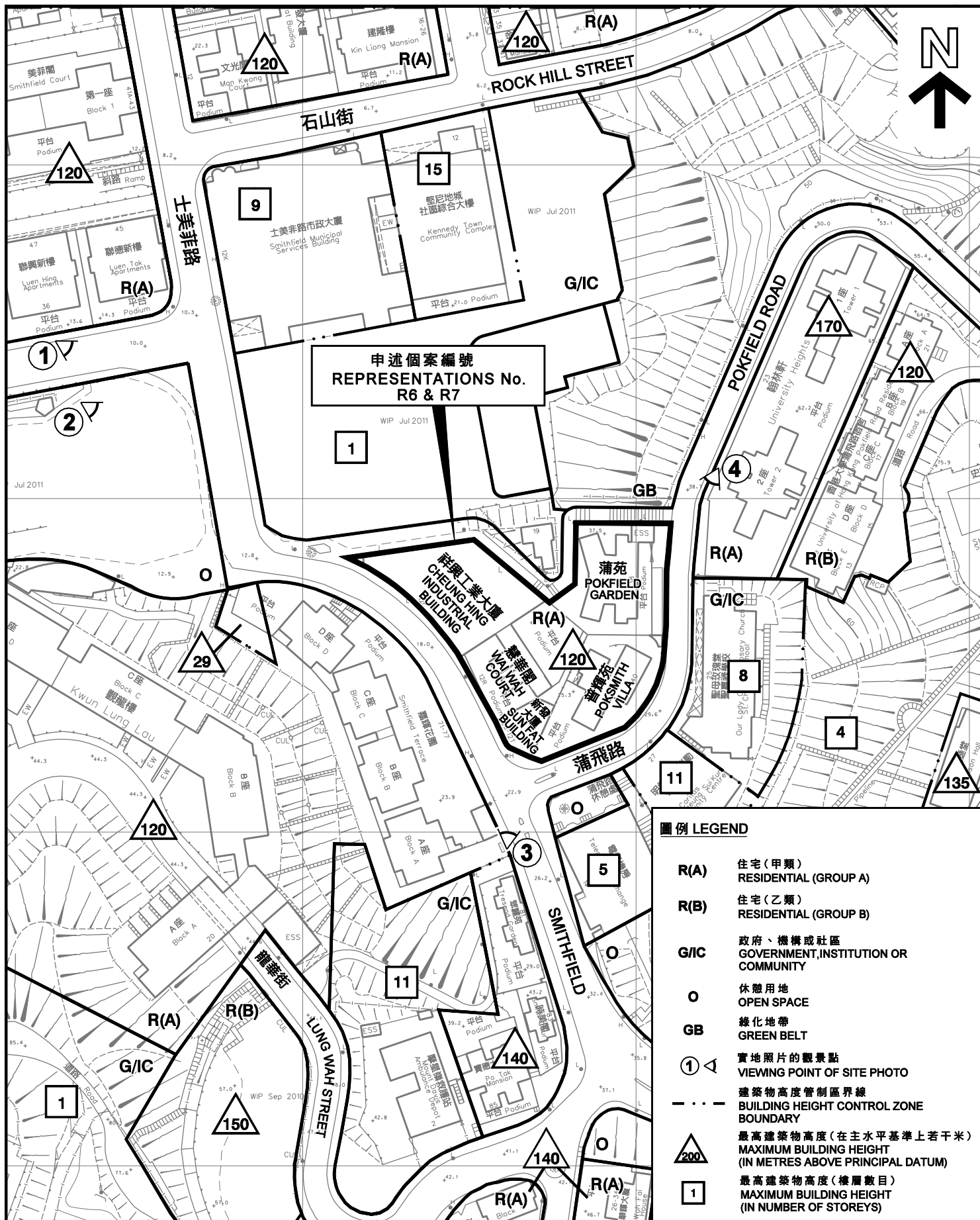
參考編號
REFERENCE No.

R/S/H/18 - G1

圖 PLAN
H - 5a1

本圖於2011年11月18日擬備，所根據的
資料為攝於2011年11月7日(上)及
2010年2月1日(下)的實地照片

EXTRACT PLAN PREPARED ON 18.11.2011
BASED ON SITE PHOTOS TAKEN ON
7.11.2011 (UPPER) & 1.2.2010 (LOWER)



平面圖 SITE PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

SCALE 1 : 1 500 比例尺

米 METRES 25 0 25 50 METRES 米

規劃署
PLANNING
DEPARTMENT



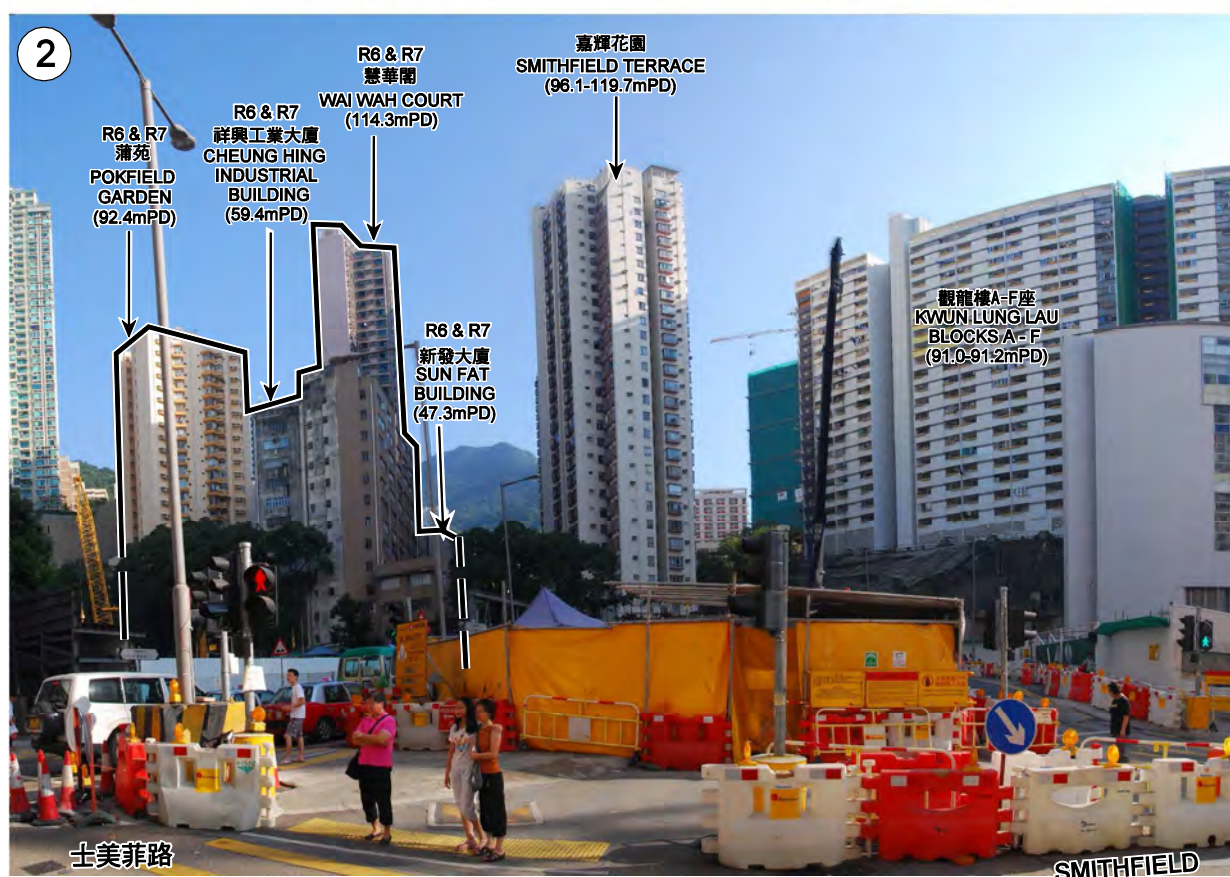
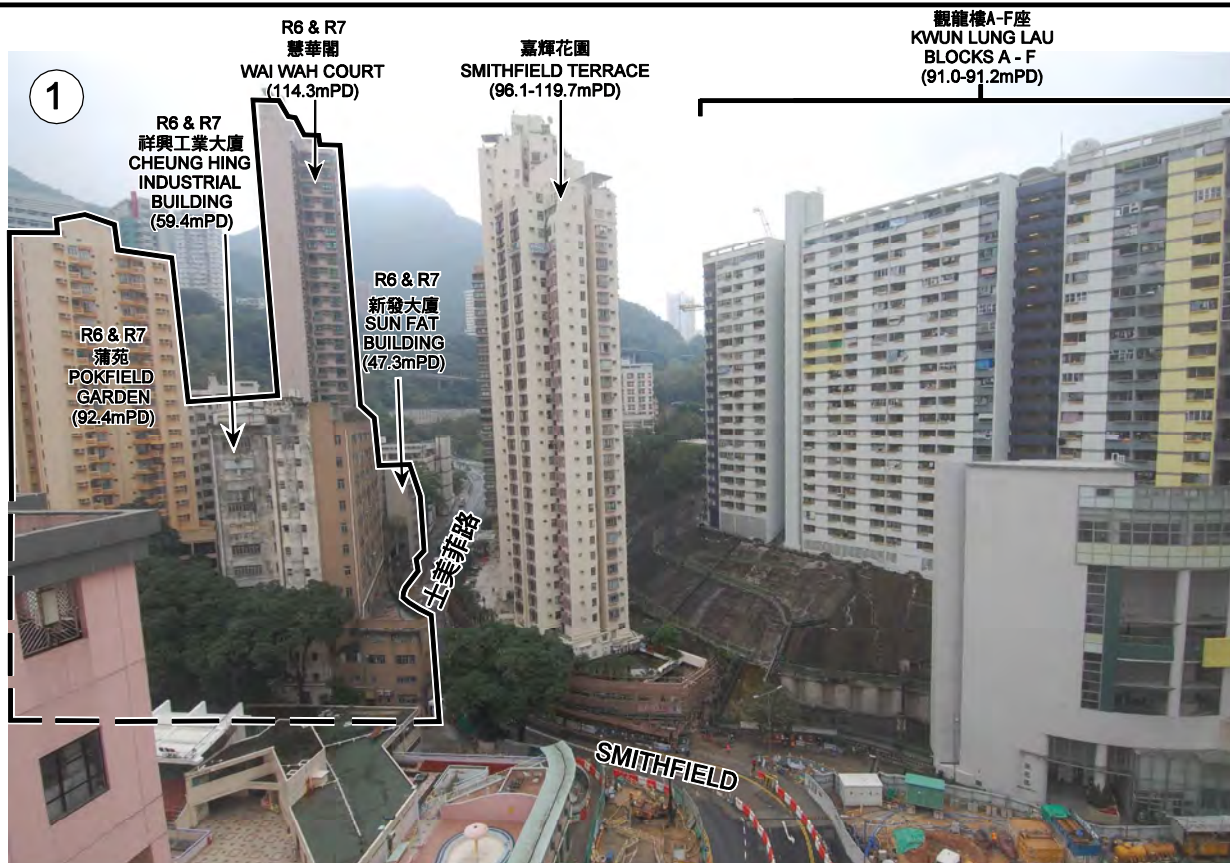
參考編號
REFERENCE No.

R/S/H1/18 - G1

圖 PLAN

H - 6a

本摘要圖於2011年11月17日擬備，
所根據的資料為測量圖編號
11-SW-6D, 7C, 11B和12A
EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SURVEY SHEETS No.
11-SW-6D, 7C, 11B & 12A



申述地點(界線只作識別用)
REPRESENTATION SITE
(BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

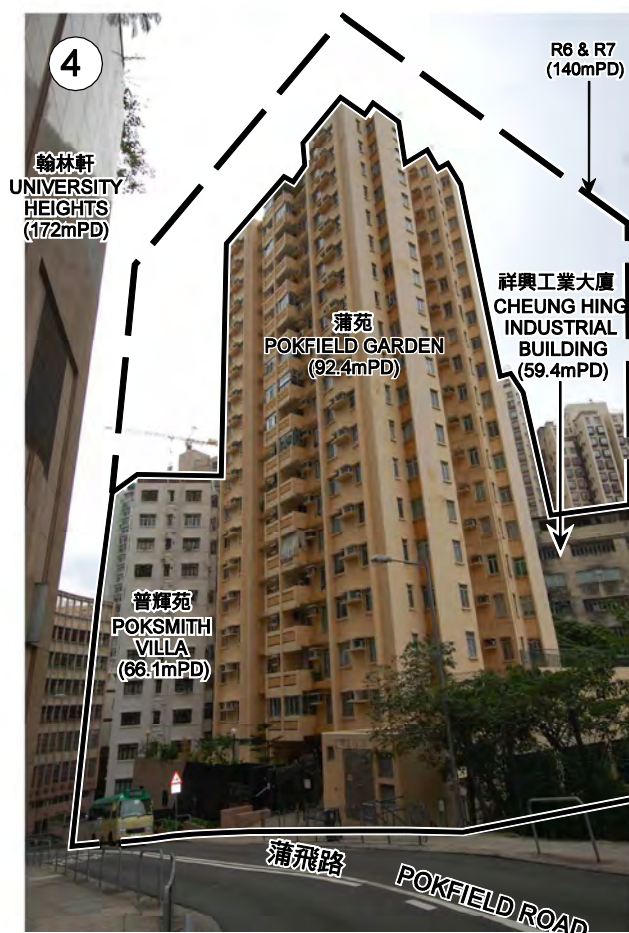
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 6a1

本圖於2011年11月14日擬備，所根據的
資料為攝於2011年1月4日(上)及
2011年11月5日(下)的實地照片
EXTRACT PLAN PREPARED ON 14.11.2011
BASED ON SITE PHOTOS TAKEN ON
4.1.2011 (UPPER) & 5.11.2011 (LOWER)



申述人的提議
REPRESENTOR'S PROPOSAL



申述地點(界線只作識別用)
REPRESENTATION SITE
(BOUNDARY FOR IDENTIFICATION PURPOSE ONLY)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

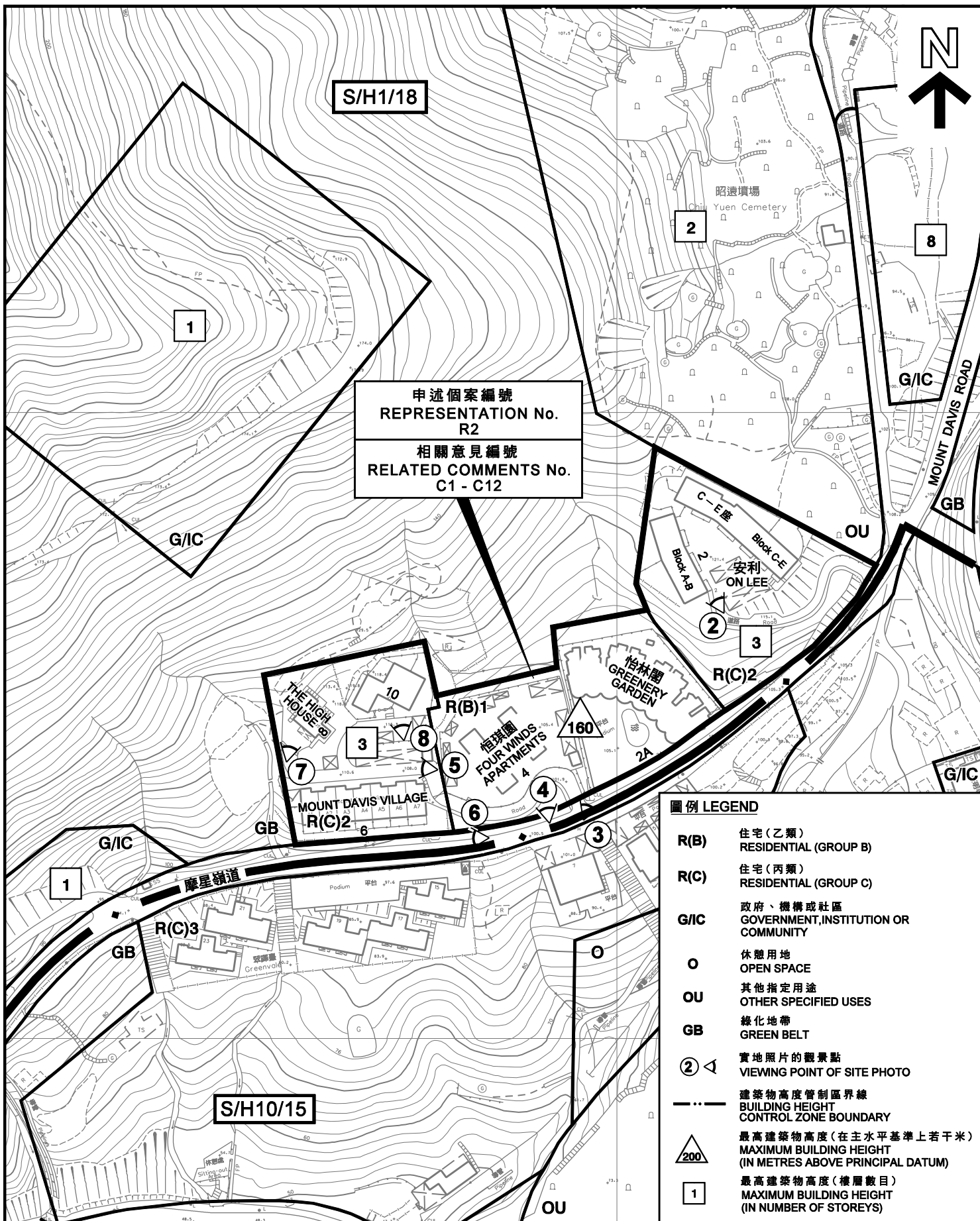
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 6a2

本圖於2011年10月19日擬備，所根據的
資料為攝於2011年10月4日的實地照片
EXTRACT PLAN PREPARED ON 19.10.2011
BASED ON SITE PHOTOS TAKEN ON 4.10.2011



平面圖 SITE PLAN

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

SCALE 1 : 2 000 比例尺
METRES 40 0 40 80 METRES

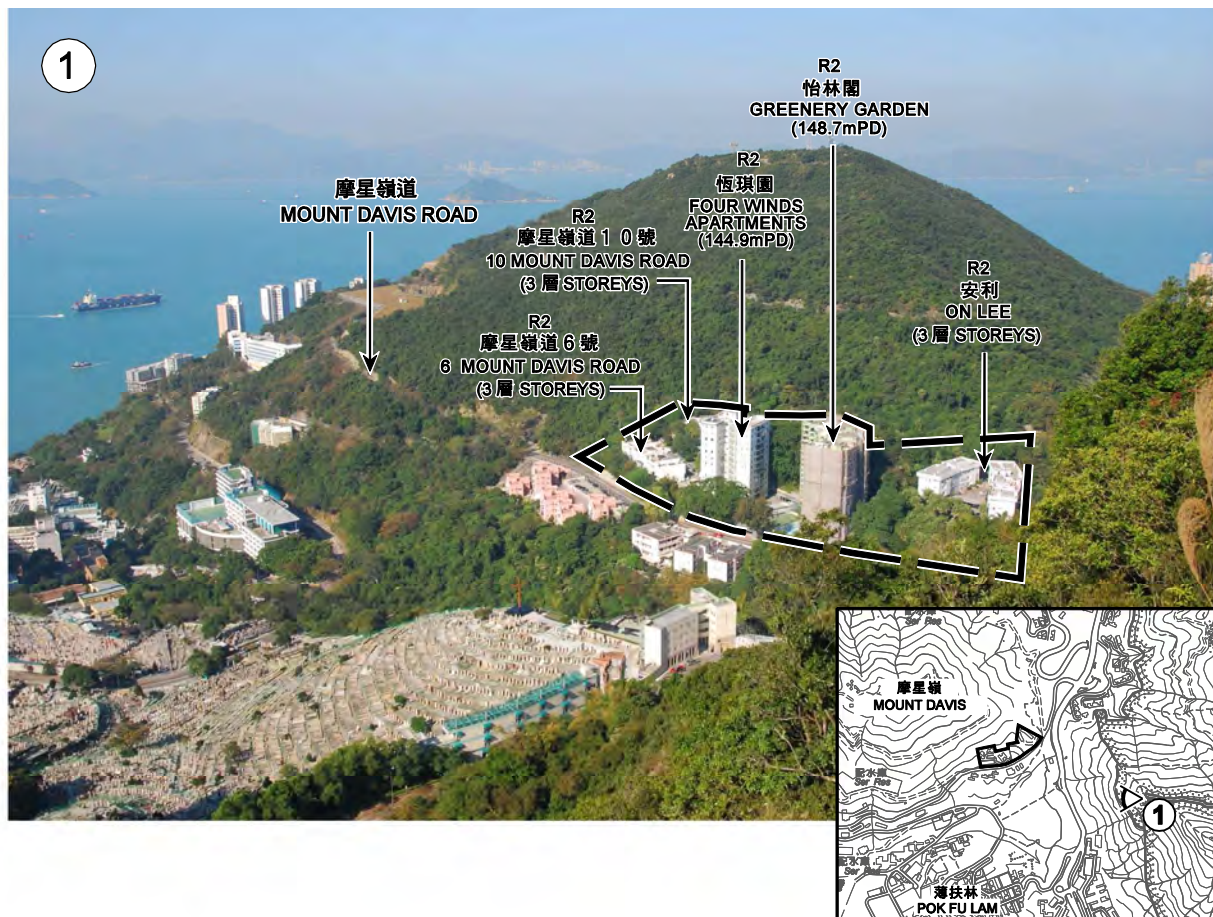
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 7a

本摘要圖於2011年11月16日擬備，
所根據的資料為測量圖編號
11-SW-11B和D
EXTRACT PLAN PREPARED ON 16.11.2011
BASED ON SURVEY SHEETS No.
11-SW-11B & D



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 7a1

本圖於2011年11月17日擬備，所根據的資料為攝於2010年12月27日(上)及2011年11月7日(下)的實地照片
EXTRACT PLAN PREPARED ON 17.11.2011
BASED ON SITE PHOTOS TAKEN ON
27.12.2010 (UPPER) & 7.11.2011 (LOWER)



建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 7a2

本圖於2011年10月17日擬備，所根據的
資料為攝於2010年11月19日的實地照片
EXTRACT PREPARED ON 17.10.2011
BASED ON SITE PHOTOS TAKEN ON 19.11.2010



實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

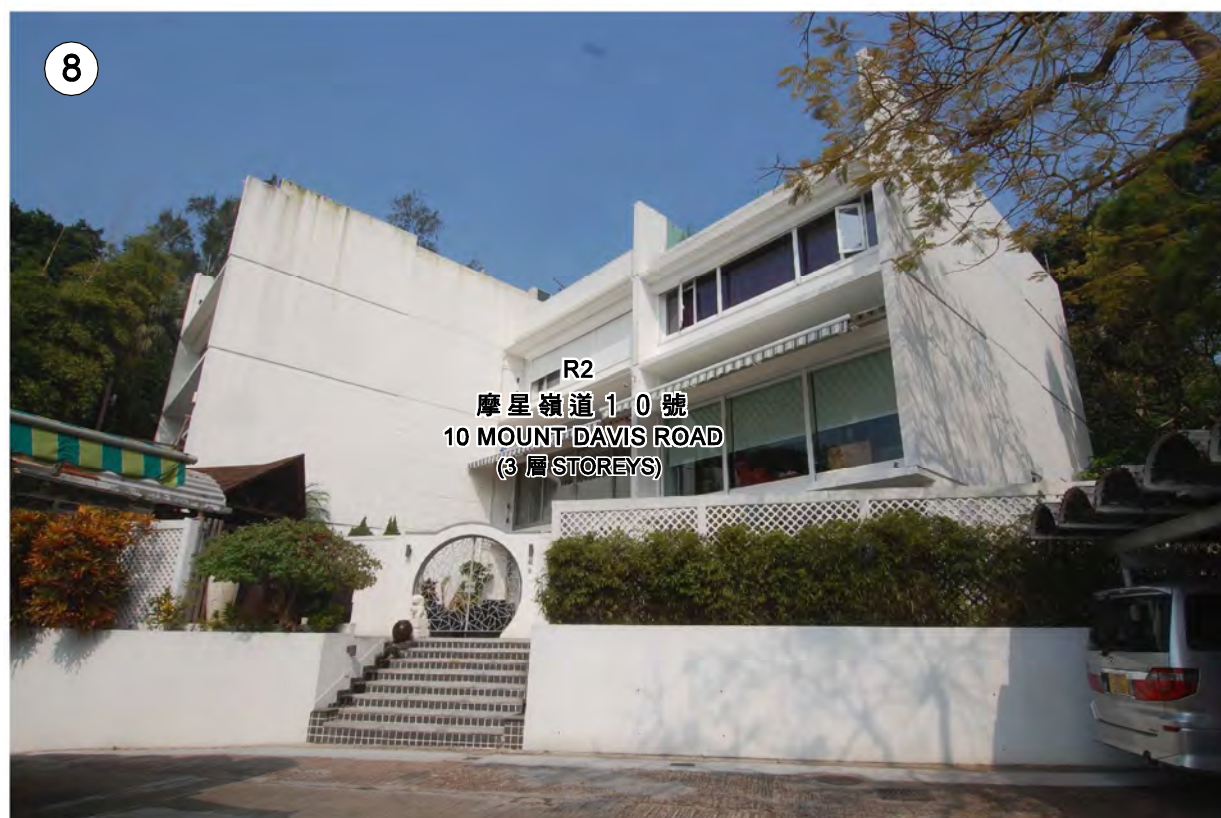
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 7a3

本圖於2011年10月20日擬備，所根據的
資料為攝於2010年11月19日(上)及
2010年12月10日(下)的實地照片
EXTRACT PLAN PREPARED ON 20.10.2011
BASED ON SITE PHOTOS TAKEN ON
19.11.2010 (UPPER) & 10.12.2010 (LOWER)



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18
提出的申述
REPRESENTATIONS
IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規 劃 署
PLANNING
DEPARTMENT

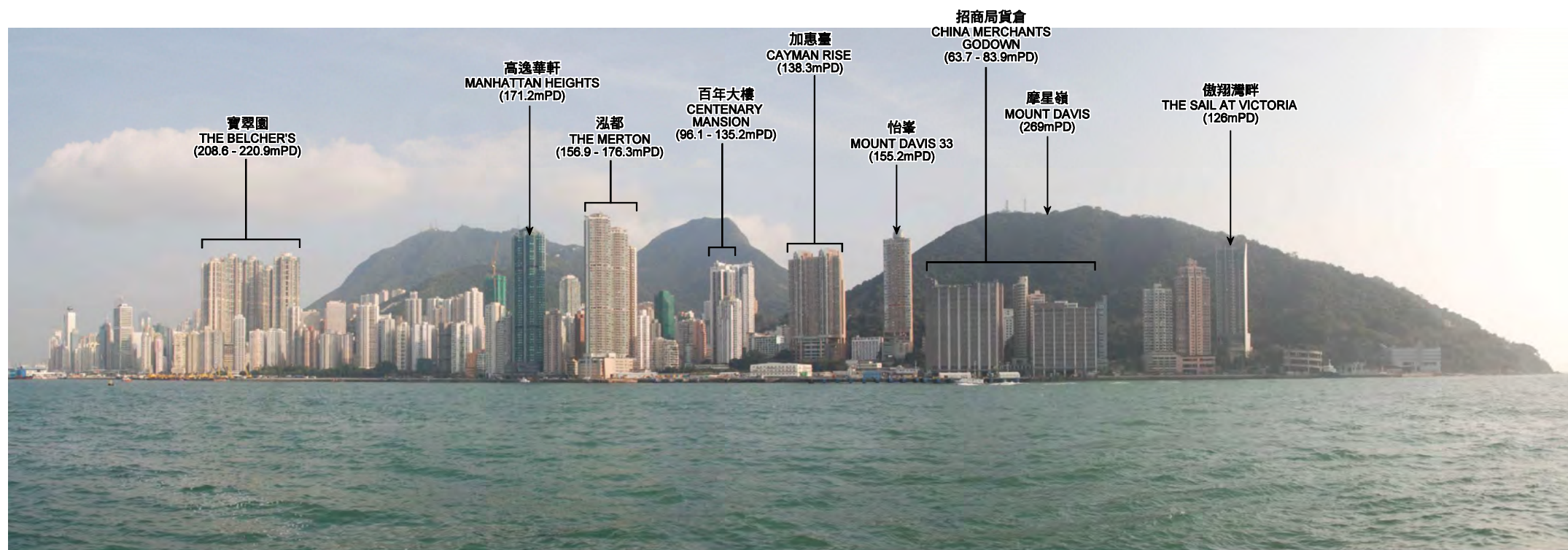


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REFERENCE No.
R/S/H1/18 - 2

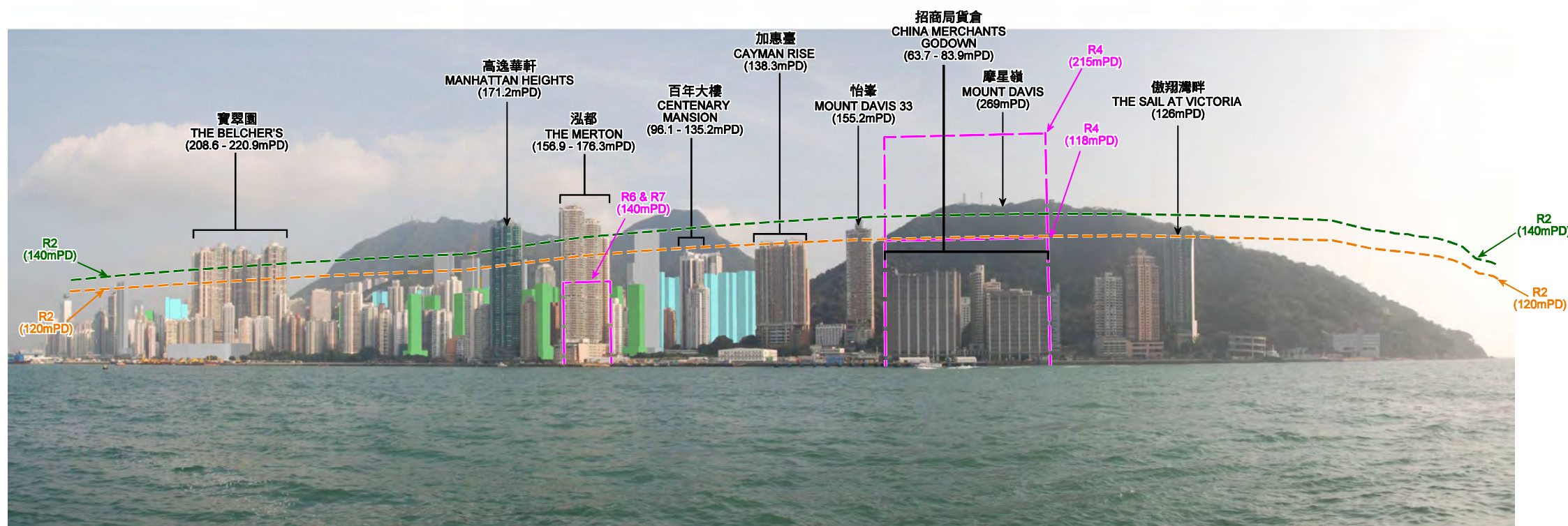
圖 PLAN
H - 7a4

本圖於2011年10月20日擬備，所根據的
資料為攝於2010年11月19日的實地照片
EXTRACT PLAN PREPARED ON 20.10.2011
BASED ON SITE PHOTOS TAKEN ON 19.11.2010

取景位置 VIEWPOINT 1 :
 從維多利亞港西面門廊的離島渡輪航線眺望
 VIEW FROM OUTLYING ISLAND FERRY
 ROUTES THROUGH WESTERN GATEWAY
 TO VICTORIA HARBOUR



現有景觀
EXISTING VIEW



合成照片
PHOTOMONTAGE

建築物高度在主水平基準以上(米)
 BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

100mPD 120mPD 已批准之發展 COMMITTED DEVELOPMENT 申述人的提議 REPRESENTOR'S PROPOSAL

合成照片 PHOTOMONTAGE

就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18提出的申述
 REPRESENTATIONS IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
 OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING DEPARTMENT

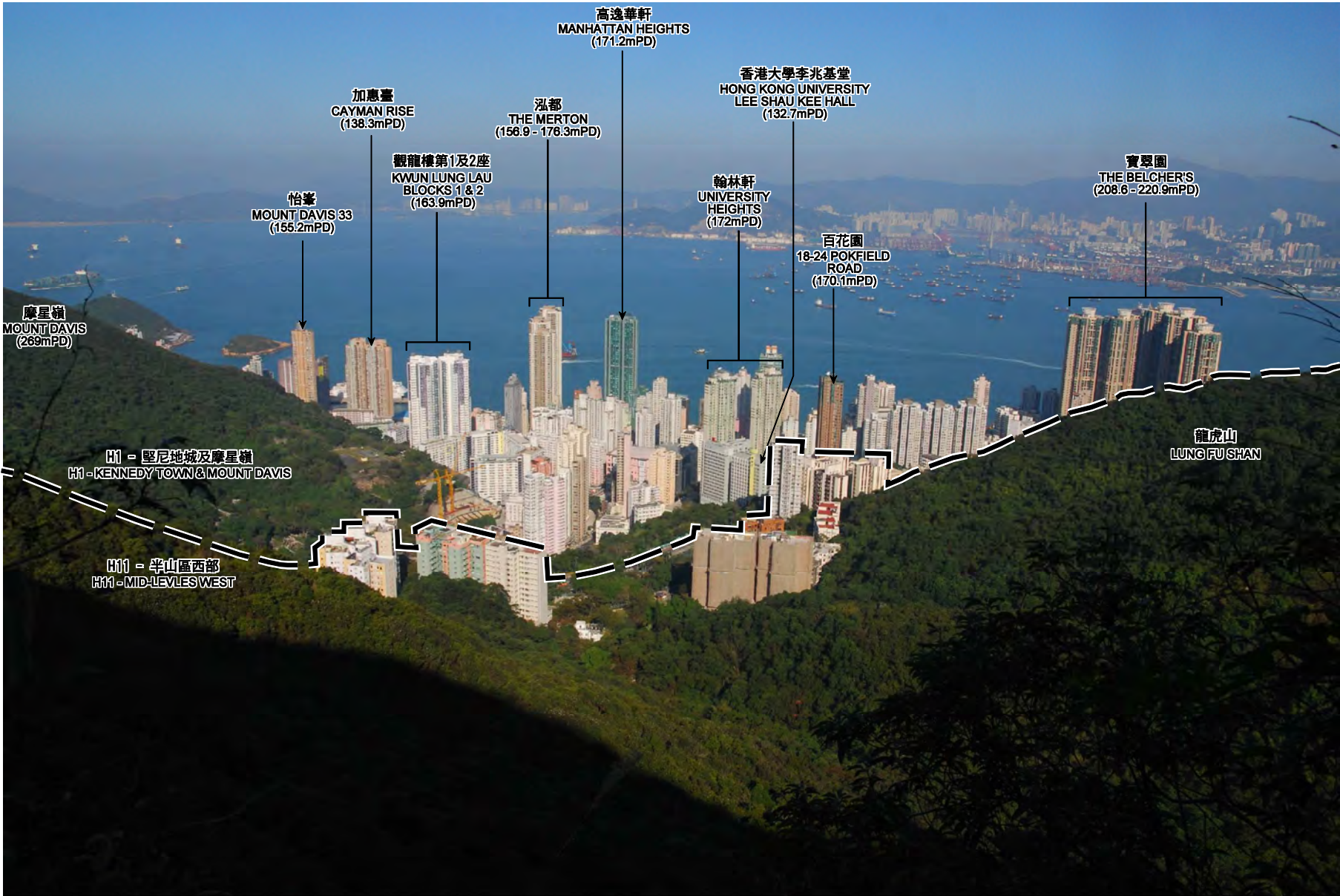


參考編號
 REFERENCE No.
 R/S/H1/18 - G1

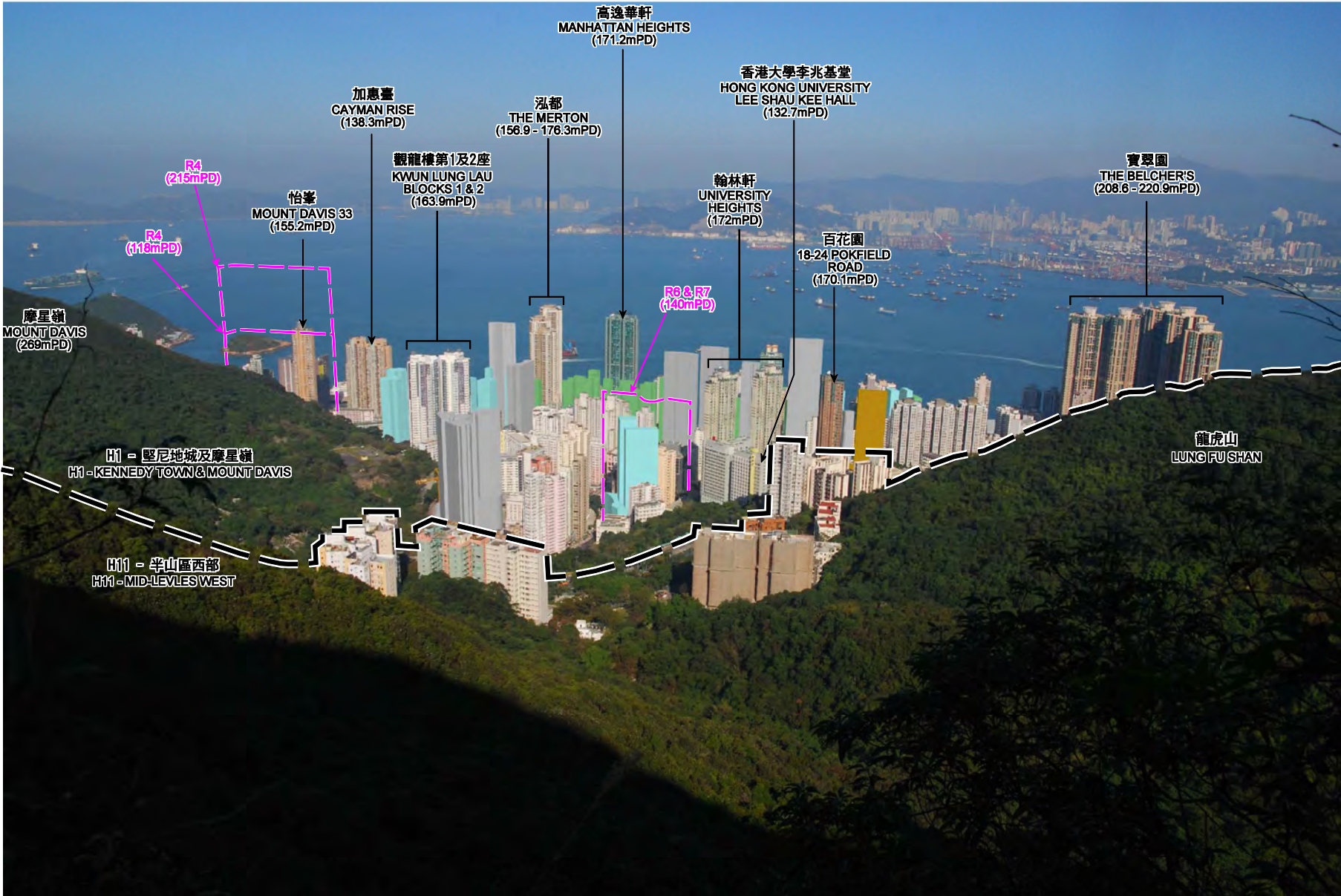
圖 PLAN
 H - 8b

本圖於2011年11月18日擬備，所根據的
 資料為攝於2010年2月1日的實地照片
 PLAN PREPARED ON 18.11.2011
 BASED ON SITE PHOTO TAKEN ON 1.2.2010

取景位置 VIEWPOINT 2： 從龍虎山郊野公園內夏力道（遠足徑）眺望
VIEW FROM HIKING TRAIL OF HARLECH ROAD WITHIN LUNG FU SHAN COUNTRY PARK



現有景觀
EXISTING VIEW



合成照片
PHOTOMONTAGE

建築物高度在主水平基準以上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

100mPD 120mPD 160mPD 已批准之發展 COMMITTED DEVELOPMENT 申述人的提議 REPRESENTOR'S PROPOSAL

本圖於2011年11月18日擬備，所根據的資料為攝於2010年12月27日的實地照片
PLAN PREPARED ON 18.11.2011
BASED ON SITE PHOTO TAKEN ON 27.12.2010

合成照片 PHOTOMONTAGE
就堅尼地城及摩星嶺分區計劃大綱草圖編號 S/H1/18提出的申述
REPRESENTATIONS IN RESPECT OF THE DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN No. S/H1/18

規劃署
PLANNING
DEPARTMENT

參考編號
REFERENCE No.
R/S/H1/18 - G1

圖 PLAN
H - 8c

Agenda Item 4

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comments to the
Draft Kennedy Town and Mount Davis Outline Zoning Plan No. S/H1/18
(TPB Papers No. 8952 and 8956)

[The hearing was conducted in Cantonese and English.]

Group 1: Representations No. R1 to R12 and Comments No. C1 to C12

(TPB Paper No. 8952)

37. As the amendments to the draft Kennedy Town and Mount Davis OZP related to the building height (BH) restrictions on the OZP (involving facilities of the University of Hong Kong (HKU), The Merton developed by the former Land Development Corporation (LDC), Mount Davis 33 developed by the Urban Renewal Authority (URA), Sai Wan Estate developed by the Hong Kong Housing Authority (HKHA), Kwun Lung Lau developed by the Hong Kong Housing Society (HKHS) and a site in Smithfield, the following Members had declared interests in this item:

- | | |
|--|--|
| Mr. Jimmy Leung
being the Director of Planning | - being a non-executive director of URA, a member of the Strategic Planning Committee and Building Committee of HKHA and a member of the Supervisory Board of HKHS |
| Mr. Jeff Lam
being the Deputy Director
of Lands Department | - being an assistant to the Director of Lands who was a non-executive director of the URA, a member of the HKHA and a member of the Supervisory Board of the HKHS |
| Mr. Eric Hui
being the Assistant Director
of Home Affairs Department | - being an assistant to the Director of Home Affairs who was a non-executive director of the URA and a member of the Planning Committee and Subsidized Housing Committee of HKHA |

- | | |
|---------------------------------------|---|
| Mr. Stanley Y.F. Wong | - being a former non-official member of HKHA |
| Dr. W.K. Lo | - being a former member of the Building Committee of the HKHA |
| Mr. Maurice W.M. Lee | - being a former non-executive director of URA |
| Mr. Raymond Y.M. Chan | - had current business dealings with HKHA and being a member of the Home Purchase Allowance Appeals Committee of URA |
| Ms. Maggie M.K. Chan | - being a member of the Home Purchase Allowance Appeals Committee of URA
- being a member of the Executive Committee of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) |
| Professor P.P. Ho | - had business dealings with URA |
| Mr. B.W. Chan | - being a member of the Supervisory Board of the HKHS and Chairman of the Appeal Board Panel under the URA Ordinance |
| Professor Edwin H.W. Chan | - being a former member of the Building Committee of the HKHA and a member of the Home Purchase Allowance Appeals Committee of URA |
| Dr. James C.W. Lau | - being a member of the Appeal Board Panel under the URA Ordinance and staff of HKU |
| Mr. Stephen M.W. Yip | - being the former Chairman of the Building Committee of HKHA and former non-executive director of URA |
| Mr. K.Y. Leung
Professor S.C. Wong |] being staff of the HKU
] |
| Mr. Y.K. Cheng | - his spouse being the Assistant Director of the Housing Department |

- | | |
|----------------------|---|
| Mr. Timothy K.W. Ma | - being an executive committee member of the HKHS |
| Mr. Walter K.L. Chan | - being an executive committee member of the HKHS |
| Ms. Julia M.K. Lau | - being a non-official member of the HKHA |
| Mr. Laurence L.J. Li | - owned a flat in Smithfield |

[Mr. Walter K.L. Chan arrived to join the meeting at this point.]

38. The Secretary said that HKU (R3) and DAB (R8) had submitted representations on the draft Kennedy Town and Mount Davis OZP No. S/H1/18. Members agreed that the interests of Mr. K.Y. Leung, Professor S.C. Wong, Dr. James C.W. Lau and Ms. Maggie Chan were direct and hence they should be invited to withdraw from the meeting. Members noted that Dr. James C.W. Lau had tendered his apology for not being able to attend the meeting, Mr. Y.K. Leung had not yet arrived to join the meeting and Professor S.C. Wong had left the meeting temporarily. Ms. Maggie Chan left the meeting at this point. Members also agreed that the interests of other members who had declared interests in this item were not direct as the HPA Appeals Committee was not appointed by or under the URA, the Appeal Board Panel under the URA Ordinance was to hear appeals lodged by objectors affected by development projects under the URA Ordinance. The representations and comments received were not specifically related to The Merton (LDC), Mount Davis 33 (URA), Sai Wan Estate (HKHA) or Kwun Lung Lau (HKHS).

39. As sufficient notice had been given to invite the representers and commenters to attend the hearing, Members agreed to proceed with the hearing of representations in the absence of other representers who had indicated that they would not attend or did not reply to the invitation to this meeting.

40. The following representatives from the Planning Department (PlanD), representers and their representatives, and commenters were invited to the meeting at this point:

- Ms. Brenda Au - District Planning Officer /Hong Kong (DPO/HK)
- Mr. K.S. Ng - Senior Town Planner/Hong Kong
- Mr. David Yuen - Air Ventilation Assessment Consultant, Managing
Director of ENVIRON Hong Kong Ltd.

R1 : Designing Hong Kong Limited

- Ms. Eva Tam - Representative of R1

R2 : The Real Estate Developers Association (REDA)

- Mr. Ian Brownlee - Representative of R2

R3 : HKU

- Professor J.G. Malpas]
- Mr. Kenneth Wong] Representatives of R3
- Mr. Keith Siu]
- Mr. Robert Lam]

R4 : China Merchants Steam Navigation Co. Limited

- Mr. Lawrence Li]
- Mr. Steven Liu]
- Mr. Yin Jiang]
- Ms. Weina Xu]

R8 : Democratic Democratic Alliance for the Betterment and Progress of
Hong Kong (DAB)

- Mr. Chan Hok Fung - Representative of R8

R10 : Chong Wing Fai

- Mr. Chong Wing Fai - Representer

R11 : Ng Hoi Yan

- Ms. Ng Hoi Yan - Representer

C10 : Alexander Schrantz & Jayne Kim Schrantz

Mr. Alexander Schrantz

- C10

C3 : Welgett Tree Limited

C11 Incorporated Owners of Nos. 6 and 10 Mount Davis Road and

C12 : Trustees of the Church of England

Mr. Ronald Talyor] Representative of C3 and C11

Mr. Ian Brownlee] Representative of C11 and C12

Mr. Wong Ming Yin] Representative of C12

41. The Chairman extended a welcome and explained the procedures of the hearing. He then invited DPO/HK to brief Members on the representations.

42. Members noted that a replacement page to Plan H-8b of the TPB Paper No. 8952 had been tabled at the meeting. With the aid of a Powerpoint presentation and the model illustrating the height profile of the Kennedy Town and Mount Davis Planning Scheme Area (the Area), Ms. Brenda Au made the following main points as detailed in the Paper:

- (a) on 25.2.2011, the draft Kennedy Town & Mount Davis Zoning Plan (OZP) No. S/H1/18 incorporating amendments mainly relating to the imposition of BHRs for various development zones and rezoning proposals to reflect the planning intention or existing developments was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance);
- (b) during the two-month exhibition period, a total of 638 representations were received. On 24.6.2011, the representations were published for three weeks for public comments. A total of 12 comments were received;
- (c) on 14.10.2011, the Town Planning Board (the Board) decided to hear the representations and the related comments in two groups. The 12 representations (R1 to R12) and 12 comments (C1 to C12) mainly in respect of the imposition of BHRs were to be heard under

Group 1;

Air Ventilation Assessment

- (d) an Air Ventilation Assessment (AVA) by Expert Evaluation (EE) of the Area had been undertaken and attached at Annex 1b of the Paper. According to the AVA, the prevailing annual wind came from the north-east, east and south while the prevailing summer wind was mainly from the east, south and south-west. Streets were in grid system and well aligned in the Area, and the Area comprised a number of open spaces, low-rise "G/IC" and "Other Specified Uses" ("OU") facilities along the waterfront area, slope areas with vegetation and some other open spaces and low-rise "G/IC" facilities scattered throughout the area and along Pok Fu Lam Road. Mount Davis and adjacent mountain of Lung Fu Shan allowed good penetration of wind to the built-up area. With the imposition of the BHRs and retention of the existing air paths, the wind environment in the Area was generally satisfactory. Apart from imposing suitable BHRs, building gaps had also been imposed to improve pedestrian level air ventilation;

Imposition of Building Gaps

- (e) to avoid blockage of annual prevailing wind from the northeast and to improve air permeability at Belcher's Street and the inland areas, two building gaps of 10m wide above 20mPD (about 15m above ground level) were imposed between Des Voeux Road West and Queen's Road West to generally align with Belcher's Street and Woo Hop Street to facilitate prevailing northeasterly wind penetrating into the inland area. In addition, two building gaps of 12m wide above 29mPD and 60mPD (about 15m above ground level) were designated to the west of Smithfield Terrace at 71-77 Smithfield and Smithfield Garden at 50 Smithfield respectively to facilitate southerly valley wind penetrating into the Area;

[Mr. B.W. Chan left the meeting temporarily at this point.]

Public Consultation

- (f) the amendments incorporated into the OZP had been presented to the Central and Western District Council (C&WDC) and the Task Force on Harbourfront Developments on Hong Kong Island (HKTF) of the Harbourfront Commission (HC). Three local consultation forums were held in April 2011. The views expressed at these meetings and PlanD's responses had been summarized in paragraph 2.3 of the Paper. The key points were:

HKTF of HC

- (i) the attempts to improve view corridors and air ventilation as shown in the amendments to the OZP were welcomed;

C&WDC

- (ii) the existing residential buildings that had already exceeded the BHRs should comply with the BHRs upon redevelopment;
- (iii) setback requirements should be imposed for road widening/air ventilation;
- (iv) the imposition of BHRs in general was supported. There was concern on the stipulation of BHRs on old buildings which would affect the development potential of the buildings;
- (v) the proposed columbarium site should not be incorporated in the draft OZP as it was still under public consultation;

Local Forums

- (vi) supported the imposition of BHRs as a general measure to preserve the mountain backdrop and quality of the environment;
- (vii) supported the designation of building gaps as a general measure to improve air ventilation; and

(viii) the BHRs would have adverse impacts on redevelopment value of the old buildings, particularly for small sites.

- (g) PlanD's responses were detailed in paragraph 2.3 (a) to (g) of the Paper. For the "G/IC" site to the east of Chiu Yuen Cemetery, it should be noted that the BHR of 8 storeys imposed on the site had taken into account the site level and the uses always permitted in the "GIC" zone, such as school. Should the site be considered suitable for columbarium use in future, rezoning of the site was required and the C&WDC and the public would be consulted;

Representations and Comments under Group 1

- (h) the 12 representations under Group 1 were in respect of amendments items relating to the imposition of BH and building gap restrictions. R1 generally supported the imposition of BH and building gap restrictions. R8 also supported the imposition of BHRs, but objected to the OZP for not stipulating setback requirement for widening of footpath/road and improving air ventilation. R2 opposed all amendment items in respect of the imposition of BH and building gap restrictions. R9 to R11 provided comments on the stipulation of BHRs of 100mPD and 120mPD for residential sites which might affect the property/resumption value. R12 provided comments on the stipulation of BH and building gap restrictions, as well as other amendments. Representations submitted by R3 to R7 were related to BHRs imposed on specific sites. R3 submitted by HKU opposed the stipulation of BHRs on their properties. R4 and R5 opposed the BHRs on China Merchants Wharf (CMW). R6 and R7 opposed the BHR at sites bounded by Pokfield Path, Smithfield and Pokfield Road;
- (i) all the 12 related comments received supported R2 and opposed the rezoning of the residential sites at 2, 6 to 10 Mount Davis Road, and imposition of PR and BHRs on these sites;

Responses to Grounds of Representations and Representatives' Proposals

- (j) the main grounds of representations and their proposals and the main responses to the general grounds of representations and their proposals were summarised in paragraphs 4.3 and 4.4 of the Paper respectively. They were highlighted below:

Adverse Representations for More Lenient BHRs

Urban Design Considerations

- (i) apart from air ventilation consideration, the BHRs had been formulated based on an overall BH concept and other relevant considerations including the existing BH profile, topography, site formation level, local characteristics, the waterfront and foothill setting, compatibility with the surrounding areas, land uses, stepped BH concept and permissible development intensity under the OZP. An Urban Design Appraisal had been conducted and the broad urban design principles set out in the Urban Design Guidelines (UDG) had also been taken into consideration;
- (ii) the BHRs were drawn up to provide better planning control on the BH of development/redevelopment. They provided a stepped BH profile appropriate to the local setting, and were sufficient to accommodate the development intensity permitted under the OZP;

Building Height Concept and Control of Out-of-Context Buildings

- (iii) the urban design principles adopted in the formulation of the BHRs and the building height concepts for the Area were mentioned in paragraphs 3.1.2 to 3.1.14 of the Paper. In particular, a stepped BH concept with lower developments along the waterfront and gradually increased to the uphill areas of Mount Davis and Lung Fu Shan had been adopted;
- (iv) as a general principle, existing/committed development with a

height exceeding the relevant BHR would not be affected in the stipulation of BHRs. For the two excessively tall developments (i.e. The Merton and Manhattan Heights), provision for redevelopment to the existing BH was not allowed given they were out-of-context and incompatible with the surrounding developments at the waterfront setting;

- (v) whether a development was "out-of-context" was not considered solely on the absolute BH or the number of storeys, but also with reference to the local character and site context, i.e. the characteristics of the neighbourhood. Kennedy Town was an old residential district predominantly occupied by medium-rise buildings along narrow streets. The BHRs should be sympathetic and compatible in scale and proportion with the local character, as well as relating to the scale of the streets to avoid canyon effect.
- (vi) R2's proposal for a general increase of 20m in BH would significantly increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the water body of the harbour from the local vantage points, and would adversely affect the local character and cityscape.

Built form, Design Flexibility and Air Ventilation

- (vii) the BHRs would not result in bulkier buildings or wall effect affecting air ventilation. In the course of BH review, an assessment was conducted to ensure that development intensity permitted under the OZP could generally be accommodated under BHRs. Flexibility was allowed in designing the shape and form of the buildings and the BHRs did not preclude the incorporation of innovative architectural design;
- (viii) whether a building was considered bulky or massive depended

on many factors rather than BH alone. Given the tendency to maximize the best view in certain direction (particular sea view) and to capitalize on land values on the lower floors, a development with no BH control might be even bulkier as there was a tendency to maximize the floor-to-floor height. The provision of better design buildings was not guaranteed by relaxing the BHRs;

- (ix) there was provision for application for minor relaxation of the BHRs under the OZP to cater for development/redevelopment with planning and design merits;

More Relaxed BHRs Required for Sustainable Building Design

- (x) the measures on SBD Guidelines/JPN and the OZP restrictions were under two separate development control regimes, i.e. the building regime and town planning regime respectively, although they were complementary to each other. The SBD Guidelines and JPN, which were administrative measures to promote a sustainable built environment, were complied on a voluntary basis for the granting of Gross Floor Area (GFA) concessions under the Buildings Ordinance (BO) and were generally applicable to all building developments with no reference to specific district characteristics and site circumstances. On the other hand, the OZP restrictions were statutory control to achieve planning objectives specific to the district;
- (xi) compliance with the SBD Guidelines would involve detailed building design matters. In the absence of detailed building schemes, it would not be possible in the OZP review stage to determine how the SBD Guidelines would impact on the building development and design at individual sites. Without any detailed scheme, there was also no basis for R2 to allege that the BHRs would jeopardize the implementation of the SBD Guidelines;

- (xii) the provision for application for minor relaxation of the BHRs under the OZP could cater for development/redevelopment with planning and design merits which may include schemes with the incorporation of SBD features;

Urban Design Vision/Planning Study

- (xiii) on formulating the overall BH concept for the Area and in determining the BHRs and relevant requirements, the broad urban design principles set out in the UDG had been taken into consideration and an Urban Design Appraisal had been conducted;

Redevelopment Potential and Development Process

- (xiv) in formulating the BHRs, it had been ensured that the development sites would generally be able to accommodate the development intensity as permitted on the OZP. The imposition of BHRs would not result in a decrease in the development intensity permitted on the OZP;
- (xv) there was provision for minor relaxation of BHR under the OZP to cater for site specific constraints and circumstances and each application would be considered by the Board based on individual merits. As there was a statutory time limit for the Board to consider such applications under the Ordinance, the development process would not be unduly lengthened;

Building Gaps and Setback Requirements

More Stringent Control

- (i) regarding R8's proposal to stipulate setback requirements, it should be noted that according to the AVA, the Area was of generally satisfactory air ventilation performance. Designating two 10m-wide building gaps at podium level between Des Voeux Road West and Queen's Road West could facilitate prevailing north-easterly wind to enter the

inner area, in particular Belcher's Street, to improve air ventilation at street level. Moreover, imposition of setback requirements might pose undue constraints on future development/redevelopment of small lots which were common in the Area. According to TD's advice, there was currently no comprehensive road widening scheme in the northern part of Kennedy Town. However, upon receipt of redevelopment proposal, improvement by setting back the buildings for footpath/road widening could be recommended;

Designate Building Gaps Based on Urban Design Considerations

- (ii) with respect to R12's comment that building gaps should be designated based on urban design considerations in addition to AVA, the purpose of designating building gaps on the OZP was to improve air ventilation in the Area. Air ventilation was subject to a combination of factors, including site topography, man-made and natural settings, building form and disposition, BH and bulk, wind/view corridors, as well as prevailing wind directions. In designating building gaps, the above considerations as well as land uses and development/redevelopment potential of the affected sites had been duly taken into account;

Inconsistent with the Town Planning Ordinance

- (iii) R2 opined that designation of building gaps was inconsistent with the Ordinance and might be subject to legal challenge. According to legal advice provided by the Department of Justice (DoJ), sections 3 and 4 of the Ordinance and the scheme of the legislation were intended to give the Board comprehensive powers to control development in any part of Hong Kong. Designation of building gaps could serve a positive planning purpose and might have other positive planning benefits. Provided that the Board had the necessary and sufficient planning justifications, such designation could be a part of the planning control within the Board's powers;

No Compensation

- (iv) as the areas designated for building gaps were relatively small in

relation to the area of the sites, the building gap requirements on the OZP should not adversely affect development intensity of the concerned sites and the development potential of the sites would not be affected. Should these areas be rezoned to "O" or 'Road' as suggested by R2, land resumption would be involved and the development potential would be affected;

Public Consultation

- (v) it was an established practice that proposed amendments involving BHRs should not be released to the public prior to gazetting. The reason was that premature release of such information before exhibition of the amendments might prompt an acceleration of submission of building plans by developers to establish "fait accompli", hence defeating the purpose of imposing the BHRs;
- (vi) amendments to the OZP were exhibited for public inspection for a period of two months in accordance with the provisions of the Ordinance. The exhibition process enabled the Board to seek representations and comments on the draft OZP. During the exhibition period, PlanD also provided briefings on the OZP amendments to C&WDC, HKTF of HC and local residents in three local consultation forums. The two-month statutory exhibition period was considered adequate for the public to express their views, while maintaining the efficiency of the process.

Representations Relating to Specific Sites

Sites Covering HKU's Properties:

Yam Pak Building (Site A) ("G/IC", 8 storeys)

Ricci Hall and Ho Tim Hall (Site B) ("G/IC", 6 storeys)

Lady Ho Tung Hall and Starr Hall (Site C) ("G/IC", 140mPD)

Lindsay Ride Sports Centre and Flora Ho Sports Centre (Site D) ("G/IC", 4 storeys)

Lee Shau Kee Hall, Suen Chi Sun Hall and Morrison Hall (Site E) ("G/IC", 135mPD)

Pokfield Road Residences (Site F) ("R(B)", 120mPD)

Proposed student hostel at Lung Wah Street (Site G) ("R(B)", 150 and 160mPD)

R3 : Against BHRs on HKU's properties

- (i) in the course of the review of the OZP, HKU submitted a campus development direction and strategy with some preliminary proposals to redevelop three sites along Pok Fu Lam Road, including Yam Pak Building (Site A), Ricci Hall (at Site B), Flora Ho Sports Centre and Lindsay Ride Sports Centre (Site D) for academic and hostel uses. The proposals were circulated to relevant government departments for comments and expert advice from the AVA consultants was also sought. There were concerns raised on such aspects as traffic, building height and bulk and setback requirement on the redevelopment proposals. Revised proposals and technical assessments would need to be submitted by HKU to substantiate their redevelopment proposals;
- (ii) imposing BHRs for "G/IC" sites, the established practice was to reflect the BH of existing and committed developments. As HKU's redevelopment proposals were still at a preliminary stage, both HKU and the Education Bureau (EDB) had been informed that the redevelopment proposals could not be incorporated in this round of OZP amendment. The BHRs for these three sites were mainly to reflect the BH of the existing developments. Subject to availability of revised and more detailed proposals, and with policy support from

EDB and acceptance by relevant government departments, the BHRs for these sites could be amended in future to cater for HKU's redevelopment proposals;

- (iii) the buildings at Site C (i.e. Lady Ho Tung Hall and Starr Hall) and Site E (i.e. Lee Shau Kee Hall, Suen Chi Sun Hall and Morrison Hall) were recently redeveloped in 2001 and 2005 respectively. As such, imposition of the BHRs to reflect the height of these existing buildings was considered appropriate;
- (iv) the current developments at Pokfield Road Residence (Site F) were 6 to 7-storey buildings (84.7mPD-86.6mPD) with a PR of about 2.4. The site was rezoned from "R(A)" and "G/IC" to "R(B)" given staff quarters were regarded as residential use. The BHR of 120mPD was imposed with a view to achieving a stepped BH profile from Pok Fu Lam Road to Pokfield Road. Compared with the existing development, the imposition of BHR of 120mPD under the "R(B)" zoning had already provided reasonable scope for redevelopment to cater for HKU's need for expansion in future;
- (v) the site at Lung Wah Street (Site G) had been granted to HKU for student hostel use in 2008. The BHR for the site generally reflected the height of the development under construction;
- (vi) deletion of BHRs for HKU's properties would result in proliferation of high-rise developments along Pok Fu Lam Road and Lung Wah Street, which might have adverse visual, air and traffic impacts on the area;

China Merchants Wharf (CMW):

Godown building portion ("I", 60 and 80mPD) (Site A)

Pier portion ("OU(Pier)", 1 storey) (Site B)

R4] against BHR on CMW (Sites A and B)

R5] against BHR on CMW(Site A)

For R4

- (i) R4 commented that the BHRs imposed on the site was unreasonable and should be deleted. As the site was located right at the waterfront, the BHRs had been imposed with a view to ensuring a harmonious waterfront. The BHRs for CMW (60mPD and 80mPD for the western and eastern buildings respectively) were similar to the existing BH of the godown buildings (Site A), would create a BH variation for the long sea frontage. With the provision for redevelopment to the existing BH, the site was allowed to redevelop to 63.7mPD and 83.9mPD at the western and eastern portions, which were the maximum tolerable BHs at the waterfront setting;
- (ii) in formulating BHRs for the site, it had been ensured that the site would be able to accommodate the PR as permitted under the OZP and the lease. CMW, with existing GFA of 46,323.42m² and plot ratio of about 7.5, had been developed to the allowable intensity under the lease. While PlanD was aware of the owner's intention to rejuvenate the site for tourism related uses in the longer term, such uses within the "I" and "OU(Pier)" zones required planning permission from the Board. Regarding R4's argument that the BHRs would discourage the rejuvenation of the site, it should be noted that the incentive for redevelopment depended on many factors rather than BH alone. The site was right on the waterfront, and appropriate BHRs should be imposed to ensure that the future redevelopment would be compatible with the waterfront setting. Should the site be redeveloped for leisure and tourism-related uses, it should be planned in a comprehensive manner. As the land use of the western part of the Kennedy Town was subject to a land use review, the representer could submit the development proposals for the site for PlanD's consideration. Moreover, development of one storey was allowed under the OZP for the pier portion of the site, and this provided some design flexibility and scope for expansion;
- (iii) with respect to R4's argument that the BHRs of 188mPD to 215mPD would not breach the 20% to 30% building free zone in the Metroplan Guidelines, it should be noted that the representer had wrongly interpreted the meaning of the building free zone and estimated the permitted BH by reducing the height of Mount Davis (269mPD) by 20% to 30%. According to Metroplan

Guidelines, building free zone referred to the requirement that developments should not be permitted to obstruct visibility of the upper 20%-30% of elevation up to the ridgelines of the Hong Kong Island when viewed from the strategic vantage points. Two local vantage points were identified to assess the visual impacts of the BHRs. As shown on Plans H-8b and H-8c of the Paper, the BH proposed by the representer would result in a significant reduction in the visual permeability to the mountain backdrop of Mount Davis and the water body of Victoria Harbour from the two local vantage points;

R5

- (iv) R5 commented that the existing godown buildings were out of scale and proposed to lower the BHR for the "T" zone. It should be noted that the BHRs for the godown building portion of CMW had taken into account the height of the existing buildings and the need to maintain a relatively low BH in the waterfront area. Reducing the BHRs would pose undue constraints on future redevelopment and had adverse impact on the development right;

Sites bounded by Pokfield Path, Smithfield and Pokfield Road ("R(A)", 120mPD)

R6] against BHRs

R7]

- (i) R6 and R7 commented that the BH bands failed to take into account the actual topography. The subject area was situated on a higher level of about 24mPD, the BHR of 120mPD was the same as the Kennedy Town residential cluster which was situated on a lower level of about 5mPD;
- (ii) it should be noted that the BHR of 120mPD imposed on the subject site and adjacent areas was mainly acting as a transition between the low height band (100mPD) on the waterfront and the higher height bands (140mPD to 160mPD) in the uphill area. The BHR of 170mPD for University Heights was to generally reflect the existing BH at specific site;
- (iii) given the site levels of about 17mPD to 28mPD at the subject site, the BHRs

of 120mPD would allow residential developments with absolute BHs of about 92m to 103m, which were similar to the absolute BHs allowed for other height bands of 100mPD, 140mPD and 160mPD within the "R(A)" zone. The absolute BH was equivalent to around 24 to 27 storeys above a 3-storey podium. This could well accommodate the development intensity as permitted on the OZP. As such, the BHR would not adversely affect the development intensity of the sites permitted under the OZP;

- (iv) R6's and R7's proposals to delete the BHR or revise the BHR to 140mPD were considered inappropriate;

Grounds of Comments and Commenters' Proposals

- (k) the main grounds of comments and commenters' proposals were summarised in paragraph 5.3 of the Paper and highlighted below:

Redevelopment Potential

- (i) C1-C12 supported R2's view that BHRs set too low would unnecessarily constrain the provision of good quality development. Their objections were relating to the rezoning of No. 2 and 6-10 Mount Davis Road from "R(B)" to "R(C)2" with PR restriction of 0.75, SC of 25% and BHR of 3 storeys, and rezoning the adjacent sites at No. 2A Mount Davis Road (Greenery Garden) and No. 4 Mount Davis Road (Four Winds Apartments) from "R(B)" to "R(B)1" with PR of 3 and BHR of 160mPD. They were of the view that it was illogical and inequitable to have different PR and BHRs for their sites and the neighbouring sites at No. 2A and 4 Mount Davis Road. Their property value had been significantly reduced without prior consultation and any form of compensation;
- (ii) it was inappropriate to impose BHRs to reflect the existing development intensity at the sites and under the lease conditions, or on the basis of Pok Fu Lam Moratorium (PFLM) which was a temporary administrative measure;
- (iii) C1-C12 suggested to rezone the sites at No. 2 and 6-10 Mount

Davis Road to "R(B)1" with a maximum PR of 3 and a maximum BH of 160mPD;

Spot Zoning Approach

- (iv) the BHRs constituted a form of "spot" zoning which was inappropriate and unlawful (C11 & C12);

Public Consultation

- (v) C1-C12 opposed the rezoning of the sites without prior consultation. C10 also opposed the Board's refusal to recognize the prior representation from the owners at Mount Davis Village on the basis that it was received two days late.

Responses to Grounds of Comments and Commenter's Proposals

- (1) the main responses to the general grounds of comments and commenters' proposals were summarised in paragraph 5.4 of the Paper and highlighted below:

Redevelopment Potential

Rezoning of No. 2 and 6-10 Mount Davis Road to "R(C)2"

- (i) the concerned sites were located at the foothill of Mount Davis with a green natural setting. The existing developments at Mount Davis Road were predominantly low-rise residential buildings (1 to 4 storeys). The planning intention for the area was to maintain a low BH profile and development intensity along Mount Davis Road so as to preserve the high landscape value and the local character;
- (ii) the development intensity allowable under the lease had been taken into account in formulating the development restrictions for the sites. Rezoning of the sites to "R(C)2" with PR restriction of 0.75, SC restriction of 25% and BHR of 3 storeys would not adversely affect the lease entitlements. PFLM was not one of the considerations in the imposition of the restriction;

- (iii) the rezoning of the sites to "R(C)2" reflected the planning intention to maintain a low-rise neighbourhood along Mount Davis Road so as to preserve the local character and high landscape value. This would also achieve a compatible development profile with the adjacent "R(C)3" sites on the opposite side of Mount Davis Road, which were subject to basically the same development restrictions under the Pok Fu Lam OZP. To cater for site-specific circumstances and schemes with planning and design merits, there was provision for minor relaxation of the BHR and each application would be considered on its individual merits;
- (iv) TD advised that higher development intensity at Mount Davis Road would have adverse traffic impact given the limited capacity of the narrow 2-way 2-lane single carriageway of Mount Davis Road and the busy junction at Pok Fu Lam Road/Smithfield;

Rezoning of No. 2A and 4 Mount Davis Road to "R(B)1"

- (v) No. 2A and 4 Mount Davis Road had been developed into four 18-storey residential blocks and a 13-storey residential building (both including 1 storey of car park) by technical modification and lease modification in 1980s and 1960s respectively. Rezoning of No. 2A and 4 Mount Davis Road to "R(B)1" with PR restriction of 3 and BHR of 160mPD had taken account of the lease entitlements

Spot Zoning Approach

- (vi) according to legal advice provided by DoJ, sections 3 and 4 of the Ordinance and the scheme of the legislation were intended to give the Board comprehensive powers to control development in any part of Hong Kong. On that basis, the Board had the powers to impose BHRs on individual sites or for such area within the boundaries of the OZP if there were necessary and sufficient planning justifications. From the planning perspective, the imposition of BHRs was considered justified as it could provide better planning control on the BH of development/redevelopment and avoid

out-of-context development;

Public Consultation

(vii) with respect to C10's objection to the Board's refusal to recognize the prior representation, it should be noted that representations submitted after the expiration of the specified public inspection period should be treated as not having been made as stated in the Ordinance;

(m) PlanD's view : the support of R1 and R8 (Part) for the imposition of BHRs and building gaps was noted. The comments submitted by R9-R11 on the redevelopment potential and R12's comment on built form were noted. Based on the assessments in paragraph 4 of the Paper, the representations of R2 to R8 (Part) should not be upheld.

43. The Chairman then invited the representers, representer's representatives and commenter to elaborate on their submissions.

Representation No. 1 : Designing Hong Kong Limited

44. Ms. Eva Tam, the representative of R1, made the following main points:

- (a) traffic congestion was one of the prominent problems in the area. The Board should urge the relevant government departments to undertake a comprehensive traffic study for the area. The findings of the study should be reflected in the future planning of the area;
- (b) Kennedy Town had a large population of elderly people. The proposed rezoning of the "G/IC" sites to "U" zoning would affect the provision of the community facilities and services for the elderly. The "G/IC" sites should be retained unless there were study findings to demonstrate that there were sufficient provision of community facilities and services for the elderly in the area; and
- (c) it was noted that the western part of Kennedy Town was subject to a land

use review. Temporary measures should be adopted to enhance the aesthetic value of the "U" sites, such as gardening and planting, to strengthen the community's sense of attachment.

Representation No. 2 The Real Estate Developers Association of Hong Kong (REDA)

45. With the aid of some photographs and plans shown at the visualizer, Mr. Ian Brownlee, the representative of R2, made the following main points:

- (a) R2 was concerned about the general issues affecting the broad interests of Hong Kong as a whole and the interests of maintaining a fair, efficient and sustainable urban development system. The representation was not related to any particular site;

Out of Context Buildings

- (b) REDA did not oppose the imposition of BHRs in principle but opposed the BHRs that had been set so low which resulted in a poor living environment;
- (c) there was no need to set the BHRs so low at 100mPD to protect out of context buildings. Low buildings were bulkier and would block light and ventilation;
- (d) the existing built context in the Area was consistent without many 'out-of-context' buildings. The Area was not within the views of the seven recognised view points. A slightly higher BHR of 120mPD to 140mPD could be allowed as illustrated in Plan H-8b;
- (e) in formulating the BHRs, PlanD had not taken into consideration the adverse impact on private urban renewal initiatives. One example was the BHR for the Merton, which was a URA project with planning merits. With the imposition of a BHR of 120mPD, it was impossible to redevelop the site with the provision of open space, which was a planning merit;

- (f) the Board/PlanD had not provided the assumptions on formulating the BHRs proposed in the OZP. It was stated in paragraph 7.2 (c) of the Paper that 'the proposed BHR would have no adverse impact on the development intensity permitted under the OZP and property value in general'. However, no information had been provided to support the statement;

SBD Guidelines

- (g) SBD Guidelines were relevant matters to be considered by the Board. These guidelines were means to ensure greater permeability in the building mass of Hong Kong and were particularly relevant to Kennedy Town;
- (h) GFA concessions were an incentive to build better buildings. The Guidelines were generally applicable to the whole area and would have great benefit. A general increase of the BHRs by about 20m in the Area would enable the provision of set-backs and greenings for buildings, and enhance permeability in the building mass. The BHRs were too low to accommodate the SBD requirements;
- (i) PlanD argued that the SBD Guidelines were not relevant. However, it was stated in paragraph 4.4.3(b) of the TPB Paper that 'incentive has been provided by the SBD Guidelines to encourage basement car park with greater concession';
- (j) SBD Guidelines were relevant and should be encouraged by the Board. This should be taken into account in setting the BHR. R2 requested to meet jointly with PlanD and other professional groups to have a better understanding of the technical basis for setting the BHRs generally and the implication of SBD Guidelines on BHRs;

Relaxation of BHRs by 20m

- (k) the proposed 20m increase in BH profile was acceptable in terms of

visual impact. The Area was not within any of the recognised important viewpoints from the Harbour. Increase of 20m would not have a significant negative effect as many buildings were already taller than the BHRs imposed on the OZP by 20m;

Air Ventilation Assessment

- (l) according to the AVA report, there was no particular AVA issue in this Area. R2 challenged the whole basis of the EE approach. There was no detailed information to justify a specific restriction such as the building gaps. There was no discussion on the impacts of not providing the building gaps or provision of other alternatives;

Lack of Consultation

- (m) there was no prior consultation on the proposed amendments to the OZP. Consultations after gazetting of the amendments had not resulted in any recommendation for revising the proposed amendments;
- (n) R2 opposed the approach adopted in imposing the different BHRs for sites along Mt. Davis Road in relation to Amendment Items B3 - B5. No justifications had been provided for imposing different PRs and BHRs on these sites. The Board should adopt a broad and consistent planning approach in setting the development restrictions;

Proposals

- (o) the Board should defer a decision on the representations and request PlanD to provide details of the assumptions in setting BHRs and to re-assess the BHRs by taking the SBD Guidelines into account; or increase the height bands within the Area by 20m generally;
- (p) to delete the building gaps imposed; and
- (q) to conduct a consultation on the proposed amendments to the OZP.

Representation No. 3 : HKU

46. With the aid of a Powerpoint Presentation, Professor J.G. Malpas and Mr. Robert Lam, the representatives of R3, made the following main points:

- (a) in the 2009/2010 Policy Address, the Chief Executive stated that Hong Kong should develop an education hub in the region. HKU, as one of the top-ranking universities in Asia and worldwide, should maintain her status by academic growth;
- (b) it was estimated that HKU would have 25,500 students at 2012/2013. The average non-residential space per student was 35m^2 in research-led universities in North America, Australia and UK. Based on this average figure, the total non-residential area for HKU students should be $892,500\text{m}^2$ compared to the provision of $448,000\text{m}^2$ in 2012/2013. Hence, there was a serious shortfall of $444,500\text{m}^2$ (gross);
- (c) limited space for development would constrain the achievement of HKU for further excellence;
- (d) there was a great demand of space for academic purposes due to the change of curriculum to four years, changes in pedagogy, new research directions, more multi-disciplinary research activities, and more collaboration with other local and international institutions;
- (e) there was a great demand of space for providing student residences due to the new curriculum, increasing number of non-local students and research postgraduates;
- (f) there was a great demand of space for sport facilities;
- (g) due to the shortage of space, some offices which had been located off-campus would have to remain off-campus. When constructing the Centennial Campus, an existing reservoir had to be relocated inside a cavern to make space for the development. This had significant

financial implication ;

- (h) the Government had advised HKU that no new land would be available for academic development on HK Island. HKU had seriously reviewed its land holdings and determined that significant redevelopment would need to take place on its own sites;
- (i) three sites, namely, Ricci Hall site, Yam Pak Building site, and Flora Ho and Lindsay Ride Sports Centre site, were located close to the HKU main campus. There were no restriction on GFA and building height on these three sites before. The Ricci Hall fell within the same "G/IC" zone as Starr Hall and Lady Ho Tung Hall, which had building heights of over 20 storeys;
- (j) in the past years, HKU had rationalized and optimized its sites where possible. Future development would be carried out on these sites taking into account infrastructure, visual and ventilation issues, and public concerns;
- (k) HKU would engage all relevant stakeholders such as the Government, District Council, the local community, students and staff, Alumni and the general public in working out the development proposals. The development of the Centennial Campus was a good example;

Yam Pak Building Site

- (l) it was proposed that the BHR be relaxed to 120mPD. Taking into account the comments of PlanD on the previous preliminary development proposal, R3 had reduced the proposed BH from 140mPD to 120mPD. The photomontage in the Powerpoint presentation showed that that the proposed redevelopment complied with the stepped BH concept with the dominant buildings of The Belcher's (over 200mPD) at the back, the Centennial Campus with 140 to 160mPD to the south of the Site. The building would provide academic space for the development of the Engineering Faculty to run courses like the

'bio-engineering' and 'bio-medical' courses ;

Flora Ho and Lindsay Ride Sports Centre Site

- (m) the site would be redeveloped into two building blocks which would be for the Faculty of Architecture Building and Faculty of Education Building respectively. Taking into account PlanD's comments, the proposed building blocks had been re-positioned to have a building separation of 15m. This would enhance the visual permeability and air ventilation in the area. The proposed development also complied with the SBD Guidelines. The existing sports facilities would be reprovisioned at the rear of the Site. The proposed building height of 140mPD was in-line with the building heights of the surrounding developments, in particular the University Heights which was 194mPD, the King Court of 170mPD and the Academic Terrace of 152mPD;

Ricci Hall Site

- (n) in view of PlanD's comments, R3 had revised the built form of the redevelopment from linear to 'square-shape' building. This would enhance visual permeability and air flow in the site. The proposed building would provide residential dormitory for 598 students. The proposed BH of 140mPD was in-line with the building height profile of the area and Centennial Campus of 140mPD;
- (o) relaxation of BHR for these sites was supported by the Secretary of Education and would not have any adverse visual and air ventilation impacts. R3 requested the Board to relax the BHR for the Yam Pak Site from 8 storeys to 120mPD, the Flora Ho and Lindsay Ride Sport Centre Site and the Ricci Hall Site from 4 storeys and 6 storeys respectively to 140 mPD.

Representation No. 4 China Merchants Steam Navigation Co. Ltd.

47. Mr. Lawrence Li, the representative of R4, made the following main points:

- (a) the China Merchants Wharf (CMW) comprised two portions, the

godown building portion (with a BHR of 60/80mPD) and the pier portion (with a BHR of one storey). There was a lack of vacant land in Hong Kong's core business districts to meet the growing demand for office space. That was why the Government was drawing up development strategies for East Kowloon. Being located in Kennedy Town which was the urban core, the CMW Site had great redevelopment potential. However, the BHRs imposed on the Site only reflected the building heights of the existing developments. This approach failed to take into account the redevelopment potential of the Site and the changing needs of society;

- (b) the area adjacent to the Site had been progressively changed from industrial uses to residential developments. It was noted that the western part of the Kennedy Town was under an ongoing land use review. A number of "G/IC" sites had been rezoned to "U" without any BHR pending the completion of the land use review. The CMW Site was the core of the review area and the imposition of a stringent BHR at this stage was not beneficial to the overall planning of the area;
- (c) it was noted that the redevelopment proposal of the site would be taken into account in the overall consideration of the long-term development of the western part of Kennedy Town;
- (d) the submission of R4 in respect of the building free zone was to demonstrate that high-rise developments up to 188mPD and 215mPD on the site would not have any adverse visual impact. However, R4 did not have any intention to redevelop the CMW site to 188mPD and 215mPD. The relatively large area of the Site (about 140,000ft²) would allow design flexibility to ensure that the future redevelopment of the Site would be compatible with the waterfront setting. As such, there was no need to impose the stringent BHRs on the Site.

48. Mr. Chan Hok Fung, a Central and Western District Councillor and the representative of R8, made the following main points:

- (a) R8 supported the imposition of BHRs, but considered that they should have been imposed earlier. The Area was subject to great development pressure since it had many old and low-rise buildings which had high redevelopment potential and the West Island Line would be extended to the area in 2014. The supporting infrastructure and community facilities could not meet the increasing population. BHRs should have been imposed earlier to provide planning control;
- (b) Kennedy Town was an old residential district occupied by high-rise buildings along narrow streets, e.g. the Belcher's Street. The heavy vehicular traffic in the streets had created air pollution and ventilation problems. Redevelopments should be required to set back from the lot boundary of the sites for better air ventilation and footpath widening;
- (c) it was unreasonable to rely on the Buildings Department to impose set back requirement upon receipt of redevelopment proposal. PlanD should undertake a comprehensive review for the whole District and impose set back requirements at appropriate locations;
- (d) it was unfair to impose a BHR of three storeys on No. 2 and 6 - 10 Mount Davis Road, while the adjacent "G/IC" site had a BHR of 8 storeys. The proposed columbarium use on the GIC site would have adverse traffic impacts on Mount Davis Road and Pokfulam Road. The feasibility of the proposed columbarium was not supported by any technical assessment; and
- (e) R8 requested the Board to impose setback requirement on Belcher's Street; and delete the BHR of 8 storeys on the "G/IC" site to the east of Chiu Yuen Cemetery.

49. Members noted that Mr. Chong Wing Fai, R10 and a member of the Democratic Party, tabled a written submission from R9 (Office of Democratic Party (Kam Nai Wai, Yeung Ho Yin, Wong Kin Shing, Ho Chun Ki, Cheng Lai King, Yuen Bun Keung), R10 and R11. Mr. Chong Wing Fai made the following main points:

- (a) the imposition of BHRs was supported so as to improve the air ventilation and quality of the environment; and
- (b) it was noted with concern that development schemes with approved building plans exceeding the BHRs would not be affected by the imposition of BHRs. R10 had reservation on this approach as this would prompt the submission of building plans by developers even they had not yet acquired the concerned sites to establish 'fait accompli'. This would defeat the purpose of imposing the BHRs.

Comment No. 11: The Incorporated Owners of No. 6 & 10 Mount Davis Road

Comment No. 12 : The Trustees of the Church of England.

50. With the aid of a Powerpoint presentation, Mr. Ian Brownlee, the representative of C11 and C12, made the following points:

- (a) the commenters were in support of R2 and related to Amendment Items B3, B4 and B2;
- (b) the down-hill side of Mount Davis Road were zoned "R(C)3", with a maximum building height of 3 storeys and a PR of 0.75 under the Pok Fu Lam OZP. The development restrictions were imposed with a view to preserving public views from Mt Davis Road. As reflected in most of the OZPs covering the southern part of Hong Kong Island, the long-term planning intention for the sites on the down-hill side of major roads (Mt Davis Road, Pokfulam Road, Repulse Bay Road, etc.) were for low-rise developments, whereas the sites located on the up-hill sides were for medium-density developments;

- (c) the up-hill side of Mount Davis Road was zoned "R(B)" since the first Kennedy Town and Mount Davis OZP gazetted in 1986. The planning intention of taller buildings on the up-hill side and lower buildings on the down-hill side had been a development policy;
- (d) the rezoning of No. 2, 6 -10 Mount Davis Road (the concerned sites) to "R(C)2" was unfair and inconsistent with the requirements of the Ordinance that the Board should take a broad approach in designating the appropriate zonings for the sites. There was no adequate reason for the zoning amendments;

The Pok Ful Lam Moratorium

- (e) as indicated in the MPC Paper No. 2/11 (paragraphs 10.7 and 14.2) and the TPB Paper No. 8952 (pargraph 5.2.2), the Pok Fu Lam Moratorium was a relevant consideration in relation to the zoning amendment. However, the Moratorium was a temporary traffic and land administration measure. The zoning on the OZP represented the long-term planning intention of the site, i.e. medium-density development of "R(B)" zone;
- (f) the owners of the concerned sites had reasonable and legitimate expectation that the Moratorium would eventually be lifted and that they would be able to proceed to redevelop their properties as per "R(B)" zoning. It was inequitable that whilst redevelopment of the concerned sites was held up due to the Moratorium, the Moratorium had been partially lifted to allow the Cyberport development to proceed;

Lease Conditions

- (g) the Moratorium and the existing leases had been the determining factors that the existing old buildings on the concerned sites had not been redeveloped;
- (h) PlanD had taken the lease restrictions as the sole basis for imposing the

development restrictions on the sites. The leases, however, reflected the outdated historical situation on the site, rather than the long-term planning for the sites. Under the previous OZP, the long-term planning intention for the sites was a medium-density residential development under the "R(B)" zoning;

Character of the Area

- (i) the building heights of the adjacent developments, i.e., Four Winds Apartments and Greenery Garden, were 13 and 18 storeys respectively. The sites to the west had also been redeveloped to 10 to 21 storeys. The dominant form of development in the area was medium-rise development of 10 to 21 storeys. The concerned sites were the only low-rise development in the area;
- (j) the 160mPD BHR imposed on the Four Winds Apartments site and the Greenery Garden site was taller than the existing building heights, i.e. 144.9mPD and 148.7mPD respectively;
- (k) the low-rise character of the down-hill sites could be maintained through the existing "R(C)" zoning on the Pok Fu Lam OZP. There was no need to change the planning intention and development restrictions on the concerned sites;

Landscape Value

- (l) the rezoning of the concerned sites to "R(C)2" had no relevance to the landscape character of the area. The sites were private land and were developed for residential purposes. The high landscape value of the general area was derived from the green mountain backdrop of Mount Davis;
- (m) in imposing the development restrictions, PlanD made reference to the Metroplan Landscape Strategy which was an outdated proposal prepared in the 1980's and was not a statutory document. A more relevant and recent reference was the "Landscape Value Mapping of

Hong Kong Technical Report No. 5" 2005. In the report, 'Residential Urban Fringe Landscape' referred to, amongst others, 'residential landscapes characterised by intermittent tall residential towers on steep hillsides, with winding roads, interspersed by wooded hillsides, e.g. Robinson Road, Conduit Road, Pokfulam'. This covered the Four Winds Apartments, Greenery Garden and the concerned sites;

Traffic

- (n) in the planning application submitted in relation to the redevelopment of the Ebenezer School site, a traffic impact assessment had been undertaken. The assessment indicated that the Pok Fu Lam Road had no significant traffic problem;
- (o) PlanD had not provided any traffic or transport study to support the rezoning amendments. According to paragraph 5.4.3 of the TPB Paper, TD advised that a higher density of developments on the concerned sites would have adverse traffic impact on the busy junction at Pokfulam Road. It was noted that the subject junction had recently been up-graded and the concerned site had been zoned "R(B)" under the previous OZP;

Inconsistent Zonings

- (p) it was unfair to impose different zonings and development restrictions on sites with similar characteristics. The previous approach of having all the uphill sites on Mount Davis Road zoned "R(B)", with the same development rights and restrictions, was appropriate;
- (q) the rezoning of the concerned sites to "R(C)2" would result in an unreasonable reduction of development intensity and building height. The imposition of a BHR of three storeys on the site would result in the creation of an incompatible building height profile. The low-rise developments on the concerned sites was incompatible with the other medium-rise developments along Mount Davis Road;

- (r) the rezoning had placed an unreasonable level of control on the private lots without any justifiable public benefit. It would result in the loss of high-quality residential development; and
- (s) C11 and C12 requested the Board to rezone their sites to the original "R(B)" zoning as allowed for the adjacent sites.

Comment No.3 : Welgett Tree Limited

Comment No. 11 : Incorporated Owners of Nos. 6 & 10 Mount Davis Road

51. With the aid of a Powerpoint presentation, Mr. Ronald Taylor, the representative of C3 and C11, made the following main points:

- (a) No. 2 and 6 -10 Mount Davis Road (the concerned sites) were located in an area of high-rise development at the uphill side of Mount Davis Road;
- (b) the only justification given in the MPC Paper No. 2/11 for rezoning the sites from "R(B)" to "R(C)2" was to maintain the existing building heights in the immediate area. No reason had been given as to how the "high landscape value" of Mount Davis would be adversely affected by a development under the "R(B)" zoning. A BHR of 160mPD allowed for the adjacent Greenery Garden and Four Winds Apartments would result in a further increase of building heights of these two developments by 11 metres and 15 metres respectively. This was against the planning intention put forth by PlanD;

Traffic - Mount Davis Road

- (c) the traffic flow along Mount Davis Road was low. There was no traffic study to support the rezoning amendment. There was no assessment to demonstrate that the Mount Davis Road could not accommodate the traffic generated by a "R(B)" development on the concerned sites;

Traffic – Junction of Pokfulam Road

- (d) the design of the junction should have taken into account the scale of development as permitted under the OZP, i.e. a "R(B)" development. There was no basis for rezoning the sites to "R(C)2" on traffic grounds;

Pok Fu Lam Moratorium

- (e) the Pok Fu Lam Moratorium was imposed in 1972 as a short-term measure, pending the completion of the relevant transport infrastructure improvements for the area. Since then, the Aberdeen Tunnel had been opened, Pokfulam Road had been widened from two lanes to four lanes and the new road along the waterfront with connections to Pokfulam Road had been built;
- (f) the Moratorium was out of date and should have been lifted. There was no information on the latest position in respect of the Moratorium. Partial lifting of the Moratorium for the Cyberport development had undermined the reasons for retaining the control. The failure to lift the Moratorium had a material impact on the development of the sites;

Property Value

- (g) in 1996, it was estimated that if the site could be redeveloped to a plot ratio of 3, the value of the lot would be increased by 25% (after the payment of land premium). Property values had increased significantly since then and the difference now would be in the order of \$150 to \$200 million. The redevelopment could not proceed at that time as a result of the Pok Fu Lam Moratorium;
- (h) there was no consultation on the rezoning amendment. There was a notice posted by the District Office stating that there was a consultation workshop to solicit views on the draft Kennedy Town and Mount Davis OZP. There was no indication in the notice that the draft OZP had already been gazetted and that the time for submitting representation would expire in seven days from the date of the workshop. The notice prepared by the District Officer wrongly indicated that no amendment

had been made for the concerned sites. The District Office had tendered its apology for the misleading information. The representations submitted after the statutory publication period were treated as invalid; and

Proposal

- (i) the Board was requested to rezone the concerned sites to its original "R(B)" zoning with a PR of 3.

[Mr. P.P. Ho left the meeting at this point.]

Comment No. 10 : Alexander Schrantz & Jayne Kim Schrantz

52. With the aid of a Powerpoint presentation, Mr. Alexander Schrantz, C10, made the following main points:

- (a) the comments were related to No. 6-10 Mount Davis Road;
- (b) according to the MPC Paper No. 2/11 (paragraph 10.7), 'in view of the high landscape value and the predominantly low-rise neighbourhood on both sides of Mount Davis Road, the existing BH profile should be maintained.'. It was only due to these two reasons that the site was rezoned from "R(B)" to "R(C)2";
- (c) the area was not a predominantly low-rise neighbourhood. The Four Winds Apartments and Greenery Garden, with the building heights of 145mPD and 149mPD, were medium-rise developments. There were 11 medium-rise residential blocks and towers along Mount Davis Road. The character of the area should properly be described as medium-rise on the uphill side and low-rise on the downhill side of Mount Davis Road;

High Landscape Value Not Meant 'As-built' Forever

- (d) the concerned sites were not visible in the view fan of the seven strategic vantage points identified in the Metroplan Landscape Strategy. They

were also not visible from the two additional local vantage points selected by PlanD for evaluating visual impacts of the BHRs imposed on the OZP. A medium-rise development on the site would be compatible with the adjacent developments. Retaining the "R(B)" zoning would not impair the landscape value and was not in conflict with the stated urban design principles;

Rezoning Amendment was Unfair

- (e) it was stated in the TPB Paper No. 8952 that the BHRs on the OZP were stipulated to prevent development of excessively tall buildings or buildings that would be incompatible with the surrounding environment. The original "R(B)" zoning for the concerned site would not result in excessively tall buildings or buildings incompatible with the surrounding area;
- (f) it was also stated that in imposing the BHRs, due regard had been given to the PR of the development sites permitted under the OZP. However, the proposed rezoning had resulted in a reduction of the development intensity of the site by 80%;
- (g) the rezoning amendment had significant adverse impact on the private owners as compared to the minimal, if any, impact on the landscape and character of the area;

Inconsistent Amendments

- (h) the adjacent sites were allowed to have higher BHRs than their existing building heights, such as Greenery Garden, Four Winds Apartments, and St. Clare's School. The subject site was however restricted to 3 storeys and a PR of 0.75;

Rezoning Not Justified

- (i) the lease of the site was entered into in 1970. Subsequently, the Pok Fu Lam Moratorium came into effect as a temporary measure. There were, however, no changes to the zoning of the site. The first

Kennedy Town and Mount Davis OZP was gazetted in 1986 and at that time the lease had already existed for 16 years. The site and its adjacent areas was zoned "R(B)" despite different lease conditions;

- (j) the Metroplan Landscape Strategy was prepared in 1989. There was no change to the zoning of the site in the last 22 years; and
- (k) there was no justification to support that the existing as-built conditions should be retained. There should be other alternatives to allow suitable redevelopment of the site to a PR of 3. Rezoning the site to "R(C)2" seriously affect the redevelopment of the site.

[Mr. Rock C.N. Chen left the meeting at this point.]

53. As the presentations from the representers and the representatives of the representers and commenters had been completed, the Chairman invited questions from Members.

BHRs and SBD Guidelines

54. In response to a Member's enquiry on the SBD Guidelines, Mr. Ian Brownlee said that the SBD Guidelines were introduced to achieve better building designs and they should be taken into account in setting the BHRs. Both the OZP amendments and the SBD Guidelines had the same or similar objectives of achieving a quality living environment. However, the BHRs imposed on the OZP were set too low that the SBD Guidelines could not be implemented. Mr. Brownlee said that the Board should review the criteria used in formulating the BHRs and the impacts of the BHRs on the implementation of the SBD Guidelines.

55. This Member asked whether the SBD Guidelines were mandatory requirements. Ms. Brenda Au replied that the SBD Guidelines set out the prerequisites for granting GFA concessions such as building separation, building set back, and site coverage for greenery, etc. The SBD Guidelines were not mandatory but were administrative measures. They could only be applicable for the granting of GFA concessions under the Buildings Ordinance (BO). Developers could choose not to apply for GFA concessions and in such

cases the SBD Guidelines would not be applicable.

56. Another Member noted that R2 requested the Board to allow a general increase of the BHRs by 20m. This Member enquired about the basis for the proposed relaxation. Mr. Ian Brownlee said that the '20m' relaxation was worked out by REDA based on their representations submitted in relation to the BHRs imposed on various OZPs, such as Mong Kok, Causeway Bay, Wan Chai, Ngau Tau Kok and Kowloon Bay, etc. REDA had no information on the assumptions adopted by PlanD in formulating the BHRs. However, by relaxing the BHRs by 20m, the desirable SBD features could generally be implemented in the development scheme without the need to submit a s.16 application for minor relaxation. If the request was considered unacceptable, the Board could defer the consideration of the representations and request PlanD to discuss with the stakeholders on their working assumptions and assess whether relaxation of the BHRs was required in order to take into account the SBD Guidelines.

Proposed Redevelopment of three HKU Sites

57. A Member asked whether HKU had explored the possibility of obtaining new sites for development. Professor J. G. Malpas said that HKU had made great effort in the last 10 years in securing new sites for development. Two small pieces of land at Hospital Road and Mui Fong Road had been granted to HKU for development. However, the Government had advised HKU that no further new land would be available for academic development on HK Island. With the support of the relevant government bureaux, HKU was exploring the potential of redeveloping three less developed sites, namely, the Yam Pak Building site, the Ricci Hall site and the Flora Ho Sports Centre and Lindsay Ride Sports Centre site.

58. A Member noted that R3 requested the Board to relax the BHRs imposed for these three sites. This Member asked whether there was any planning and design merits that had been incorporated in the development schemes to justify the proposed relaxation. Mr. Robert Lam said that the revised development schemes would comply with the SBD Guidelines. By relaxing the BHRs, the building towers would be taller and slimmer and this would enhance visual permeability and air ventilation for the area.

59. The Chairman asked whether the proposed building height was the sole concern

in assessing the redevelopment proposals submitted by R3. Ms. Brenda Au said that in the course of reviewing the OZP, HKU had submitted some preliminary proposals to redevelop three sites and discussed with PlanD. These proposals had been circulated to relevant government departments and bureaux for comments and expert advice from the AVA consultants was also sought. There were concerns regarding traffic, air ventilation and setback requirements. As an increase in building heights for the redevelopment schemes would have implications on the development scale and, hence, the traffic impact, HKU would need to submit revised proposals and technical assessments such as traffic impact assessment to substantiate their redevelopment proposals. In their presentation at the meeting, HKU's representatives indicated that their redevelopment proposals had been revised with reduced building heights. However, due to the lack of detailed information and comments from relevant government departments and bureaux, it was considered premature to accept the revised development proposals at this stage. Subject to availability of more detailed information on these proposals, and with policy support from EDB and acceptance by relevant government departments, the BHRs for these sites could be amended in future to cater for HKU's redevelopment proposals.

60. Mr. Robert Lam said that the relevant government departments generally supported the development proposals submitted by R3. The proposed redevelopment would unlikely have significant traffic impacts as most of the staff and students would make use of the public transport facilities. As there was a pressing need to take forward the redevelopment proposals, R3 requested the Board to relax the BHRs for the three sites. To address the concern on adverse traffic impact, the Board could impose a condition that the BHR relaxation was granted subject to the provision of appropriate traffic mitigation measures.

Development Intensity/Property Value

61. In response to the Chairman's enquiry, Ms. Brenda Au said that in formulating the BHRs, it had been ensured that the development sites would generally be able to accommodate the development intensity as permitted on the OZP. There might be a certain situation that the imposition of development restrictions such as building gap would affect the disposition and layout of the development. This might possibly have some impact on the property value. However, the BHRs were imposed to provide better planning control to meet public aspirations for better living condition and hence for public

good. The lack of building height control would result in a proliferation of out-of-scale tall buildings causing adverse air ventilation and visual impacts on the area.

62. Mr. Ian Brownlee said that it was unlikely that any down-zoning or imposition of BHRs would not have any adverse impacts on the property value of the site. No information had been provided by PlanD to support its comments that the OZP amendments would not affect property value of the concerned sites, although 'property value' might not be a relevant consideration to be taken into account in reviewing the OZP.

Spot Zoning

63. In response to a Member's enquiry on the recent High Court judgment on two JRs in respect of 'spot zoning', Mr. Ian Brownlee said that the subject matter for the two JRs was the 800 car parking spaces which were considered as a public asset for use by the community. However, the sites at No. 2 and 6 -10 Mount Davis Road were private land. Under the previous OZP, these two sites and the adjacent areas, namely, Four Winds Apartments and Greenery Garden, were all under "R(B)" zoning with the same development restrictions. The concerned sites were not redeveloped to the development intensity permitted under the "R(B)" zone due to the Pofulam Moratorium. As such, the crux of the matter of the concerned sites was different from that of the two JRs. It was unfair to rezone the sites to "R(C)2" subject to maximum building height of 3 storeys whereas the adjacent two sites were imposed with a BHR of 160mPD.

"G/IC" site near Chiu Yuen Cemetery

64. In response to the comments submitted by R8 on the BHR imposed on the subject "G/IC" site, Ms. Brenda Au said that the use of the "G/IC" site had not yet been confirmed at this stage. In view of the fact that there was a shortage of school sites in the area, a BHR of 8-storey which was the building height of a standard school was imposed. Regarding the proposed columbarium use, it was not permitted under the "G/IC" zoning. Should the site be considered suitable for columbarium use after technical study in the future, the rezoning of the site would still be required. The relevant stakeholders would be consulted on the columbarium proposal (including the BHR) at that stage.

Set-back Requirement

65. The Chairman asked whether R8's comments that it was unreasonable for

PlanD to rely on the Buildings Department to impose set back requirements along Belcher's Street upon receipt of redevelopment proposal was valid. Ms. Brenda Au replied that according to the AVA, the air ventilation performance of the Area was generally satisfactory. Therefore, incorporation of setback requirements at street level for improving air ventilation was considered not absolutely necessary for the Area. In reviewing the OZPs, PlanD had been working closely with TD in setting the appropriate development restrictions. Setback requirements had been imposed in some other OZPs, such as the Causeway Bay OZP, to improve the pedestrian walking environment. TD had advised that there was currently no comprehensive road widening scheme in the northern part of Kennedy Town. However, upon receipt of redevelopment proposal, improvement by setting back the buildings for footpath/road widening could still be recommended to Buildings Department for consideration where necessary.

Rezoning of No. 2 and 6 – 10 Mount Davis

66. The Chairman asked whether rezoning the sites at No. 2 and 6-10 Mount Davis Road to "R(C)2" was mainly due to the traffic concerns. Ms. Brenda Au said that as set out in the TPB Paper, Pok Fu Lam Moratorium was not one of the considerations in the imposition of the restrictions and so the commenter's allegation that it was inappropriate to impose BHRs based on the temporary administrative measures of Pok Fu Lam Moratorium was irrelevant. By referring to a photograph, Ms. Au said that the rezoning of the sites to "R(C)2" mainly reflected the planning intention to maintain a low-rise neighbourhood along Mount Davis Road so as to preserve the local character and high landscape value. With respect to the commenters' proposal to rezone No. 2 and 6-10 Mount Davis Road to "R(B)1" with plot ratio restriction of 3 and BHR of 160mPD, TD had advised that higher development intensity at Mount Davis Road would have adverse traffic impact given the limited capacity of the Mount Davis Road and the busy junction at Pok Fu Lam Road/Smithfield. Besides, it would affect the effectiveness of the planning intention to preserve the landscape value and low-rise character of the neighbourhood.

67. Ms. Brenda Au continued to state that apart from the planning intention, the development intensity allowable under the lease had also been taken into account in formulating the development restrictions for the sites. No. 2 Mount Davis Road was subject to a maximum building height of 3 storeys and a maximum roofed area of 25 % under the lease. For No. 6-10 Mount Davis Road, development was subject to a maximum

roofed over area of 30% for 2-storey and 25% for 3-storey buildings. Rezoning these two sites to "R(C)2" with PR restriction of 0.75, site coverage of 25% and BHR of 3 storeys would not adversely affect the lease entitlements. However, for the Greenery Garden, it had already been developed into four 18-storey residential blocks (148.7mPD) with an existing PR of about 5.93, whereas Four Winds Apartments was a 13-storey (144.9mPD) residential block. As such, these two sites were rezoned to "R(B)1" with a PR of 3. Given that these existing developments had a generally low floor-to-floor height, e.g. about 2.65m for Greenery Garden, a BHR of 160mPD which was slightly higher than the existing building height was imposed so as to allow a more reasonable floor-to-floor height upon future redevelopment.

68. Mr. Ian Brownlee said that PlanD had taken the lease restrictions as the basis for imposing the development restrictions on the subject sites. Instead of reflecting the existing development based on the out-dated leases, the OZP should reflect the long-term planning intention for the area. In response to a Member's enquiry on the lease conditions of the concerned sites, Mr. Brownlee replied that the original lease for the Mount Davis Village at No. 6-10 Mount Davis Road was entered in 1922 and was modified in 1970s. Four Winds Apartments, Greenery Garden, No. 2 and 6-10 Mount Davis Road shared the same character. There was no change in the planning circumstances in the area. It was not fair to impose different development restrictions on the concerned sites solely based on the lease entitlements.

69. Mr. Ronald Taylor said that the sites of Mount Davis Village and Four Winds Apartments were originally covered by one single lot with its lease condition entered in 1922. In the 1960s, the owner sold part of the lot for redevelopment and premium had been paid for the redevelopment. However, with the imposition of the Pok Fu Lam Moratorium in 1972, redevelopment and lease modification for No. 2 and 6-10 Mount Davis Road was not allowed. It was against this background that these sites were subject to different lease entitlements.

70. As Members had no further questions to raise, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the representations in the absence of the representers and commenters. They would be informed of the Board's decision in due course. The Chairman thanked the

representatives of the representers and commenters as well as PlanD for attending the meeting. They all left the meeting at this point.

[Mr. Walter K.L. Chan left the meeting at this point.]

[The meeting was adjourned for a 5-minute break]

Deliberation Session

Development Intensity

71. The Chairman said that as a general principle, the imposition of the BHRs would not have adverse impacts on the development intensity of the site permitted under the OZP. It was not appropriate to consider the property value in formulating the BHRs. In response to a question raised by a Member, the Secretary said that as set out in the TPB Paper, in formulating the BHRs, it had been ensured that the development sites would generally be able to accommodate the development intensity as permitted on the OZP. However, there might be exceptions. For the purpose of public interest, there might be cases that the development intensity and property value might be affected. But, this must be fully justified for the public good and in the wider interests of the community. In this regard, Members agreed that the BHRs imposed on the OZP were appropriate and would meet the public aspiration for a better living environment and hence for public interest. In formulating the BHRs, the Board had already struck a balance between community aspiration for a better living environment and private development right. Besides, there was provision for minor relaxation of BHR under the OZP to cater for site specific constraints and circumstances and each application would be considered by the Board based on individual merits.

BHRs and SBD Guidelines

72. The Chairman said that the SBD Guidelines and the OZP restrictions were under two different regimes, i.e. the building regime and the town planning regime respectively. The SBD Guidelines were administrative measures to promote a quality and sustainable built environment. Under the SBD Guidelines, which were not statutory requirements, developers were encouraged to provide sustainable building design through the granting of GAF concessions under the Buildings Ordinance and the prerequisite for

such grant was in compliance with the requirements under the SBD Guidelines. The SBD Guidelines were generally applicable to all building developments with no reference to specific district characteristics and site circumstances. Developers did not have to follow the SBD Guidelines if they chose not to apply for GFA concession. On the other hand, the OZP restrictions, which were statutory, were imposed at a district level to achieve certain urban design and planning objectives. The SBD Guidelines and the OZP restrictions were complementary to each other. They had different considerations and were formulated to achieve different objectives with reference to two different statutory provisions. Members noted and agreed that the comment of R2 that the BHRs would jeopardize the implementation of the SBD Guidelines was not substantiated. The Chairman also pointed out that there was provision for application for minor relaxation of the BHRs under the OZP to cater for development/redevelopment with planning and design merits.

73. In considering R2's proposal for a general relaxation of the BHRs by 20m, Members made reference to the model illustrating the proposed height profile of Kennedy Town and Mount Davis Planning Scheme Area which was displayed at the meeting. Members considered that the representer had not put forth sufficient justifications to substantiate his proposal. A blanket relaxation of the BHRs by 20m was not supported as it would significantly increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points and adversely affect the local character and cityscape. The request submitted by R2 was not supported.

74. Regarding the assumptions adopted in formulating the BHRs, the Secretary referred Members to the TPB Paper which mentioned that in the course of BH review, an assessment had been conducted to ensure that development intensity permitted under the OZP could generally be accommodated under BHRs. The assessment took into account the basic information such as site area, site level, maximum site coverage under the Buildings Ordinance (BO) as well as some assumptions on the redevelopment scheme including the type of redevelopment (e.g. pure residential, composite commercial/residential development), the provision of car park and loading/unloading facilities and some of the plant rooms at basement level, reasonable floor-to-floor height and possible GFA concession under the BO. Apart from these, other relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local

characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration in working out the BHRs. Members noted.

75. Members noted the comments of R12 that the imposition of BHRs without reducing the plot ratio would result in bulkier buildings. However, Members considered that the bulk of a building depended on many factors rather than BH alone. Given the tendency to maximize the best view in certain direction and to capitalize on land values on the lower floors, a development with no BH control would become bulkier as there was a tendency to maximize the floor-to-floor height.

Building Gaps

76. Regarding the query on the legal basis for the Board to impose setback and building gap requirements, Members noted that DoJ's advice had been sought before and it remained valid. According to the legal advice, sections 3 and 4 of the Ordinance and the theme of the legislation were so prescribed as to give the Board comprehensive powers to control development in any part of Hong Kong. From the planning perspective, designation of building gaps could serve a positive planning purpose and have other positive planning benefits. Provided that the Board had the necessary and sufficient planning justifications, such designation could be a part of the planning control within the Board's powers.

Building Plans Submission

77. Regarding the comments of R10 on the submission of building plans, the Chairman said that when submitting new general building plans, the Authorized Person needed to demonstrate 'particulars of ownership' or 'realistic prospect of control of land forming the site'. Failing to provide the particulars or documentary proof might lead to refusal of approval by the Building Authority under s.16(1) of the Buildings Ordinance.

Consultation

78. Members noted that it was the Board's practice that the public would be consulted on the OZP amendments in accordance with the provisions of the Town Planning Ordinance, whereby the public would have a statutory channel to submit representations and comments and would be heard by the Board. Any premature release

of information before exhibition of the amendments to the OZP might prompt an acceleration of submission of building plans, thus nullifying the effectiveness of imposing the BHRs.

79. Regarding the comments of C10 on the Board's refusal to accept the representation submitted from the owners of Mount Davis Village, the Secretary said that as stipulated in the Ordinance, representations submitted after the expiration of the specified public inspection period should be treated as not having been made. The Secretary said that R2 opposed the imposition of BHRs and building gap restrictions in general. Although C1 to C12 claimed that they supported R2's representation, their comments were in fact related to the rezoning of No. 2 and 6 – 10 Mount Davis Road to "R(C)2" with the imposition building height and plot ratio restrictions. Judging from the nature of the comments and the commenters' proposals, they could have been submitted as representations within the statutory exhibition period. According to the TPO, representations were required to be published for public comments, but there was no requirement to publish comments on representations. Members noted.

Sites Covering HKU's Properties

80. Members noted HKU's need to provide more teaching facilities and student hostels to cater for future growth and redevelopment. Members considered that in the absence of the detailed information and supporting technical assessments, it was premature to revise the BHRs to accommodate the revised redevelopment proposals for three sites, namely, Yam Pak Building site, Flora Ho and Lindsay Ride Sports Centre site, and Ricci Hall site. The representer should further liaise with PlanD in revising the redevelopment proposals.

The CMW Site at Sai Ning Street

81. Members noted the owner's intention to redevelop the Site for tourism related uses in the longer term. However, given that the Site was located right at the waterfront, Members considered that the BHRs imposed on the Site were appropriate to ensure that the future redevelopment would be compatible with the waterfront setting. The request of the representer to delete the BHRs was not supported.

Sites bounded by Pokfield Path, Smithfield and Pokfield Road

82. Members agreed that a stepped BH concept with lower building heights for developments along the waterfront and gradation of height profile in the inland and uphill areas should be adopted. The BHRs imposed on the sites had already provided reasonable scope for redevelopment, and at the same time would maintain the integrity of the overall stepped BH profile of the area. The proposals of the representers either to delete the BHR or revise the BHR from 120mPD to 140mPD were not supported.

Four Sites at Mount Davis

83. A Member said that the sites were located at the foothill of Mount Davis with a green natural setting. In view of the high landscape value and the predominant occupation of low-rise residential buildings in the area, the planning intention to maintain a low BH profile and development intensity along Mount Davis Road was appropriate. Hence, the "R(C)2" zoning for No. 2 and 6-10 Mount Davis was supported. It was also noted that rezoning of the sites to "R(C)2" with PR restriction of 0.75, SC restriction of 25% and BHR of 3 storeys would not adversely affect the lease entitlements. This Member opined that rezoning No. 2 and 6-10 Mount Davis Road to "R(B)1" with a plot ratio of 3 and a maximum BHR of 160mPD as proposed by the commenters would result in proliferation of high-rise developments in the low-rise neighbourhood. Other Members agreed.

Representation No. 1

84. After deliberation, the Board noted the support of R1 for the imposition of BHRs and building gaps.

85. Members then went through the reasons for not upholding the representations as detailed in paragraph 7 of the Paper and considered that they were appropriate.

Representation No. 2

86. After deliberation, the Board decided not to uphold R2 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area.

In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.

- (b) Sections 3 and 4 of the Ordinance and the scheme of the legislation were intended to give the Board comprehensive powers to control development in any part of Hong Kong. The Board had the power to impose BHRs and building gaps on individual sites or for such areas within the boundaries of the OZP where there were necessary and sufficient planning justifications.
- (c) The BHRs were formulated on the basis of reasonable assumptions with allowance for design flexibility to accommodate development intensity permissible under the OZP. The BHRs would not result in larger building bulk. The provision of better designed sustainable buildings was not guaranteed with more relaxed BH control.
- (d) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.
- (e) The measures on SBD Guidelines/JPN and the OZP restrictions were under two separate development control regimes, although they were complementary with each other. The SBD Guidelines and JPN were administrative measures which were complied on a voluntary basis without reference to specific district characteristics. OZP restrictions were statutory control to achieve planning objectives specific to the district.
- (f) Blanket relaxation of the BHRs by 20m was not supported as it would

significantly increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points and adversely affect the local character and cityscape, which was not in line with the intended planning control.

- (g) Designation of building gap requirements on the OZP could serve a positive planning purpose and have positive planning benefits by improving air ventilation. It had legal basis as it would form part of the planning control of the Board, which had the necessary and sufficient justifications. Designation of building gaps would not adversely affect the development potential of the affected sites.
- (h) The two-month statutory exhibition period and provision for representations and comments formed part of the public consultation process under the Town Planning Ordinance. Any premature release of information before exhibition of the amendments to the OZP might prompt an acceleration of submission of building plans, thus nullifying the effectiveness of imposing the BHRs. All information supporting the BHR and building gap requirements on the OZP including the AVA Report and Urban Design Appraisal, was available for public inspection.

Representation No. 3

87. After deliberation, the Board decided not to uphold R3 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH

profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration;

- (b) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits; and
- (c) Deletion of BHRs for HKU's properties would result in proliferation of high-rise developments along Pok Fu Lam Road and Lung Wah Street, which might have adverse visual, air and traffic impacts.

Representation No. 4

88. After deliberation, the Board decided not to uphold R4 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.
- (b) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.
- (c) Deletion of BHRs for the CMW site would jeopardize the integrity of

the stepped BH concept and result in out-of-context development on the waterfront, resulting in a significant reduction in the visual permeability to the mountain backdrop of Mount Davis and the water body of Victoria Harbour from the two local vantage points.

- (d) The two-month statutory exhibition period and provision for representations and comments formed part of the public consultation process under the Town Planning Ordinance. Any premature release of information before exhibition of the amendments to the OZP might prompt an acceleration of submission of building plans, thus nullifying the effectiveness of imposing the BHRs. All information supporting the BHR and building gap requirements on the OZP including the AVA Report and Urban Design Appraisal, was available for public inspection.

Representation No. 5

89. After deliberation, the Board decided not to uphold R5 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.
- (b) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.

- (c) Reducing the BHRs for the CMW site would pose undue constraints on future redevelopment and have adverse impact on the development right.

Representation No. 6

90. After deliberation, the Board decided not to uphold R6 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.
- (b) There would not be adverse impacts on the development intensity permitted under the OZP in general. For an existing building which having already exceeded the BHRs, the rights of redeveloping the buildings to their existing heights would be respected on the OZP unless otherwise specified. The BHRs had struck a balance between public aspirations for a better living environment and private development rights.
- (c) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.
- (d) The proposal to delete or revise the BHR for the site bounded by Pokfield Path, Smithfield and Pokfield Road from 120mPD to 140mPD

would jeopardize the integrity of the overall stepped BH profile. The BHR had provided reasonable scope for redevelopment.

Representation No. 7

91. After deliberation, the Board decided not to uphold R7 for the following reasons:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.
- (b) There would not be adverse impacts on the development intensity permitted under the OZP in general. For an existing building which having already exceeded the BHRs, the rights of redeveloping the buildings to their existing heights would be respected on the OZP unless otherwise specified. The BHRs had struck a balance between public aspirations for a better living environment and private development rights.
- (c) The BHRs were formulated on the basis of reasonable assumptions with allowance for design flexibility to accommodate development intensity permissible under the OZP. The BHRs would not result in larger building bulk. The provision of better designed sustainable buildings was not guaranteed with more relaxed BH control.
- (d) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of

the BHRs under the OZP. Each application would be considered by the Board on its individual merits.

- (e) Revising the BHR for the site bounded by Pokfield Path, Smithfield and Pokfield Road from 120mPD to 140mPD would jeopardize the integrity of the overall stepped BH profile. The BHR had provided reasonable scope for redevelopment.

Representation No. 8

92. After deliberation, the Board noted the support of R8 for the imposition of BHRs and decided not to uphold the remaining part of R8 for the following reason:

- (a) With the imposition of BHRs and designation of building gaps, the Area was of generally satisfactory air ventilation performance. There was currently no comprehensive road widening scheme in the northern part of Kennedy Town. However, upon receipt of redevelopment proposal, improvement by setting back the buildings for footpath/road widening could be recommended to the Buildings Department for consideration where necessary. Besides, the stipulation of setback requirement would pose undue constraints on future development/redevelopment of small lots which were common in the Area.

Representations No. 9 to 11

93. After deliberation, the Board noted the comments submitted by R9 to R11 and agreed to advise the representers of the following:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH

profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.

- (b) There would not be adverse impacts on the development intensity permitted under the OZP in general. For an existing building which having already exceeded the BHRs, the rights of redeveloping the buildings to their existing heights would be respected on the OZP unless otherwise specified. The BHRs had struck a balance between public aspirations for a better living environment and private development rights.
- (c) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.

Representation No. 12

94. After deliberation, the Board noted the comments submitted by R12 and agreed to advise the representer of the following:

- (a) The purpose of imposing BHRs in the Area was to provide better planning control on the BH upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the AVA, had been taken into consideration.
- (b) The BHRs were formulated on the basis of reasonable assumptions with

allowance for design flexibility to accommodate development intensity permissible under the OZP. The BHRs would not result in larger building bulk. The provision of better designed sustainable buildings was not guaranteed with more relaxed BH control.

- (c) To cater for site-specific circumstances and schemes with planning and design merits, there was provision for application for minor relaxation of the BHRs under the OZP. Each application would be considered by the Board on its individual merits.

[Dr. K.W. Yau and Mr. Fletch Chan left the meeting whilst Mr. Timothy K.W. Ma and Professor Paul K.S. Lam arrived to join the meeting at this point.]



圖例 LEGEND

堅尼地城及摩星嶺規劃區界線
 BOUNDARY OF KENNEDY TOWN & MOUNT DAVIS
 PLANNING SCHEME AREA
 界線只作識別用
 BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2021年1月27日擬備，所根據的
 資料為地政總署於2019年12月發佈的
 數碼正射影像圖編號DOP5000
 EXTRACT PLAN PREPARED ON 27.1.2021
 BASED ON DIGITAL ORTHOPHOTO
 No. DOP5000 RELEASED IN DECEMBER.2019

航攝照片
 AERIAL PHOTO

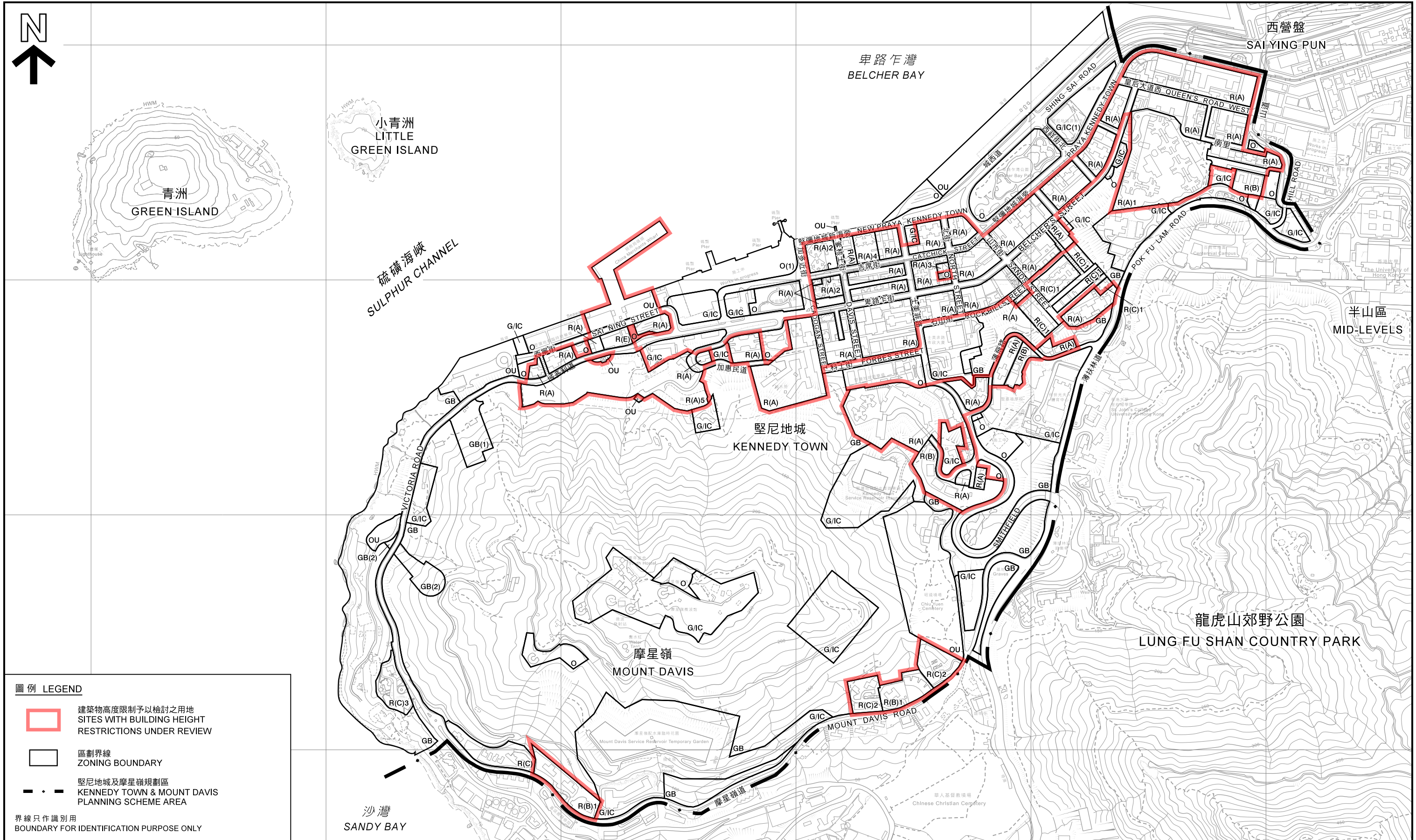
堅尼地城及摩星嶺規劃區
 KENNEDY TOWN & MOUNT DAVIS PLANNING SCHEME AREA

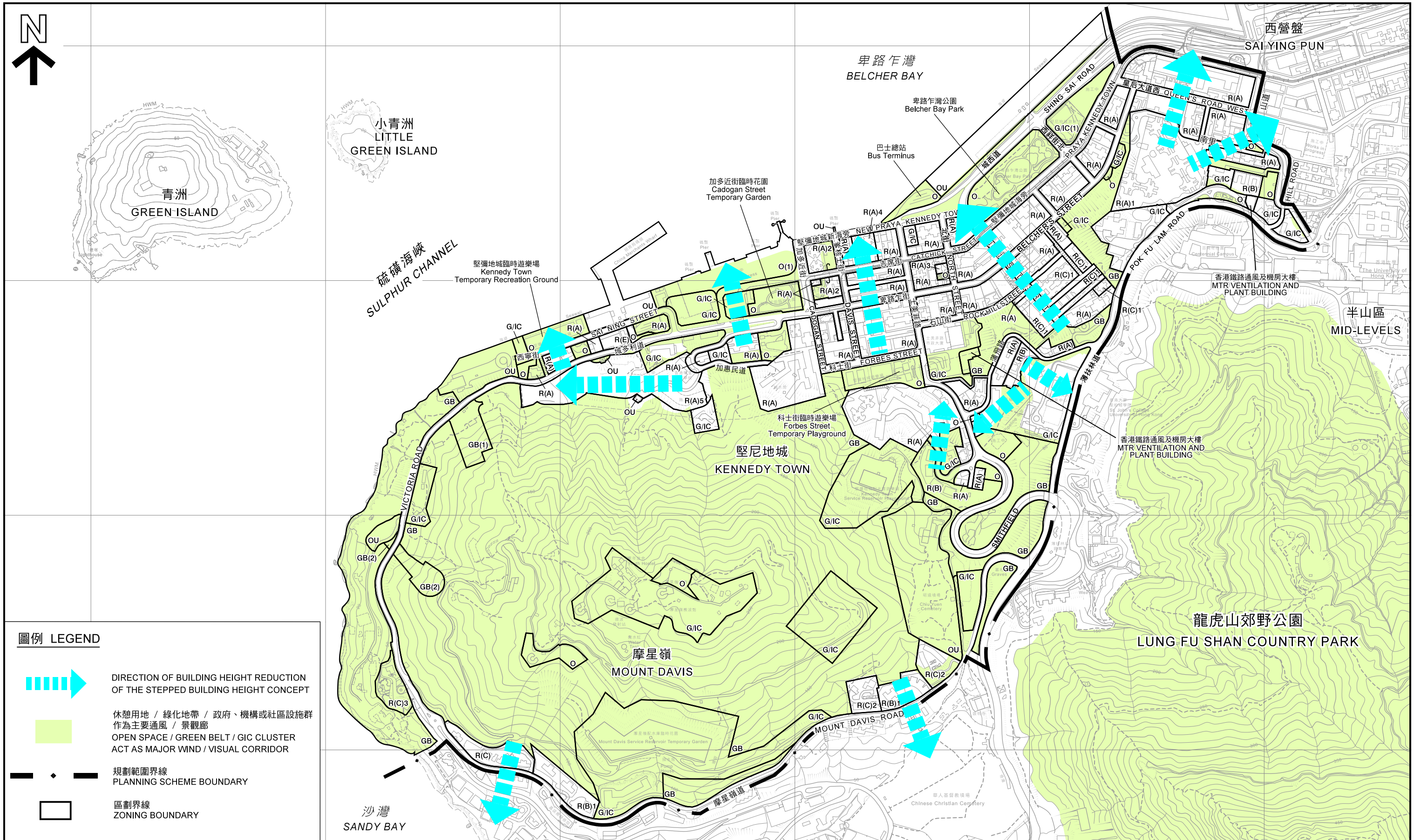
規劃署
 PLANNING DEPARTMENT




參考編號
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 M/H1/20/11


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


圖例 LEGEND

 DIRECTION OF BUILDING HEIGHT REDUCTION OF THE STEPPED BUILDING HEIGHT CONCEPT

 休憩用地 / 綠化地帶 / 政府、機構或社區設施群
作為主要通風 / 景觀廊
OPEN SPACE / GREEN BELT / GIC CLUSTER
ACT AS MAJOR WIND / VISUAL CORRIDOR

 規劃範圍界線
PLANNING SCHEME BOUNDARY

 區劃界線
ZONING BOUNDARY


堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

建築物高度概況構思圖
CONCEPT PLAN FOR THE BUILDING HEIGHT PROFILE

SCALE 1 : 7 500 比例尺

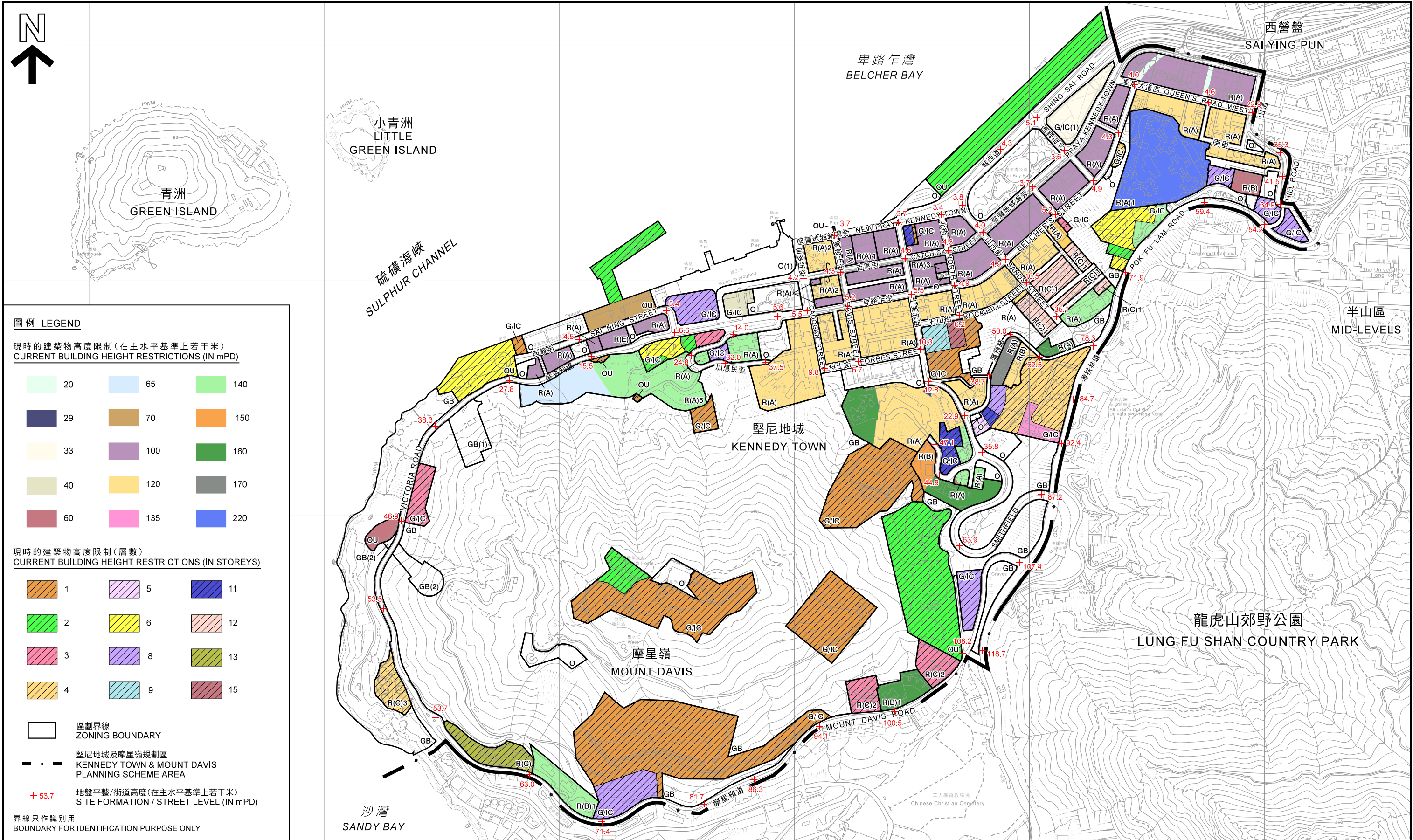
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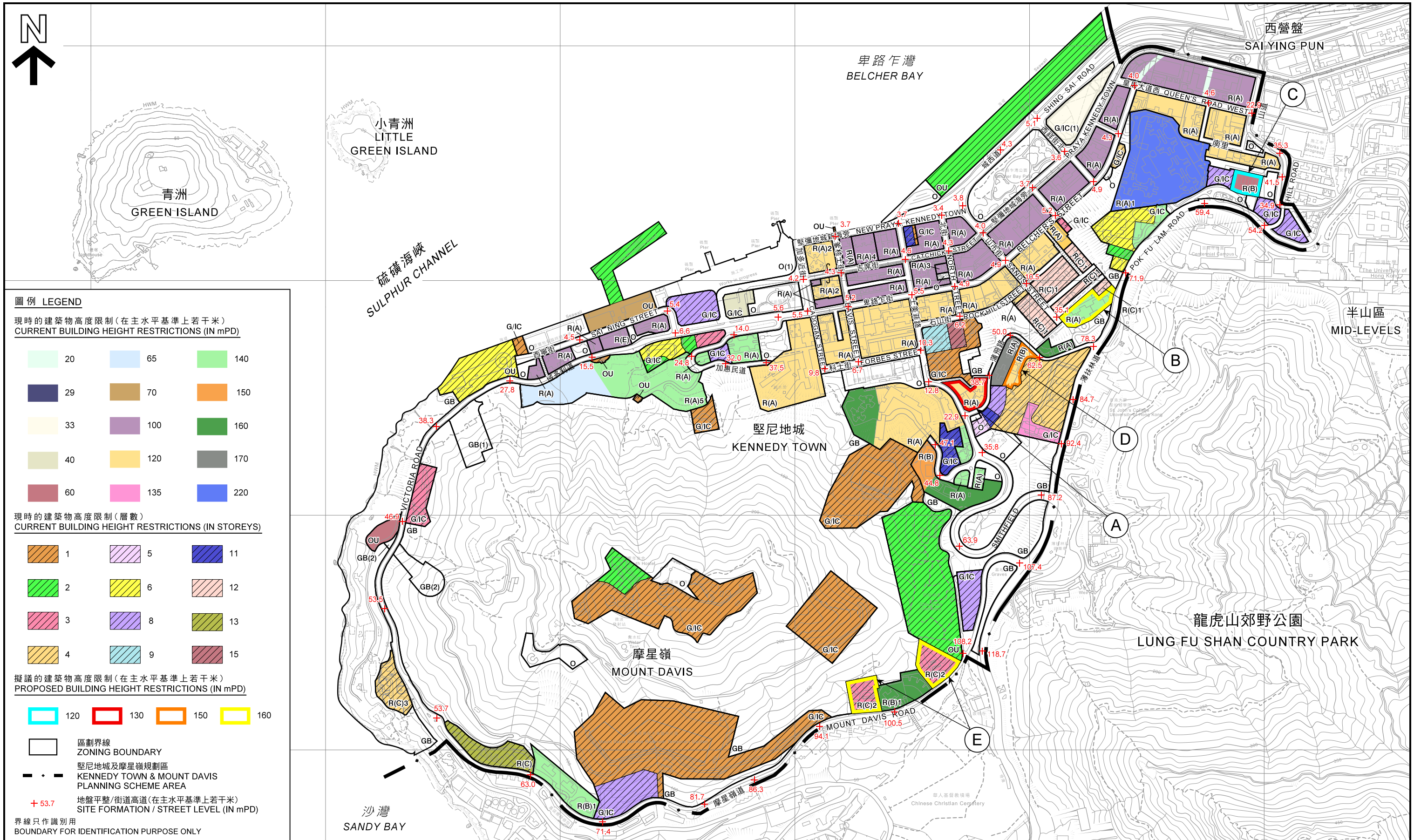
本摘要圖於2021年2月18日擬備
EXTRACT PLAN PREPARED ON 18.2.2021

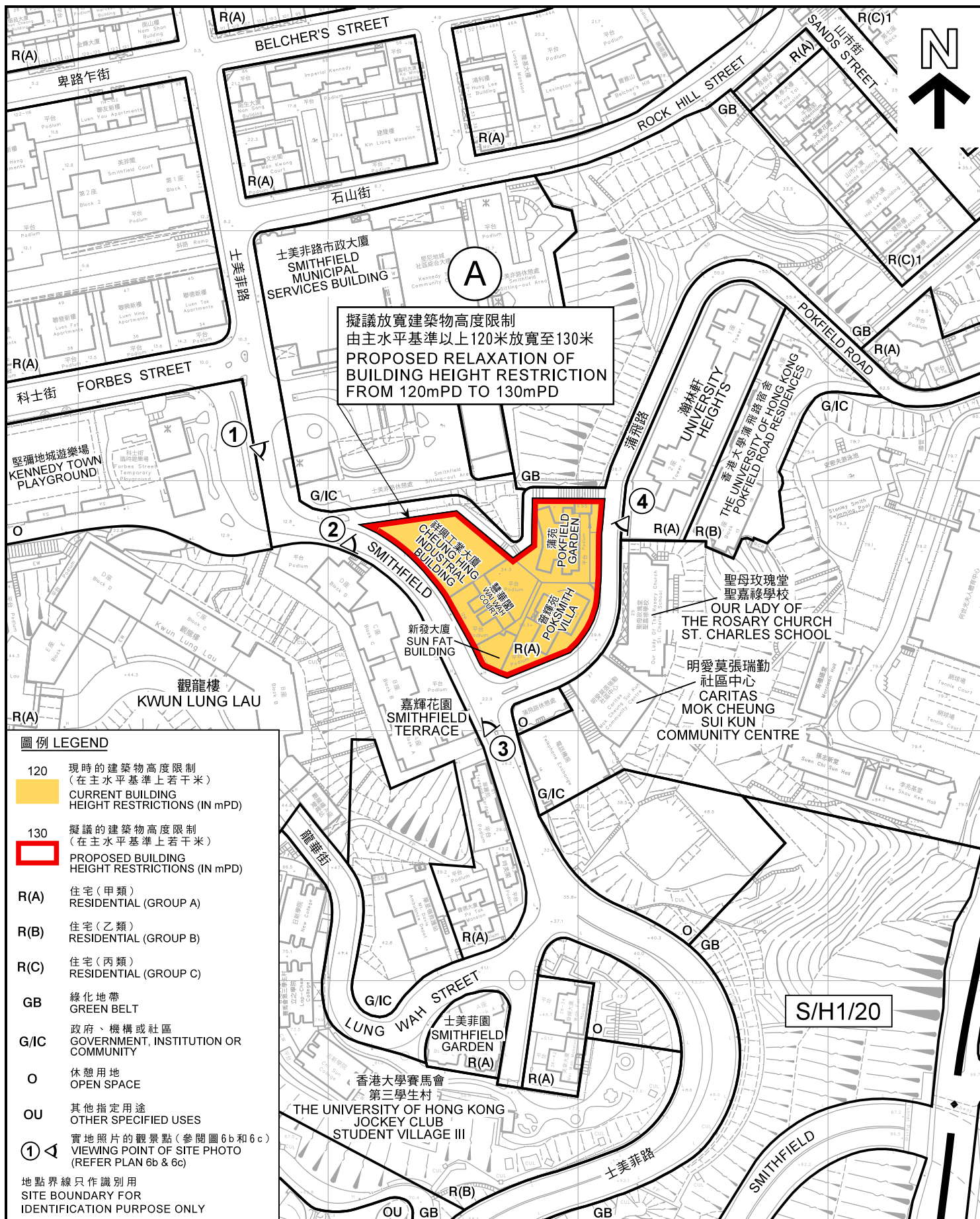
規劃署
PLANNING DEPARTMENT 

參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
3







圖例 LEGEND

- 120 現時的建築物高度限制
(在主水平基準上若干米)
CURRENT BUILDING HEIGHT RESTRICTIONS (IN mPD)
- 130 擬議的建築物高度限制
(在主水平基準上若干米)
PROPOSED BUILDING HEIGHT RESTRICTIONS (IN mPD)
- R(A) 住宅(甲類)
RESIDENTIAL (GROUP A)
- R(B) 住宅(乙類)
RESIDENTIAL (GROUP B)
- R(C) 住宅(丙類)
RESIDENTIAL (GROUP C)
- GB 綠化地帶
GREEN BELT
- G/IC 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY
- O 休憩用地
OPEN SPACE
- OU 其他指定用途
OTHER SPECIFIED USES
- ① 實地照片的觀景點(參閱圖6b和6c)
VIEWING POINT OF SITE PHOTO
(REFER PLAN 6b & 6c)
- 地點界線只作識別用
SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

平面圖 SITE PLAN

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20

修訂項目A

AMENDMENT ITEM A

SCALE 1:2 000 比例尺

米 40 60 米
METRES

規劃署
PLANNING
DEPARTMENT



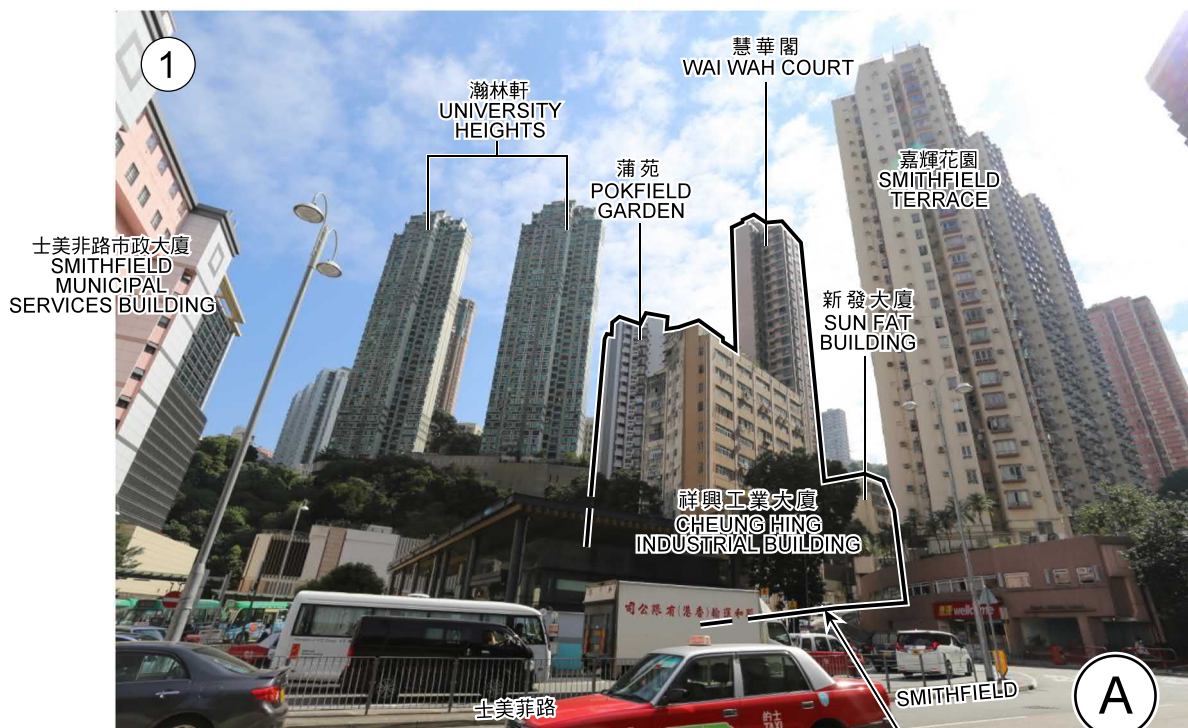
參考編號
REFERENCE No.

M/H1/20/11

圖 PLAN

6a

本摘要圖於2021年2月4日擬備，
所根據的資料為測量圖編號
11-SW-6D、7C、11B和12A
EXTRACT PLAN PREPARED ON 4.2.2021
BASED ON SURVEY SHEET
No. 11-SW-6D, 7C, 11B & 12A



擬議放寬建築物高度限制
由主水平基準以上120米放寬至130米
PROPOSED RELAXATION OF
BUILDING HEIGHT RESTRICTION
FROM 120mPD TO 130mPD



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

實地照片 SITE PHOTOS

本圖於2021年1月27日擬備，所根據的資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN ON 11.11.2020

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目A
AMENDMENT ITEM A

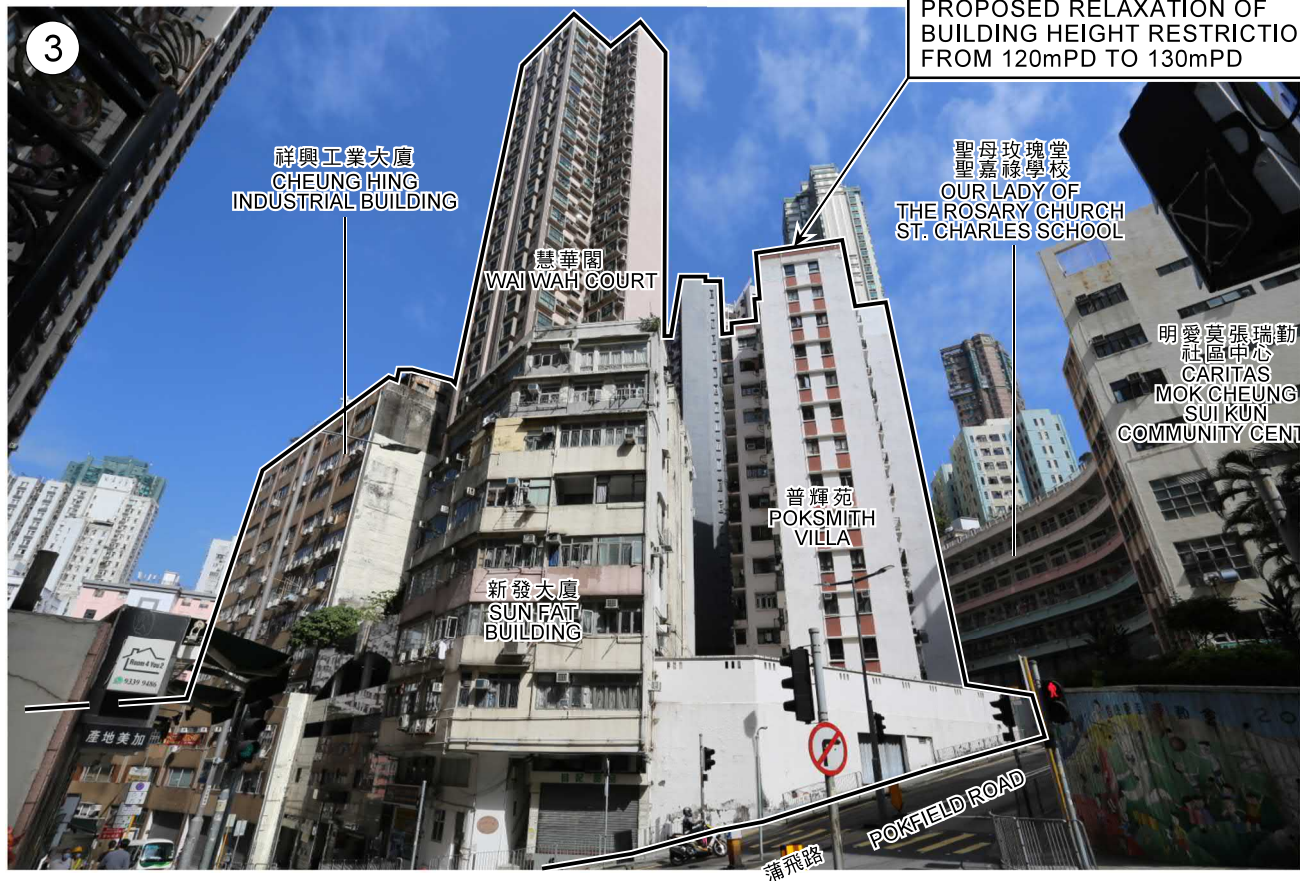
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
6b

A



擬議放寬建築物高度限制
由主水平基準以上120米放寬至130米
PROPOSED RELAXATION OF
BUILDING HEIGHT RESTRICTION
FROM 120mPD TO 130mPD

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

實地照片 SITE PHOTOS

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20

修訂項目A
AMENDMENT ITEM A

規劃署
PLANNING
DEPARTMENT



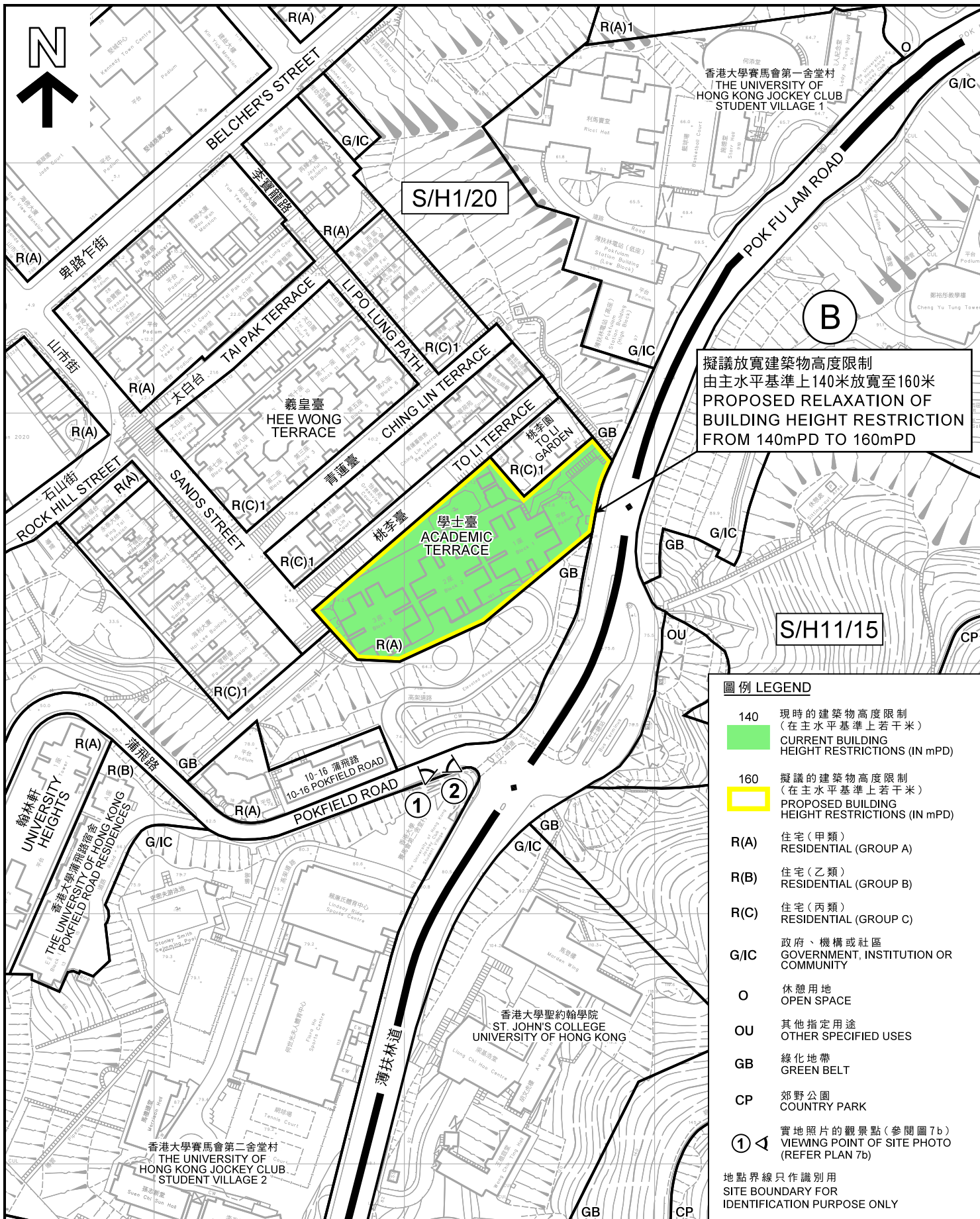
參考編號
REFERENCE No.

M/H1/20/11

圖 PLAN

6c

本圖於2021年1月27日擬備，所根據的
資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN ON
11.11.2020



平面圖 SITE PLAN

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20

修訂項目B
AMENDMENT ITEM B

SCALE 1 : 2 000 比例尺

米 40 0 40 80 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

M/H1/20/11

圖 PLAN

7a

本摘要圖於2021年2月4日擬備，
所根據的資料為測量圖編號
11-SW-6D及7C

EXTRACT PLAN PREPARED ON 4.2.2021
BASED ON SURVEY SHEETS No.
11-SW-6D & 7C



地點界線只作識別用

SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2021年1月27日擬備，所根據的資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN
ON 11.11.2020

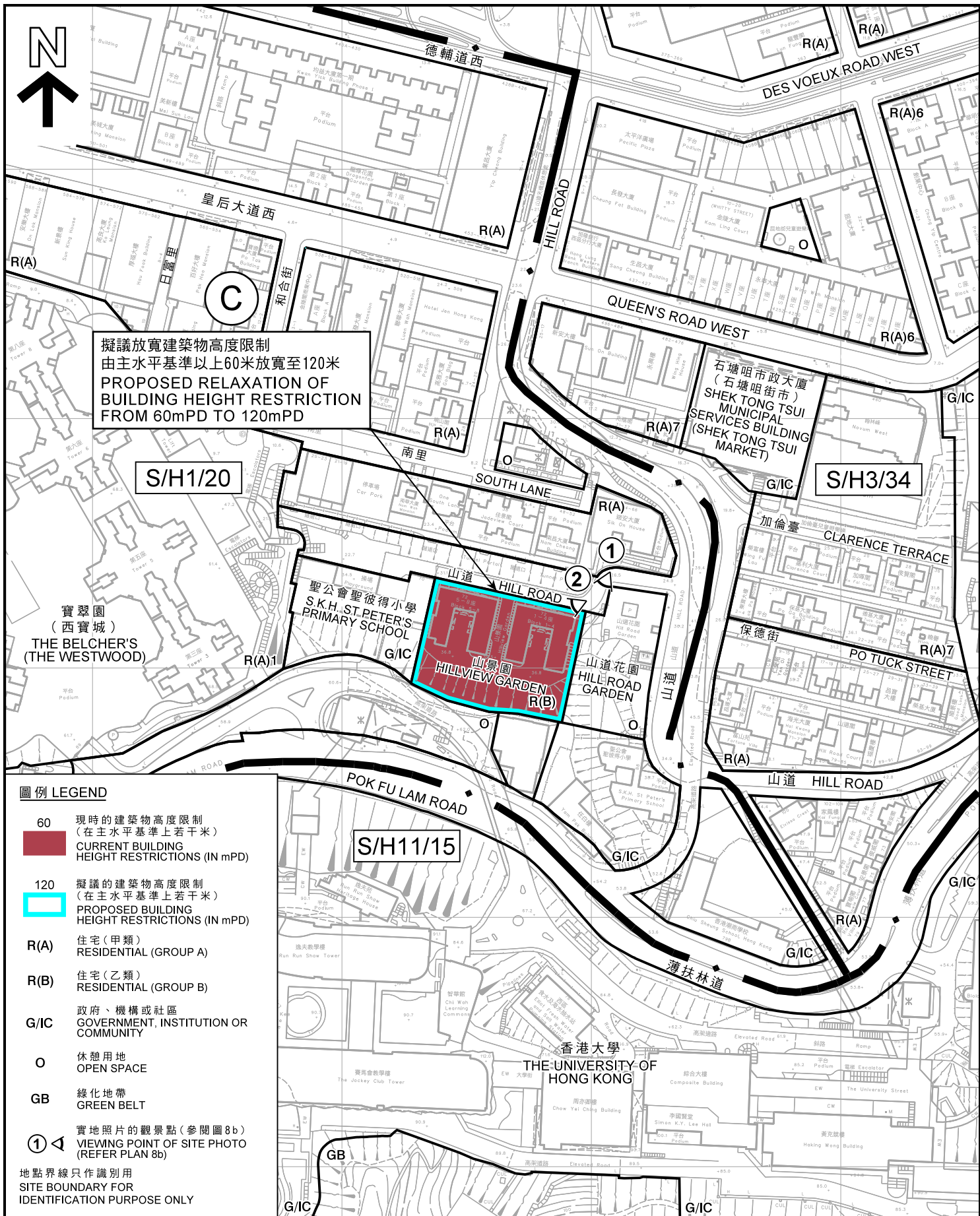
堅尼地城及摩星嶺分區計劃大綱草圖編號S/H/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H/20
修訂項目B
AMENDMENT ITEM B

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H/1/20/11

圖 PLAN
7b





C

擬議放寬建築物高度限制
由主水平基準以上60米放寬至120米
PROPOSED RELAXATION OF
BUILDING HEIGHT RESTRICTION
FROM 60mPD TO 120mPD

地點界線只作識別用

SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月28日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN ON
28.10.2020

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20

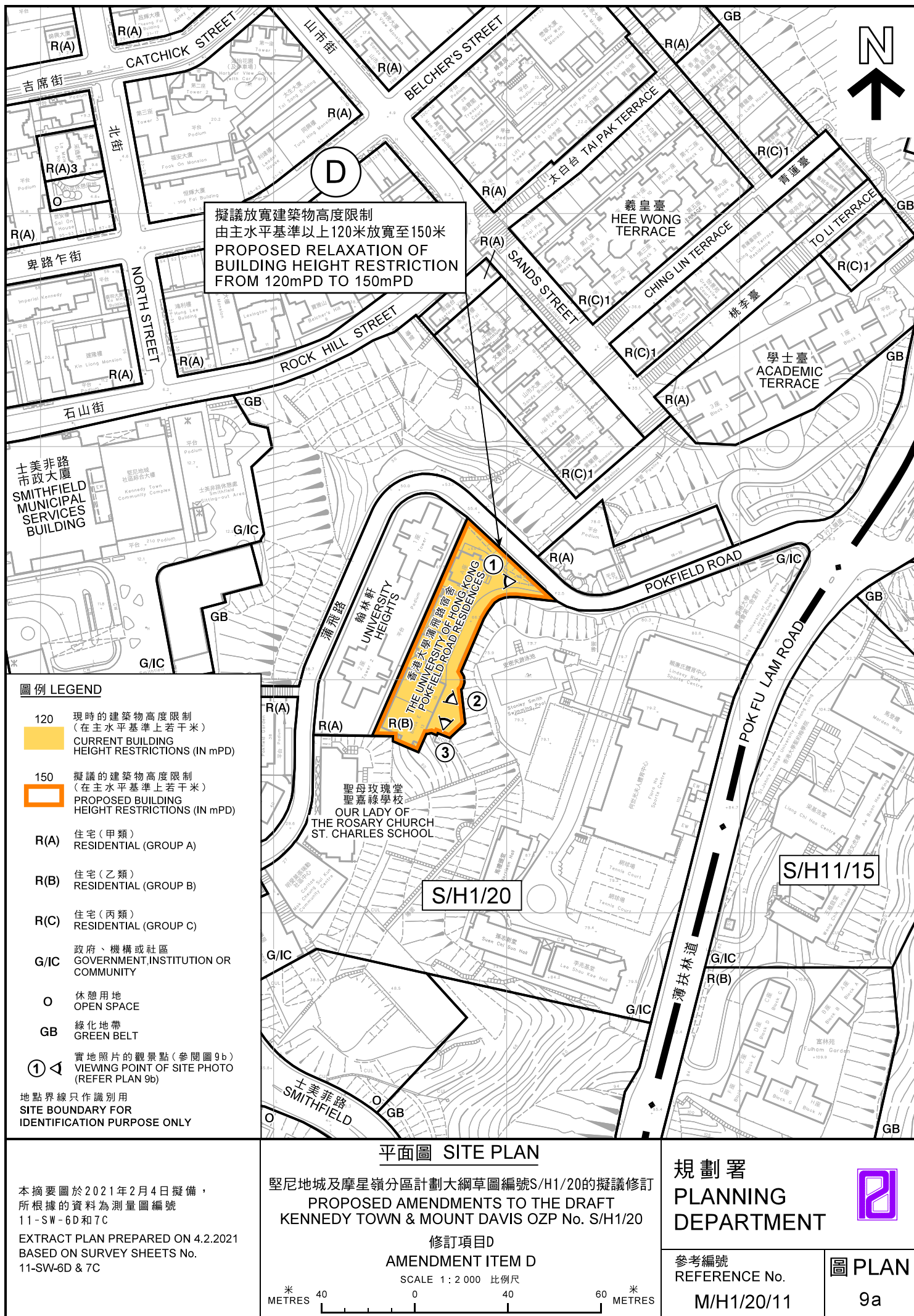
修訂項目C
AMENDMENT ITEM C

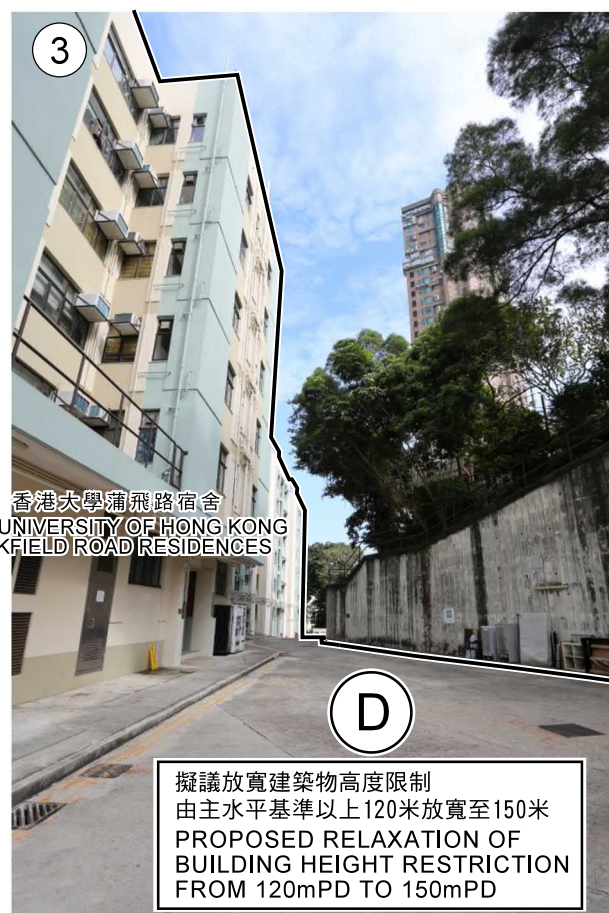
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
8b





地點界線只作識別用

SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2021年1月27日擬備，所根據的資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN ON
11.11.2020

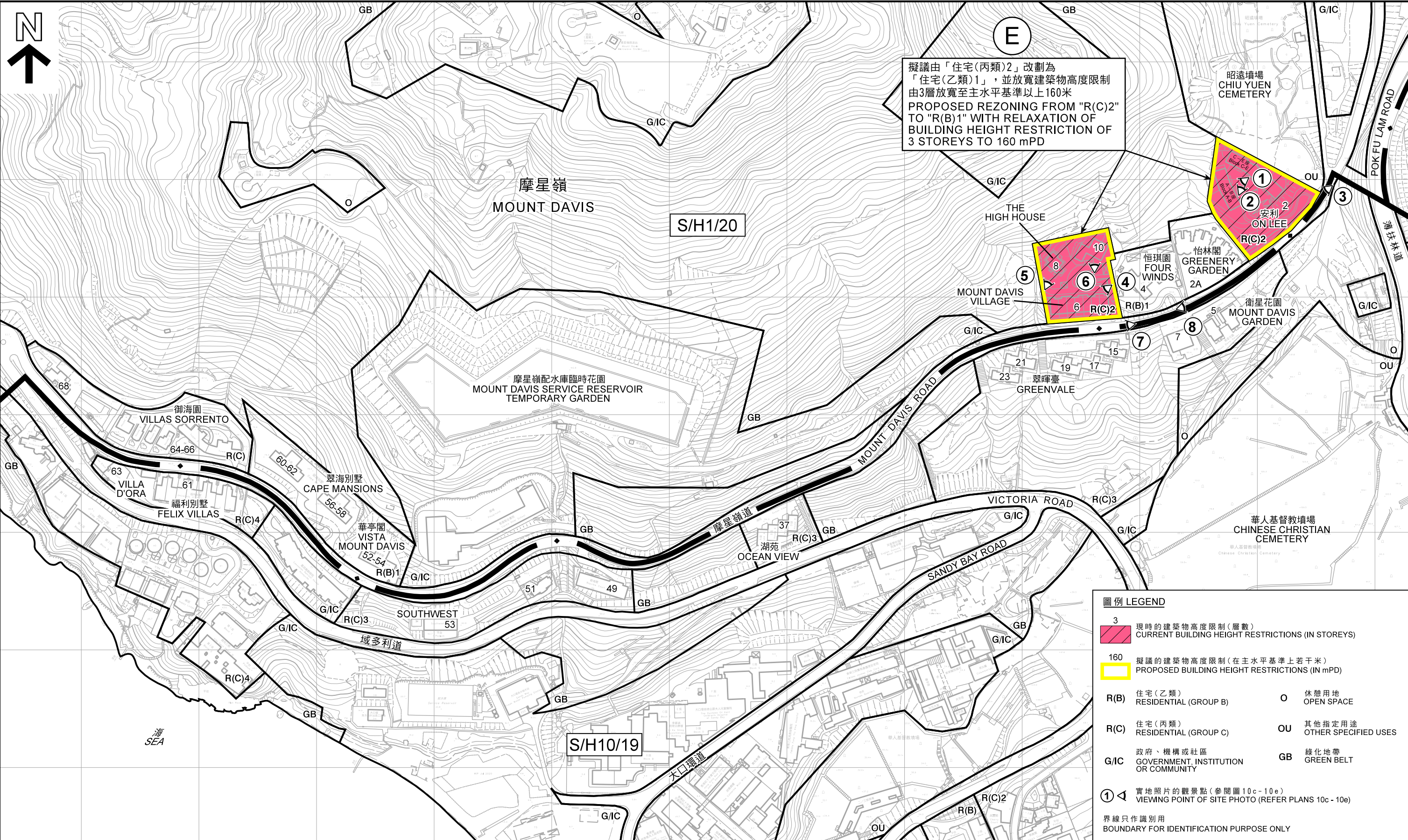
堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目D
AMENDMENT ITEM D

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
9b



本摘要圖於2021年2月4日擬備，
所根據的資料為測量圖編號11-SW-11A、B、C及D
EXTRACT PLAN PREPARED ON 4.2.2021
BASED ON SURVEY SHEETS No. 11-SW-11A, B, C & D

平面圖 SITE PLAN

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目E
AMENDMENT ITEM E

SCALE 1 : 3 000 比例尺

米 50 0 50 100 150 200 250 米
METRES METRES

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
10a



界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

<p>本摘要圖於2021年2月17日擬備，所根據的資料為地政總署於2020年1月8日拍得的航攝照片編號E085966C、E085968C及E085970C</p> <p>EXTRACT PLAN PREPARED ON 17.2.2021 BASED ON AERIAL PHOTOS No. E085966C, E085968C & E085970C TAKEN ON 8.1.2020 BY LANDS DEPARTMENT</p>	<p><u>航攝照片 AERIAL PHOTO</u></p> <p>堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂 PROPOSED AMENDMENTS TO THE DRAFT KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20</p> <p>修訂項目E AMENDMENT ITEM E</p>	<p>規 劃 署 PLANNING DEPARTMENT</p> 	
		<p>參考編號 REFERENCE No. M/H1/20/11</p>	<p>圖 PLAN 10b</p>



E

擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD



E

擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD



地點界線只作識別用

SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2021年1月27日擬備，所根據的
資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTOS TAKEN ON
11.11.2020

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目E
AMENDMENT ITEM E

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
10c

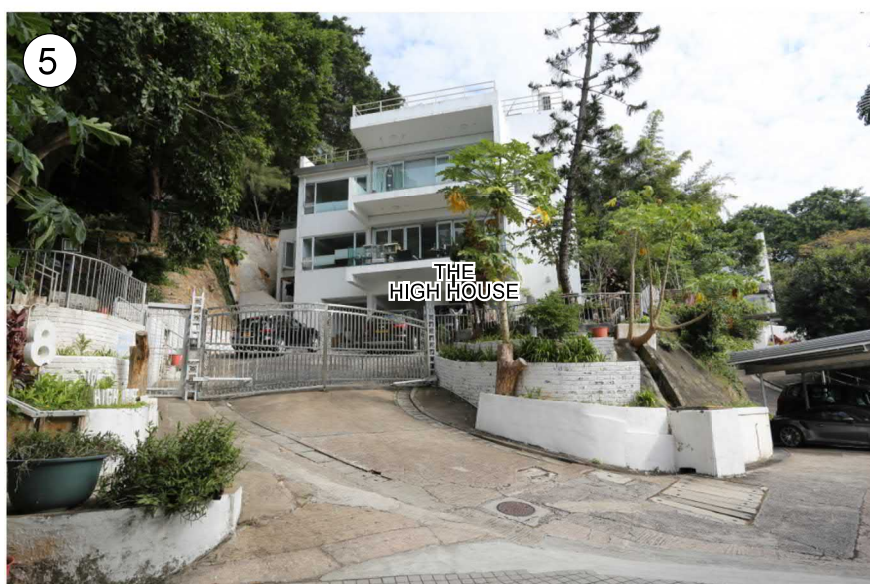
4



E

擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD

5



E

擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD

6



E

擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD

實地照片 SITE PHOTOS

本圖於2021年2月2日擬備，所根據的
資料為攝於2010年11月19日(上)及
2020年11月11日(下)的實地照片
EXTRACT PLAN PREPARED ON 2.2.2021
BASED ON SITE PHOTOS TAKEN ON
19.11.2010 (UPPER) & 11.11.2020 (LOWER)

堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目E
AMENDMENT ITEM E

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
10d



擬議由「住宅(丙類)2」改劃為
「住宅(乙類)1」，並放寬建築物高度限制
由3層放寬至主水平基準以上160米
PROPOSED REZONING FROM "R(C)2"
TO "R(B)1" WITH RELAXATION OF
BUILDING HEIGHT RESTRICTION OF
3 STOREYS TO 160 mPD



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

實地照片 SITE PHOTOS

本圖於2021年2月2日擬備，所根據的
資料為攝於2020年11月11日的實地照片
EXTRACT PLAN PREPARED ON 2.2.2021
BASED ON SITE PHOTOS TAKEN ON
11.11.2020

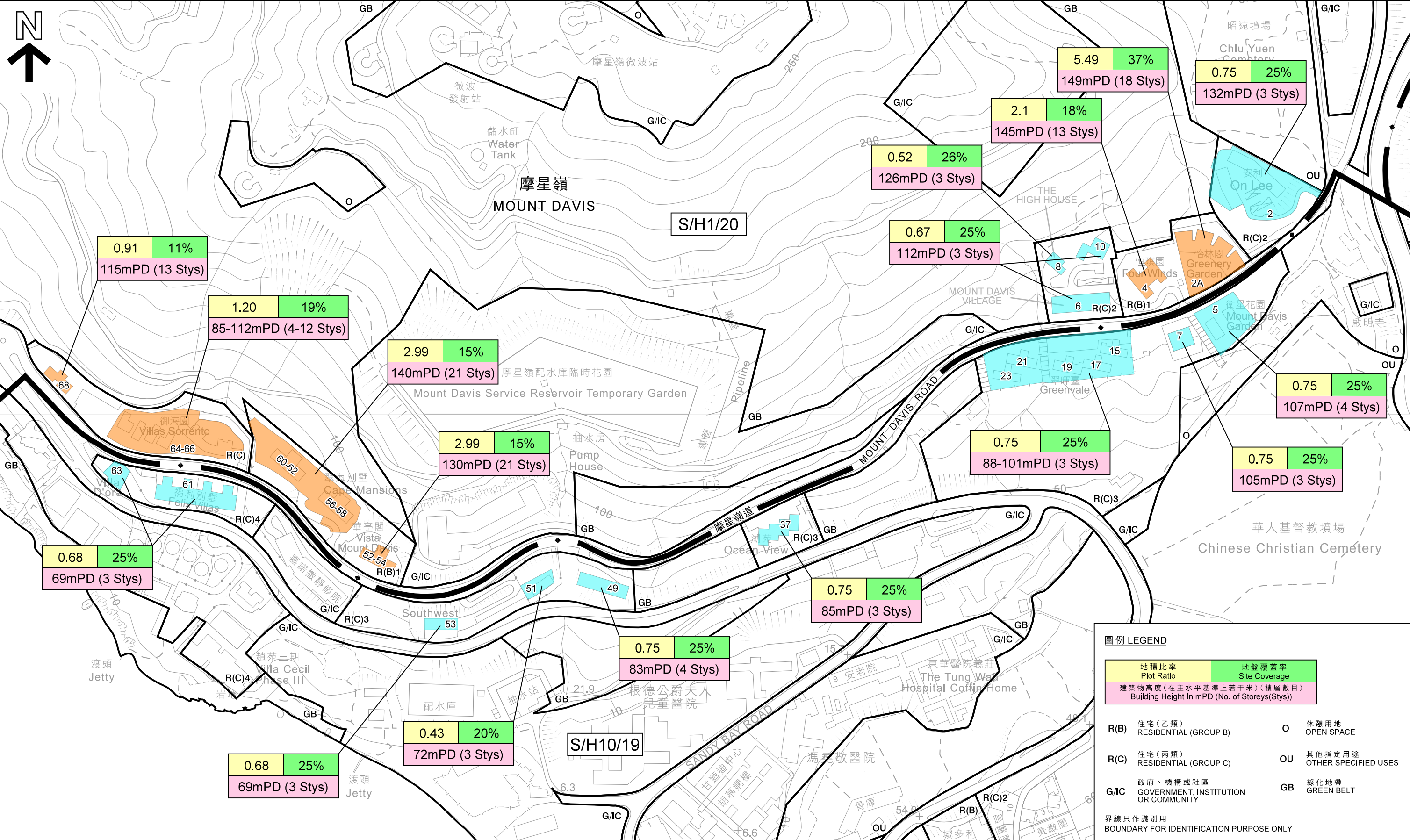
堅尼地城及摩星嶺分區計劃大綱草圖編號S/H1/20的擬議修訂
PROPOSED AMENDMENTS TO THE DRAFT
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/20
修訂項目E
AMENDMENT ITEM E

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
10e



圖例 LEGEND

地積比率 Plot Ratio	地盤覆蓋率 Site Coverage
建築物高度 (在主水平基準上若干米) (樓層數目) Building Height In mPD (No. of Storeys)	

R(B)

住宅 (乙類)
RESIDENTIAL (GROUP B)

R(C)

住宅 (丙類)
RESIDENTIAL (GROUP C)

G/IC

政府、機構或社區
GOVERNMENT, INSTITUTION
OR COMMUNITY

O

休憩用地
OPEN SPACE

OU

其他指定用途
OTHER SPECIFIED USES

GB

綠化地帶
GREEN BELT

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

摩星嶺道之現存建築物發展參數
DEVELOPMENT PARAMETERS OF THE EXISTING DEVELOPMENTS
ALONG MOUNT DAVIS ROAD

SCALE 1 : 3 000 比例尺

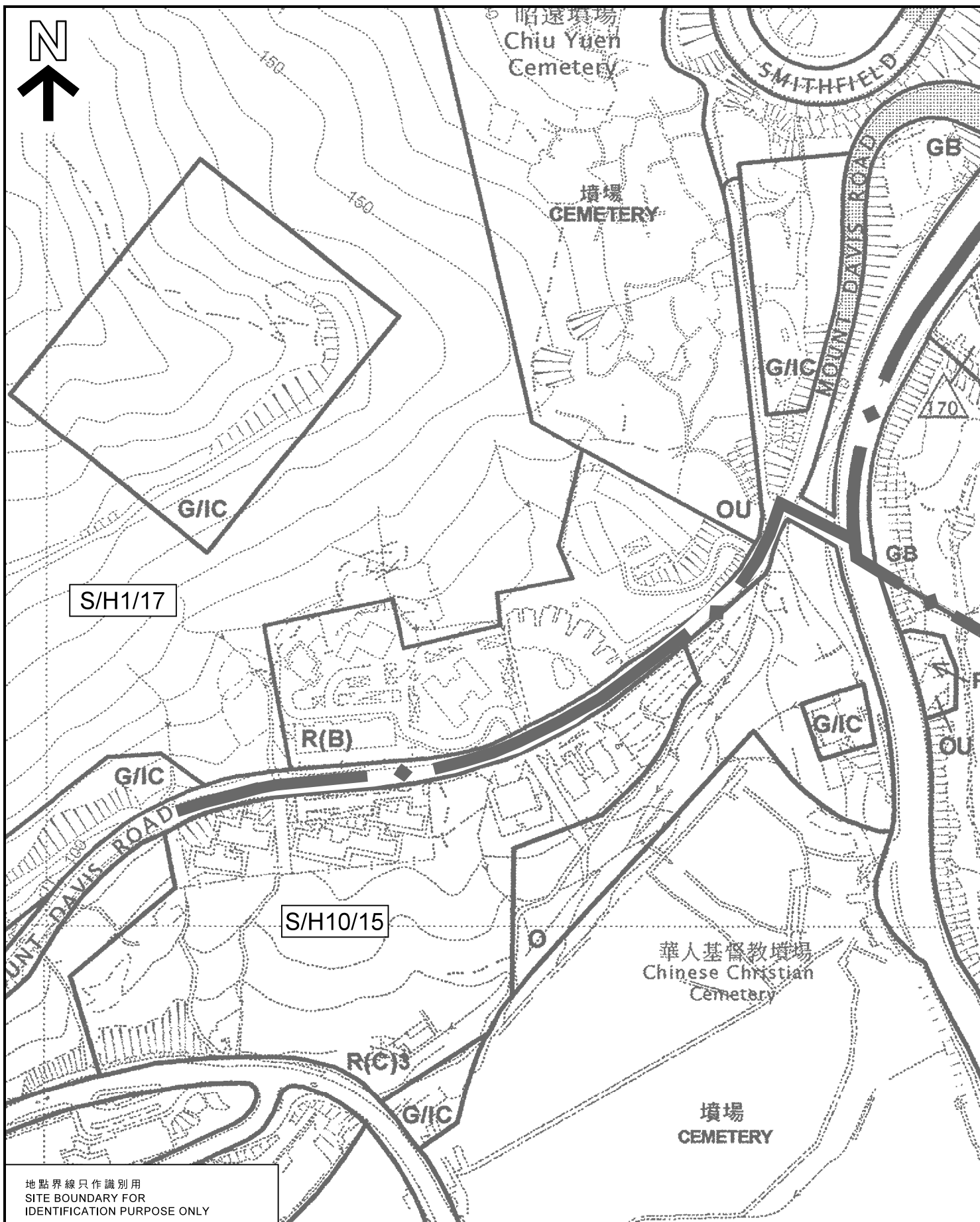
米 50 0 50 100 150 200 250 米
METRES

本摘要圖於2021年2月17日擬備，
所根據的資料為測量圖編號11-SW-A及C
EXTRACT PLAN PREPARED ON 17.2.2021
BASED ON SURVEY SHEETS No. 11-SW-A & C

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
10f



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

本摘要圖於2021年1月27日擬備，
所根據的資料為：
於2010年3月26日展示的分區計劃大綱圖
編號S/H1/17
於2005年2月1日核准的分區計劃大綱圖
編號S/H10/15

EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON OUTLINE ZONING PLANS Nos.
S/H1/17 EXHIBITED ON 26.3.2010
S/H10/15 APPROVED ON 1.2.2005

堅尼地城及摩星嶺分區計劃大綱圖編號S/H1/17及
薄扶林分區計劃大綱圖編號S/H10/15的摘要圖
EXTRACT OF THE
KENNEDY TOWN & MOUNT DAVIS OZP No. S/H1/17
AND POK FU LAM OZP No. S/H10/15

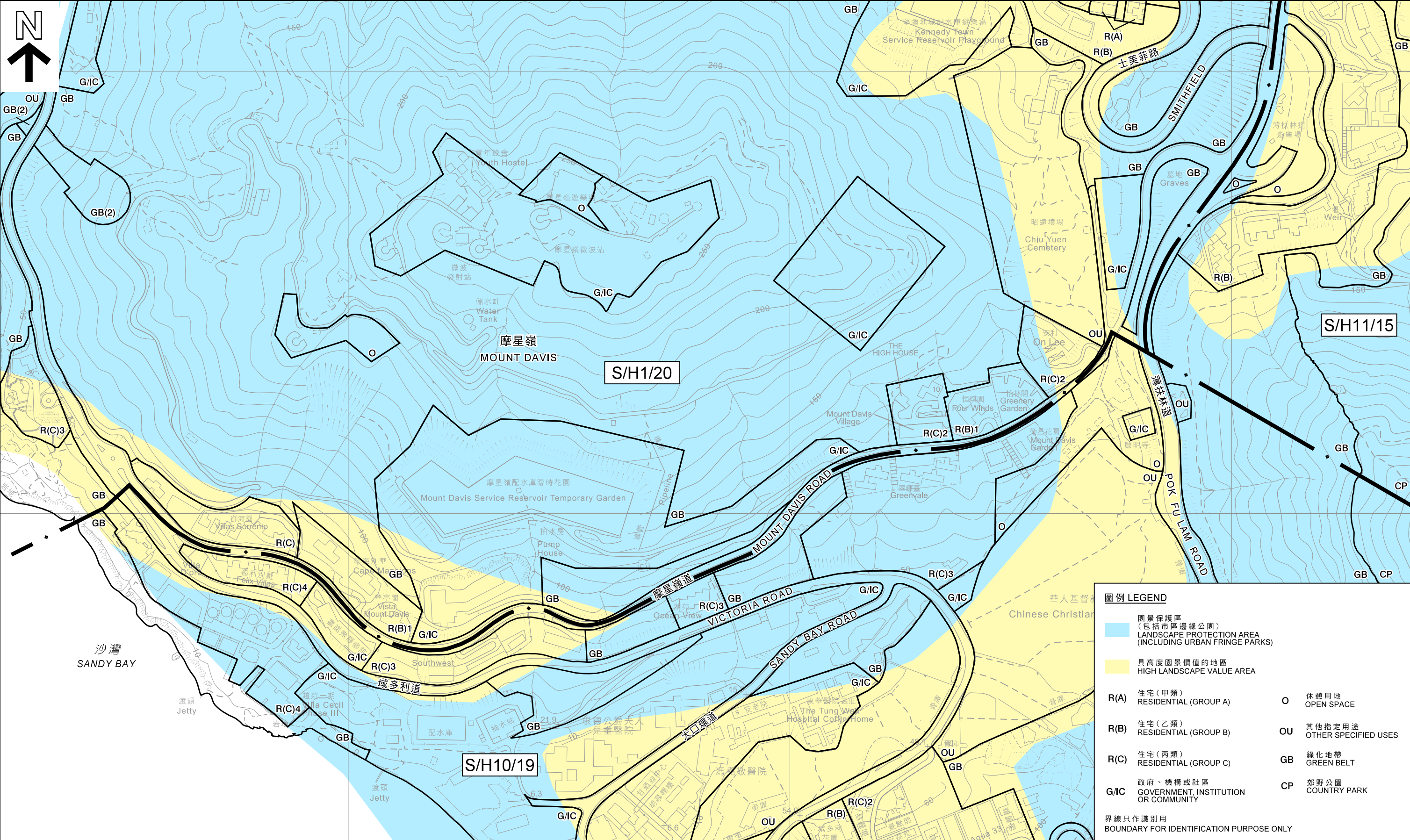
SCALE 1:2 500 比例尺
米 50 0 50 100 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
11



圖例 LEGEND

園景保護區
(包括市區邊緣公園)
LANDSCAPE PROTECTION AREA
(INCLUDING URBAN FRINGE PARKS)

具高度園景價值的地區
HIGH LANDSCAPE VALUE AREA

R(A)

住宅(甲類)
RESIDENTIAL (GROUP A)

R(B)

住宅(乙類)
RESIDENTIAL (GROUP B)

R(C)

住宅(丙類)
RESIDENTIAL (GROUP C)

G/IC

政府、機構或社區
GOVERNMENT, INSTITUTION
OR COMMUNITY

O

休憩用地
OPEN SPACE

OU

其他指定用途
OTHER SPECIFIED USES

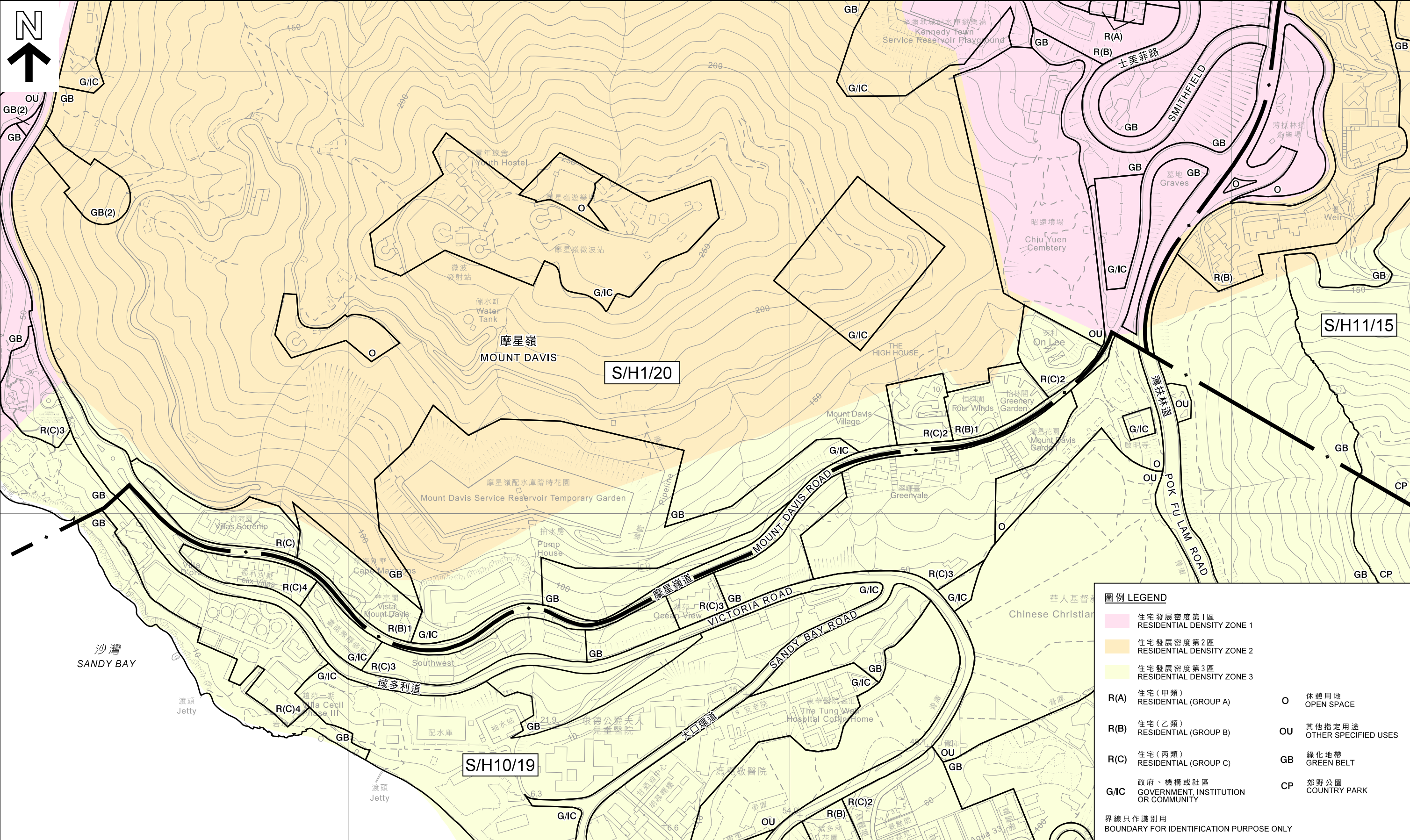
GB

綠化地帶
GREEN BELT

CP

郊野公園
COUNTRY PARK

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY



圖例 LEGEND

住宅發展密度第1區
RESIDENTIAL DENSITY ZONE 1

住宅發展密度第2區
RESIDENTIAL DENSITY ZONE 2

住宅發展密度第3區
RESIDENTIAL DENSITY ZONE 3

R(A)
住宅(甲類)
RESIDENTIAL (GROUP A)

R(B)
住宅(乙類)
RESIDENTIAL (GROUP B)

R(C)
住宅(丙類)
RESIDENTIAL (GROUP C)

G/IC
政府、機構或社區
GOVERNMENT, INSTITUTION
OR COMMUNITY

O
休憩用地
OPEN SPACE

OU
其他指定用途
OTHER SPECIFIED USES

GB
綠化地帶
GREEN BELT

CP
郊野公園
COUNTRY PARK

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

住宅發展密度區
RESIDENTIAL DENSITY ZONE

本摘要圖於2021年2月18日擬備，
所根據的資料為測量圖編號11-SW-A及C
EXTRACT PLAN PREPARED ON 18.2.2021
BASED ON SURVEY SHEETS No. 11-SW-A & C

SCALE 1 : 4 000 比例尺

米
METRES

1000 0 100 200 300 米
METRES

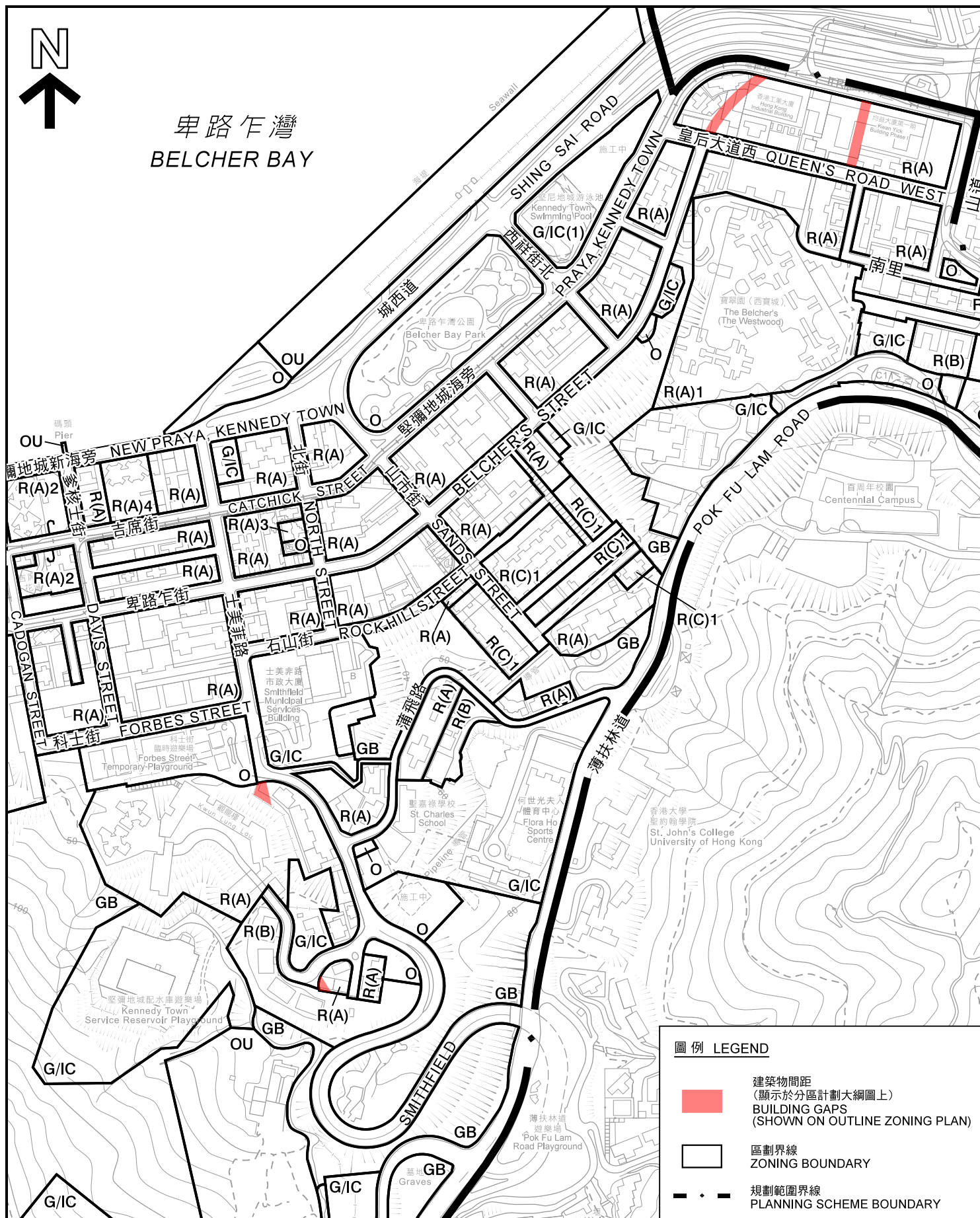
規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/H1/20/11




圖 PLAN
13



卑路乍灣
BELCHER BAY



圖例 LEGEND

-  建築物間距
(顯示於分區計劃大綱圖上)
BUILDING GAPS
(SHOWN ON OUTLINE ZONING PLAN)
-  區劃界線
ZONING BOUNDARY
-  規劃範圍界線
PLANNING SCHEME BOUNDARY

本摘要圖於2021年2月25日擬備，
所根據的資料為測量圖編號11-SW-A
EXTRACT PLAN PREPARED ON 25.2.2021
BASED ON SURVEY SHEET No. 11-SW-A

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

在現有分區計劃大綱圖的建築物間距
BUILDING GAPS ON THE CURRENT OZP

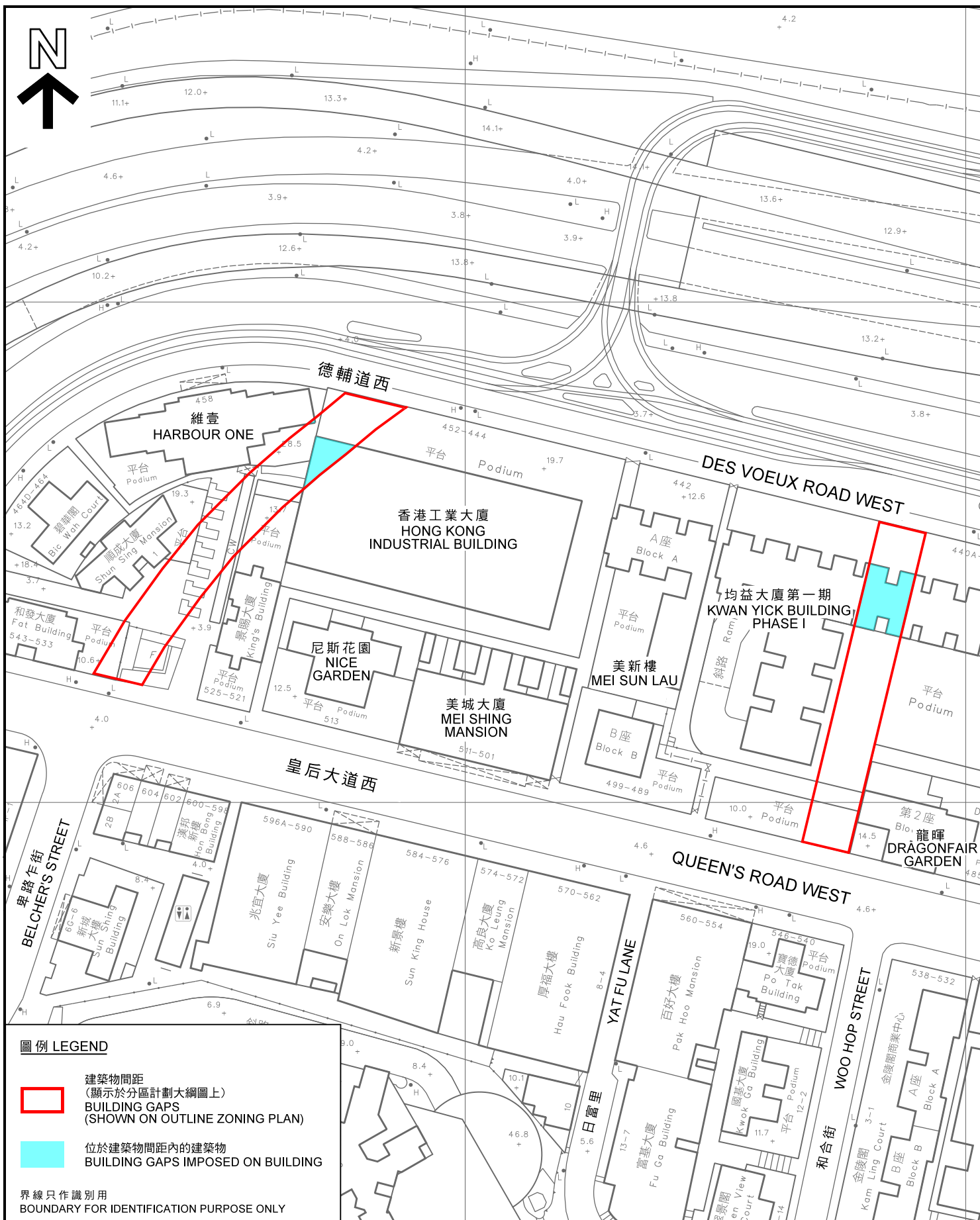
SCALE 1 : 5 000 比例尺
米 100 0 100 200 米
METRES

規劃署
PLANNING
DEPARTMENT





參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
14a



圖例 LEGEND

-  建築物間距
(顯示於分區計劃大綱圖上)
BUILDING GAPS
(SHOWN ON OUTLINE ZONING PLAN)
-  位於建築物間距內的建築物
BUILDING GAPS IMPOSED ON BUILDING

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

堅尼地城及摩星嶺區 KENNEDY TOWN & MOUNT DAVIS AREA

位於德輔道西及皇后大道西建築物訂定的
兩個建築物間距
TWO BUILDING GAPS IMPOSED ON
BUILDINGS SITUATED BETWEEN
DES VOEUX ROAD WEST AND QUEEN'S ROAD WEST

SCALE 1 : 1 000 比例尺

米 20 0 20 40 米
METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

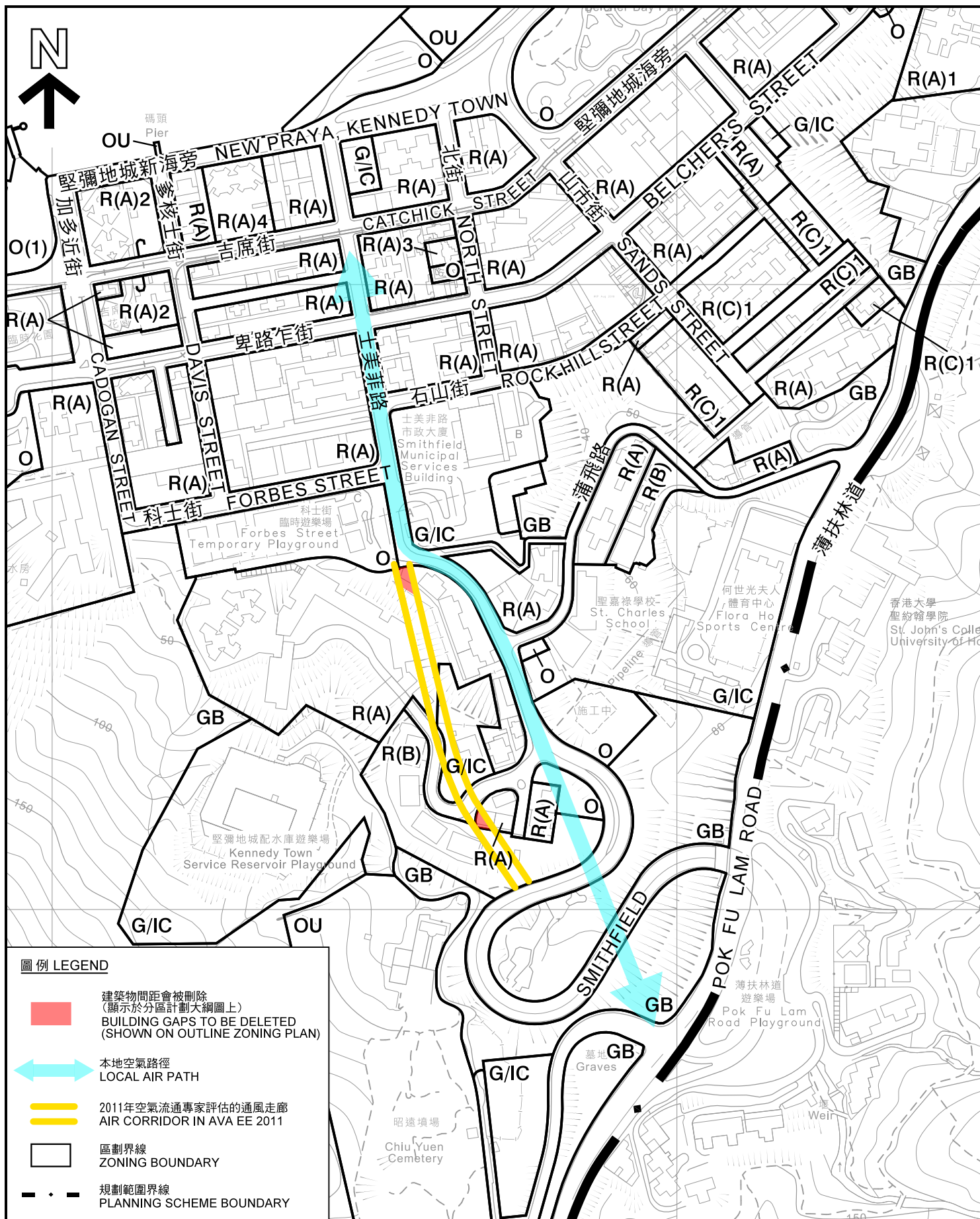
M/H1/20/11

圖 PLAN

14b

本摘要圖於2021年2月2日擬備，
所根據的資料為測量圖編號
11-SW-7A

EXTRACT PLAN PREPARED ON 2.2.2021
BASED ON SURVEY SHEET No.
11-SW-7A



堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

擬議刪除建築物間距和非建築用地
PROPOSED DELETION OF BUILDING GAPS
AND NON-BUILDING AREAS

規劃署
PLANNING
DEPARTMENT

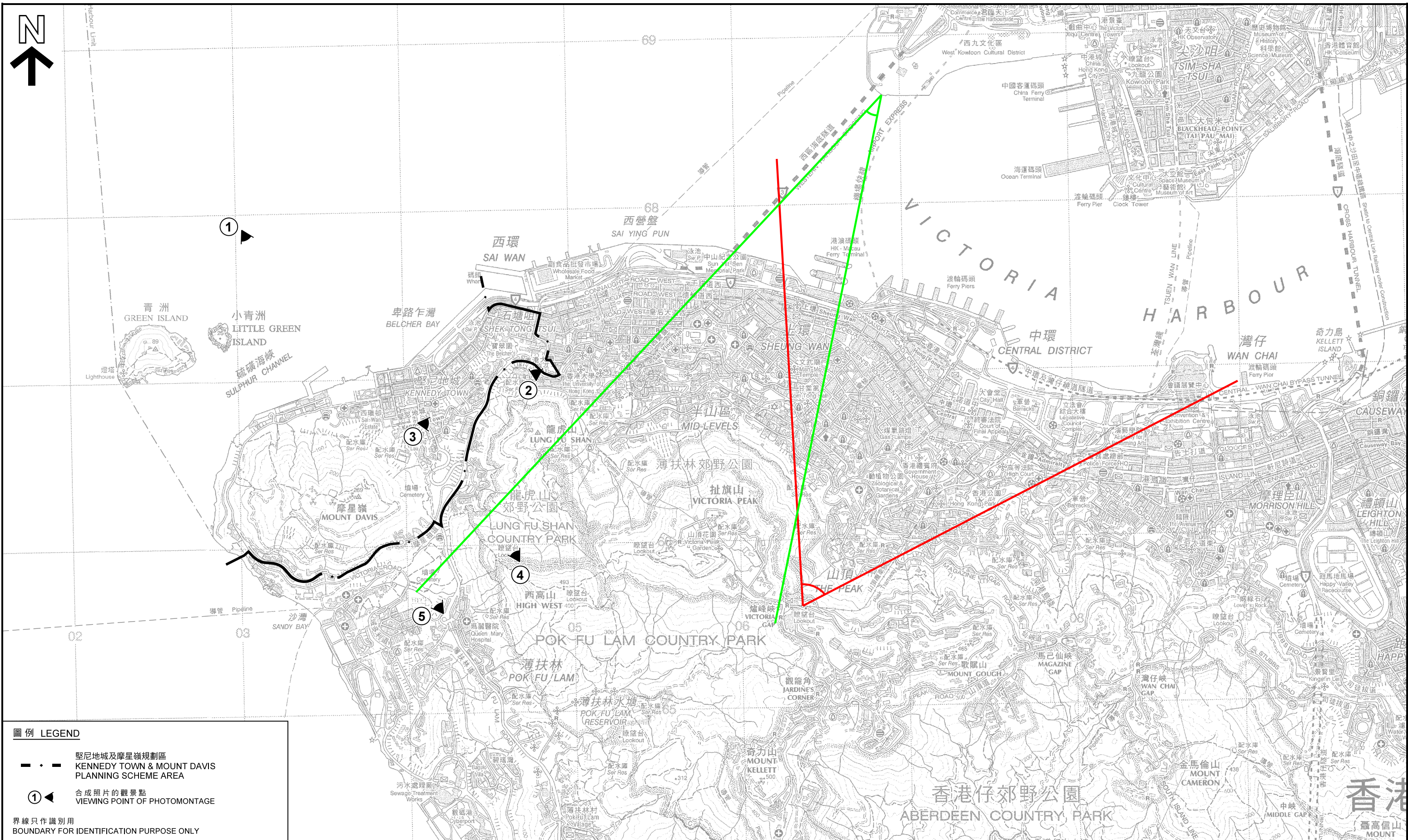


本摘要圖於2021年2月25日擬備，
所根據的資料為測量圖編號11-SW-A
EXTRACT PLAN PREPARED ON 25.2.2021
BASED ON SURVEY SHEET No. 11-SW-A

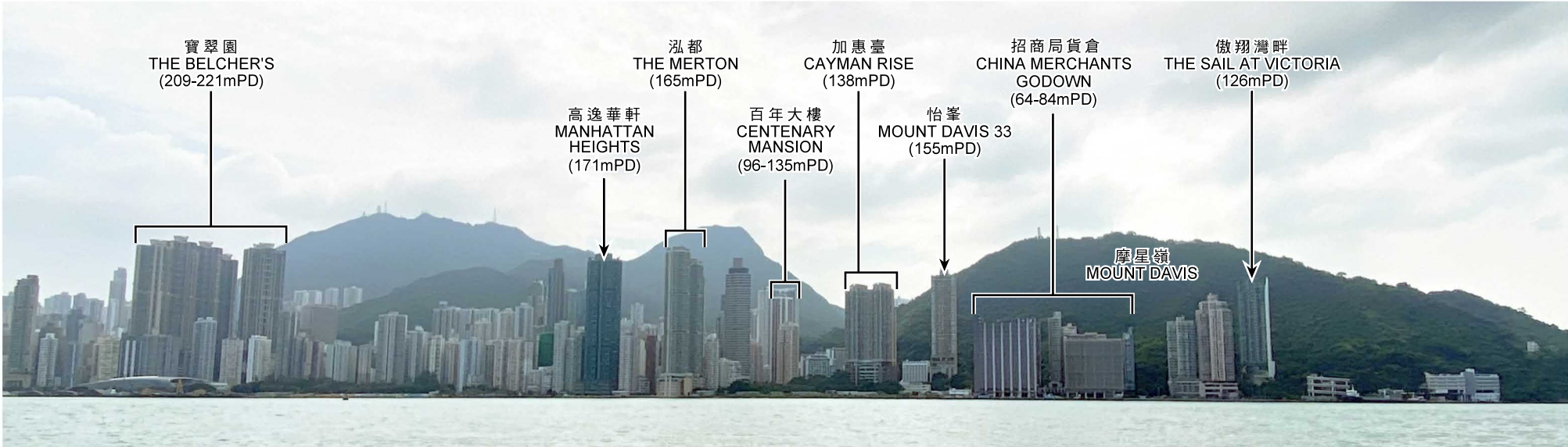
參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
14c

SCALE 1 : 4 000 比例尺
米 80 0 80 160 米
METRES



<p>堅尼地城及摩星嶺區 KENNEDY TOWN & MOUNT DAVIS AREA</p> <p>觀景點 VIEWING POINTS</p> <p>(NOT TO SCALE)</p> <p>米 100 0 100 200 300 400 米 METRES</p>		<p>規劃署 PLANNING DEPARTMENT</p>	
<p>本摘要圖於2021年1月27日擬備， 所根據的資料為地形圖編號HM20C EXTRACT PLAN PREPARED ON 27.1.2021 BASED ON TOPOGRAPHIC MAP SHEET No. HM20C</p>		<p>參考編號 REFERENCE No. M/H1/20/11</p>	<p>圖 PLAN 15</p>



現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

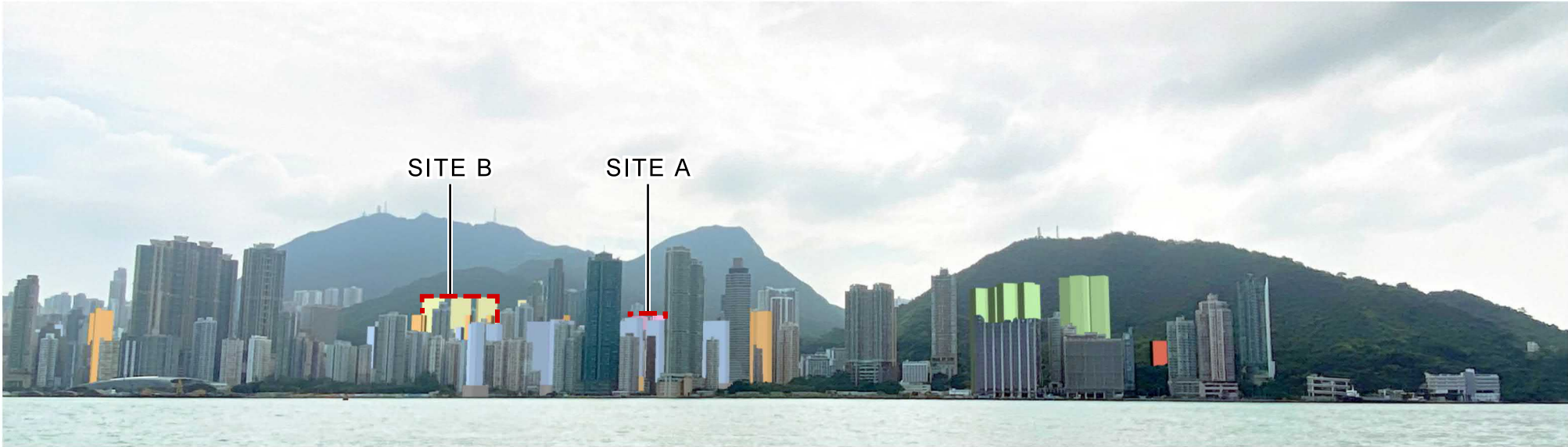
65mPD

100mPD

120mPD

140mPD

160mPD



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

65mPD

100mPD

120mPD

130mPD

140mPD

160mPD

圖例 LEGEND

- 擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION
- 界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
- 建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

建築物高度的合成照片
PHOTOMONTAGES OF BUILDING HEIGHT PROFILE

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
16a

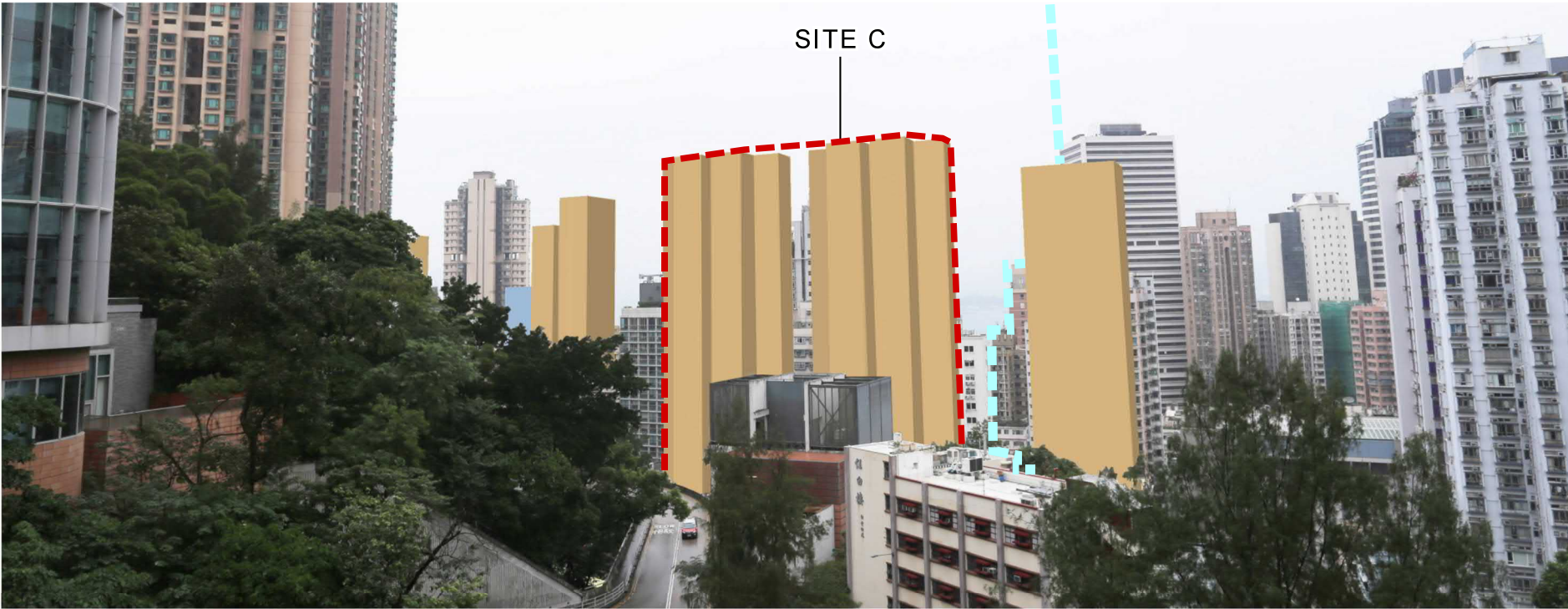
本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月9日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTO TAKEN ON 9.10.2020



現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

圖例 LEGEND

-  擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION
-  界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
-  建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月28日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTO TAKEN ON 28.10.2020

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

建築物高度的合成照片
PHOTOMONTAGES OF BUILDING HEIGHT PROFILE

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

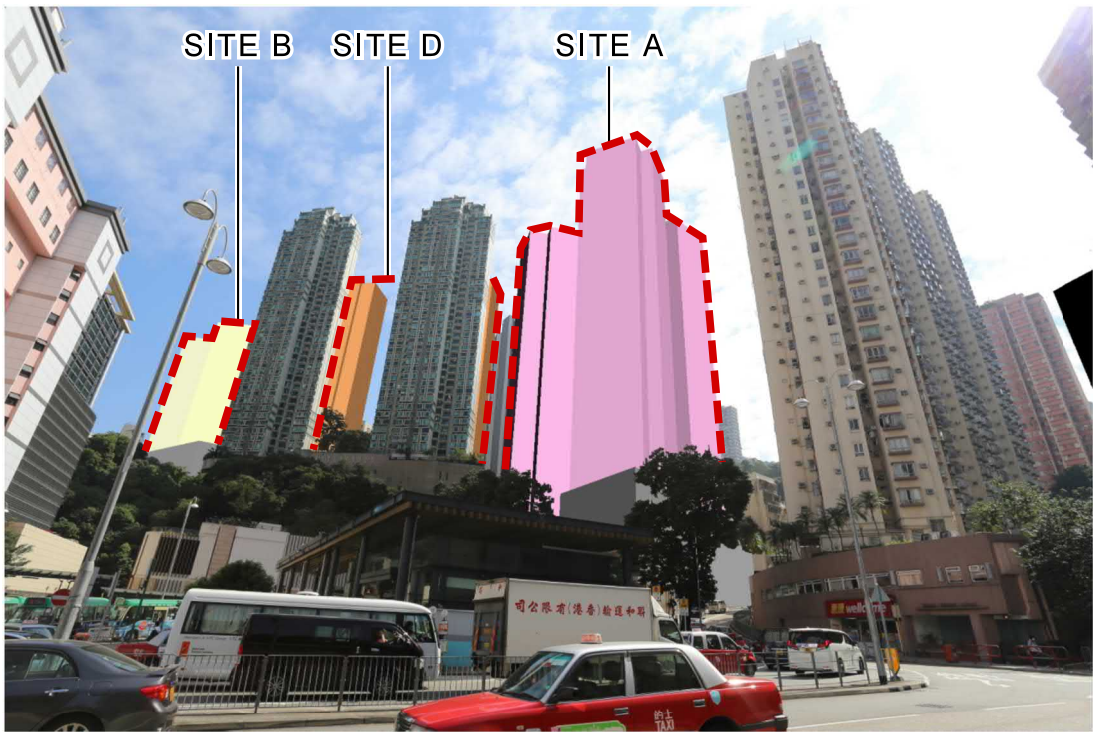
圖 PLAN
16b



現有景觀 EXISTING VIEW



現時的建築物高度限制 合成照片 PHOTOMONTAGE
CURRENT BUILDING HEIGHT RESTRICTIONS 120mPD 140mPD



擬議的建築物高度限制 合成照片 PHOTOMONTAGE
PROPOSED BUILDING HEIGHT RESTRICTIONS 130mPD 150mPD 160mPD

圖例 LEGEND

- 擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION
- 界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
- 建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月9日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTO TAKEN ON 9.10.2020

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

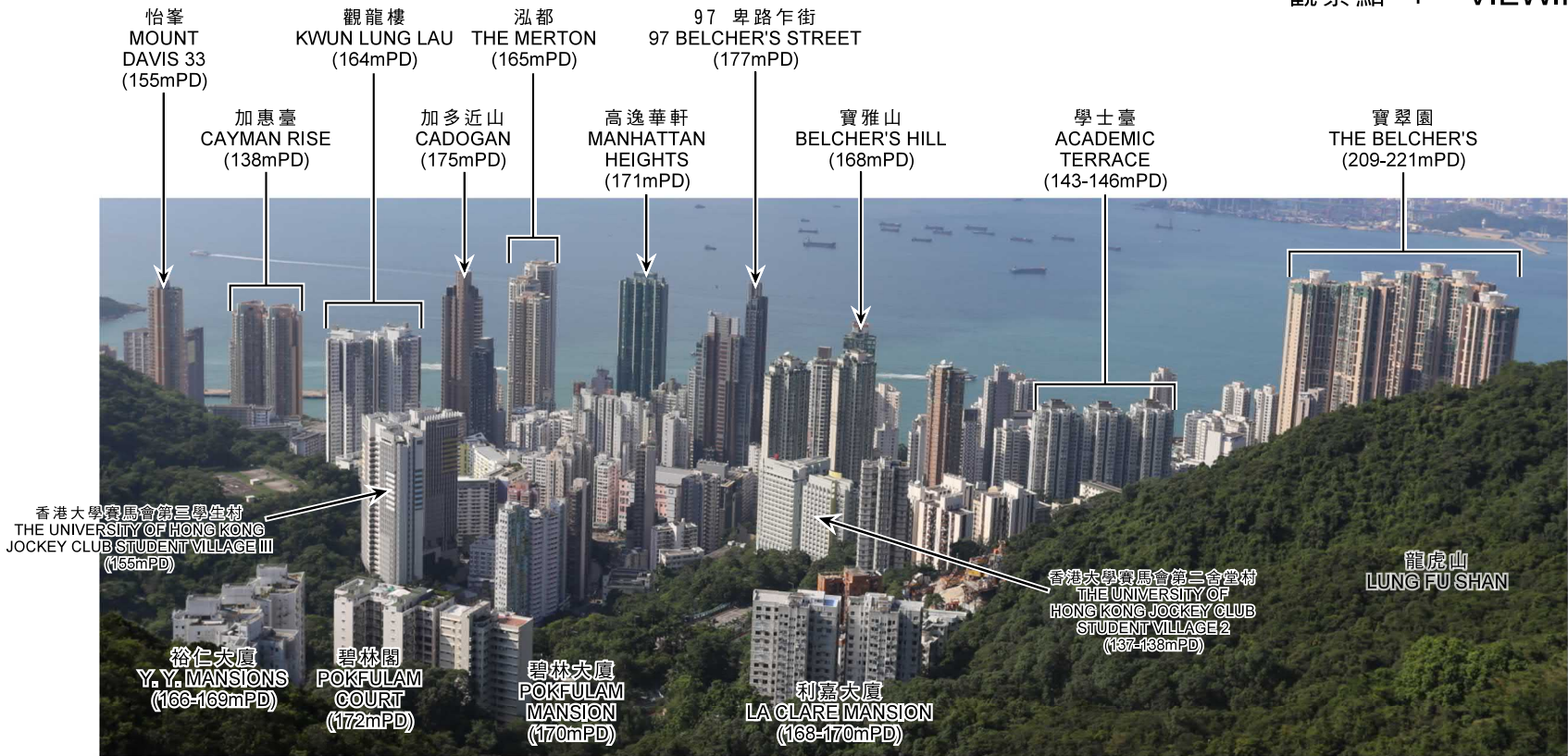
建築物高度的合成照片
PHOTOMONTAGES OF BUILDING HEIGHT PROFILE

規劃署
PLANNING
DEPARTMENT

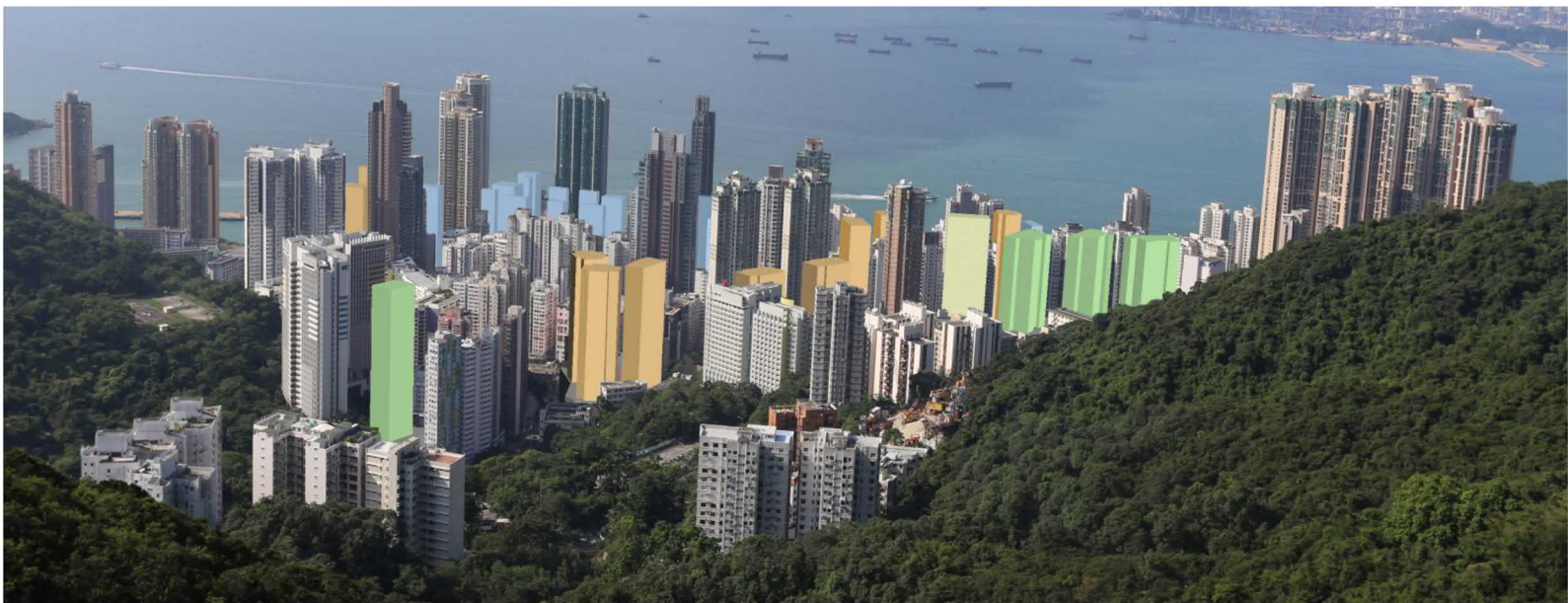


參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
16c



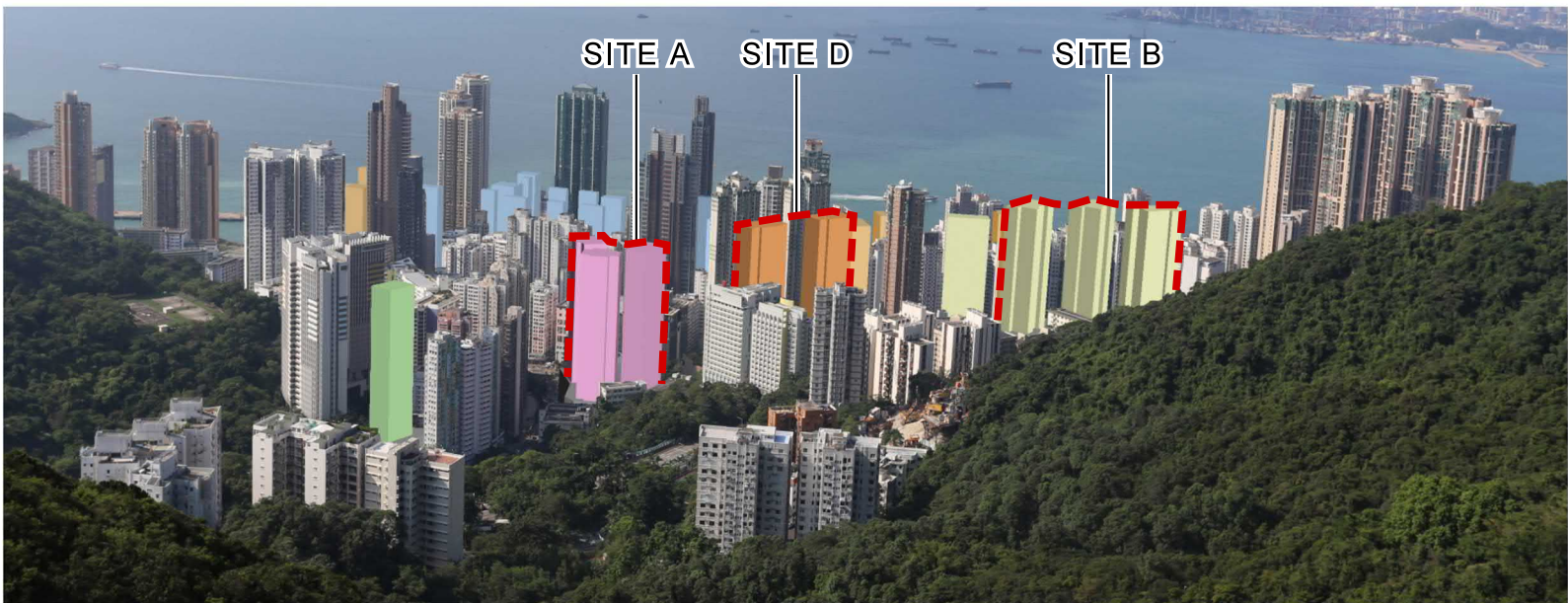
現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

100mPD 120mPD 140mPD 160mPD



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE

100mPD 120mPD 130mPD
140mPD 150mPD 160mPD

圖例 LEGEND

- 擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION
- 界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY
- 建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月9日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTO TAKEN ON 9.10.2020

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

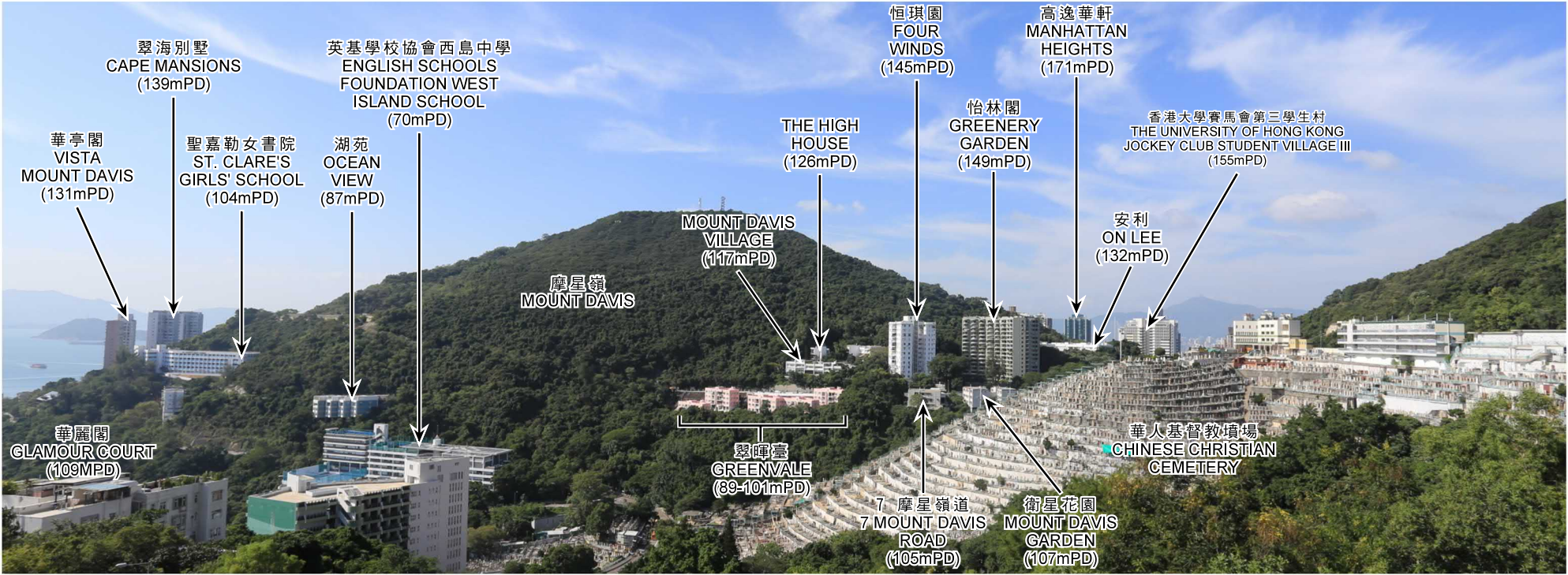
建築物高度的合成照片
PHOTOMONTAGES OF BUILDING HEIGHT PROFILE

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
16d

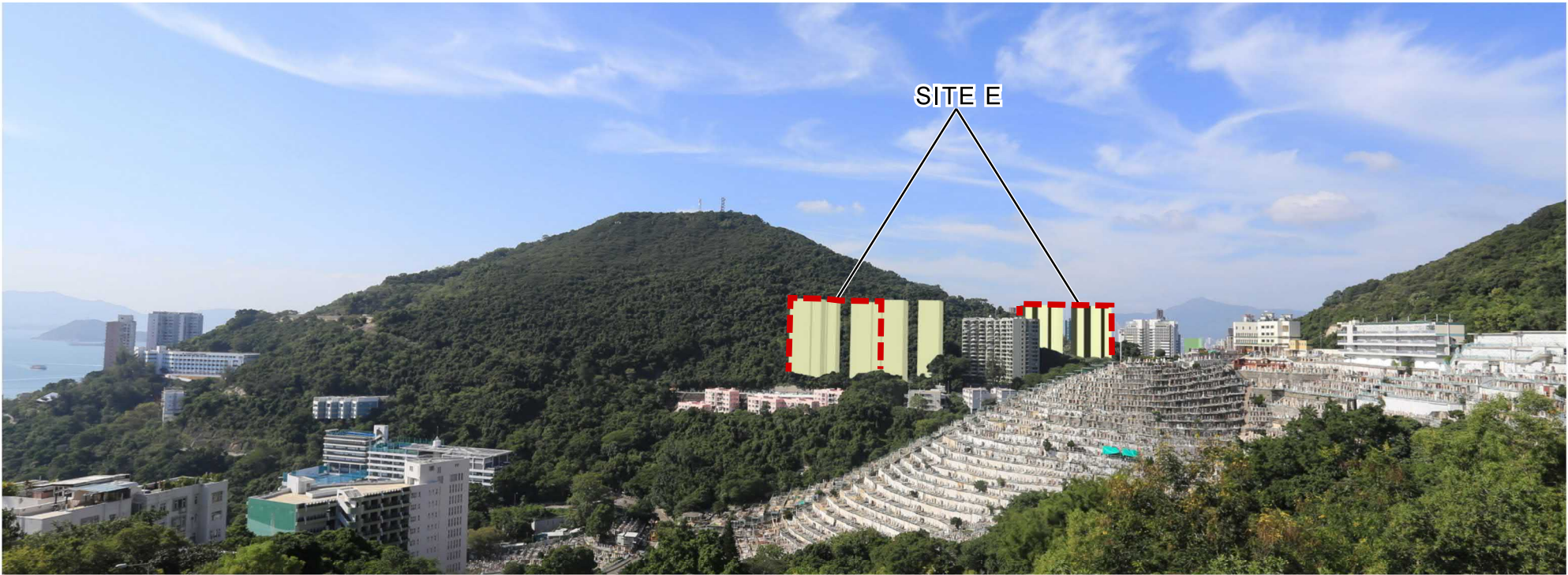


現有景觀 EXISTING VIEW



現時的建築物高度限制
CURRENT BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE
3 STOREYS 140mPD 160mPD



擬議的建築物高度限制
PROPOSED BUILDING HEIGHT RESTRICTIONS

合成照片 PHOTOMONTAGE
140mPD 160mPD

圖例 LEGEND

擬議放寬建築物高度限制的地盤
SITES WITH PROPOSED BUILDING HEIGHT RELAXATION

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

建築物高度在主水平基準上(米)
BUILDING HEIGHT IN METRES ABOVE PRINCIPAL DATUM (mPD)

本圖於2021年1月27日擬備，所根據的資料為攝於2020年10月15日的實地照片
EXTRACT PLAN PREPARED ON 27.1.2021
BASED ON SITE PHOTO TAKEN ON 15.10.2020

堅尼地城及摩星嶺區
KENNEDY TOWN & MOUNT DAVIS AREA

建築物高度的合成照片
PHOTOMONTAGES OF BUILDING HEIGHT PROFILE

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

圖 PLAN
16e



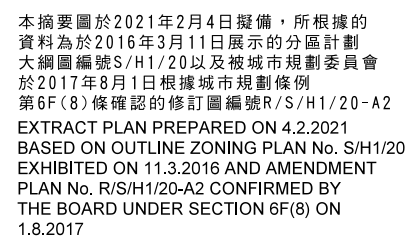
R2	— — —	申述編號 REPRESENTATION No.
C1 - C12	— — —	意見編號 COMMENT No.

申述地點(編號2)
REPRESENTATION SITE (No.2)
關於整體訂定的建築物高度限制
IMPOSITION OF BUILDING HEIGHT RESTRICTIONS (BHR)
IN GENERAL

 申述地點(編號2)
REPRESENTATION SITE (No.2)
在個別地點訂定的建築物高度限制
IMPOSITION OF BHR AT SPECIFIC SITES

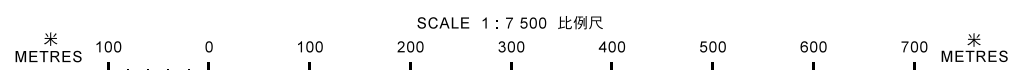

 申述地點(編號2)
 REPRESENTATION SITE (No.2)
 劃設的建築物間距
 DESIGNATION OF BUILDING GAPS

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY



位置圖 LOCATION PLAN

堅尼地城及摩星嶺計劃大綱草圖編號 S/H1/18
申述個案編號R2及相關意見編號C1-C12
REPRESENTATION No. R2 AND RELATED COMMENTS No. C1-C12
TO DRAFT KENNEDY TOWN AND MOUNT DAVIS OUTLINE ZONING PLAN No. S/H1/18



規劃署
PLANNING DEPARTMENT



參考編號
REFERENCE No.
M/H1/20/11

PLAN
17

