

TOWN PLANNING BOARD

TPB Paper No. 10774
For Consideration by
the Town Planning Board on 17.9.2021

**DRAFT KENNEDY TOWN & MOUNT DAVIS
OUTLINE ZONING PLAN NO. S/H1/21**

**INFORMATION NOTE AND HEARING ARRANGEMENT FOR
CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

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1. Introduction

- 1.1 On 30.4.2021, the draft Kennedy Town & Mount Davis Outline Zoning Plan (the Plan) was exhibited for public inspection under Section 7 of the Town Planning Ordinance (the Ordinance). The amendments mainly involves the revision of the building height restrictions (BHRs) for various zones and the rezoning of the two sites at Mount Davis Road from “Residential (Group C)2” (“R(C)”) to “R(B)1” and stipulation of BHR. The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex I** and the location of the amendment items is shown on **Plan P-1**.
- 1.2 During the two-month exhibition period, a total of 215 representations were received¹. 212 representations were made in accordance with the revised requirement set out in the Town Planning Board Guidelines No. 29B (TPB PG-29B)², while the remaining three representations were made with identity information missing which should be considered as invalid pursuant to sections 6(2) and 6(3)b of the Ordinance.
- 1.3 On 23.7.2021, 212 valid representations were published for three weeks for public comments. A total of 132 comments were received³. 131 comments were made in accordance with the revised requirement set out in the TPB PG-No. 29B, while the remaining one comment was made with identity information missing which should be considered as invalid pursuant to sections 6A(2) and 6A(3)b of the Ordinance.
- 1.4 The list of valid representers and commenters, and the summaries of representations and comments are shown in **Annexes II, III, IV and V** respectively for Members’ reference. The locations of the representation sites are shown on **Plan P-2**.

¹ After discounting 1 duplicated representation.

² According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which have taken effect since 1.1.2019, representers/commenters/further representers and their authorized agents are required to provide their full name as shown on the HKID card/passport and their HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/comment/further representation concerned may be treated as not having been made.

³ After discounting 1 duplicated comment.

2. The Representations and Comments

- 2.1 There are a total of 212 valid representations, including 28 supportive representations (**R1 to R28**); and 184 adverse representations (**R29 to R212**). The views of the representations are briefly summarised as follows:

Supportive Representations

- (a) Among 28 supportive representations (**R1 to R28**), 1 representation (**R1**) (submitted by The Real Estate Developers Association of Hong Kong (REDA)) supported all amendment items, 15 representations (**R2 to R16**) submitted by individuals/organisations including The University of Hong Kong (“HKU”) (**R2**) supported Item D, and 12 representations (**R17 to R28**) submitted by organisations including The Incorporated Owners of Nos. 6 & 10 Mount Davis Road and The Trustees of the Church of England in the Diocese of Victoria, companies and individuals supported Item E.
- (b) The main grounds of supportive representations for Item D are that the proposed amendment addresses the concerns on insufficient accommodation for HKU’s staffs; facilitates continuous development in higher education by accommodating more staffs and scholars from around the world and by providing them contemporary and multi-function amenities; and enhances the streetscape, ambience and accessibility of the site and the surrounding areas.
- (c) The main grounds of supportive representations for Item E are that the proposed amendment corrects the illogical, unfair and unreasonable planning approach adopted in 2011; is in line with the Residential Density Zone III as stated the Hong Kong Planning Standards and Guidelines; and will not affect the high landscape value of Mount Davis and the view of its ridgeline.
- (d) **R1, R17 and R18** also provided proposals to the Town Planning Board (the Board) and invited the Board to support the removal of the administrative Pok Fu Lam Moratorium (PFLM) to facilitate the process of land exchanges and lease modifications in order to achieve the redevelopment of the site in conformity with the zoning of the site.

Adverse Representations

- (e) Among 184 adverse representations (**R29 to R212**), 2 representations (**R29 and R30** submitted by the Central and Western District Council and an individual respectively) opposed all amendment items and the remaining 182 representations (**R31 to R212**) opposed Item D. Among the 182 adverse representations for Item D, 4 (**R31 to R34**) were submitted by companies and 178 were submitted by individuals, in which 170 were submitted in the form of standard proforma with individual representers providing additional comments on top.
- (f) The main grounds of adverse representations for all amendment items (**R29**

and R30) are that all amendment items generally affect the health of the residents in the whole district as they would adversely affect air ventilation; impose traffic and visual impacts; and induce heat island effect. **R29** also raised concern on Item C that the proposed increase of BHR is incompatible with the surrounding “Government, Institution or Community” and “Open Space” sites and hinders the air ventilation along Hill Road.

- (g) The main grounds of adverse representations for Item D are that it cannot alleviate the existing housing shortage problem; further worsens the existing traffic situation along Smithfield Road and Pokfield Road; creates wall effect and induce heat island effect; blocks sunlight penetration and view to the mountain; creates impacts to residents in the Western district; causes light, noise and sewerage pollution affecting adversely the neighbourhood’s health; and fails to demonstrate the imminent needs for increasing the BHR to 150mPD given the existing development at the representation site has had low occupancy rate over the years.

Comments on Representations

- 2.2 There are a total of 131 valid comments on representations, which were submitted by the HKU (**C1**), The Owners Committee of University Heights (**C106**), a company (**C107**) and individuals (**C2 to C105, and C108 to C131**). It is noted that 17 commenters (**C1** (i.e. R2), **C104** (i.e. R30), **C107 to C109** (i.e. R33, R187 and R136 respectively), **C114 to C117** (i.e. R142, R144, R145 and R143 respectively), **C119** (i.e. R147) and **C124 to C130** (i.e. R124, R139, R128, R138, R33, R63 and R134 respectively)) are also representers themselves. HKU (**C1**) provided responses to the concerns raised by the adverse representers for item D (i.e. **R29 to R212**). Among the remaining 130 comments, 102 comments (**C2 to C103**) (in which 88 of them were submitted in 3 types of standard profomas) supported R2 (i.e. HKU), one comment (**C131**) opposed R1 (i.e. REDA)’s proposal and 27 comments expressed adverse views on specific amendment item(s) (one comment (**C104**) opposed all amendment items, one comment (**C105**) opposed Items A and D; and 25 comments (**C106 to C130**) opposed Item D).

3. Arrangement for Consideration of Representations and Comments

- 3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from among its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. Since the amendments incorporated in the Plan and the representations and comments received are of similar nature, it will be more efficient for the full Board to consider the representations and comments without resorting to the appointment of a RHC. The hearing could be accommodated in the Board’s regular meeting and a separate hearing session would not be necessary. The arrangement would not delay the completion of the representation consideration process.

- 3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. In view of the similar nature of representations and comments, it is recommended that the hearing of the representation and comments should be considered in one group.
- 3.3 In view of the large number of the representations and comments received and to ensure efficiency of the hearing, it is recommended to allot a maximum 10 minutes presentation time to each representer/commenter in the hearing session.
- 3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled in November/December 2021.

4. Decision Sought

- 4.1 The Board is invited to note that pursuant to sections 6(3)(b) and 6A(3)(b) of the Ordinance, three representations and one comment with the required identity information missing as mentioned in paragraphs 1.2 and 1.3 above should be considered as invalid and treated as not having been made.
- 4.2 The Board is invited to consider whether:
- (a) to appoint a RHC for consideration of the representations and comments; and
 - (b) the representations and comments should be considered in the manner as proposed in paragraph 3 above.

5. Attachments

Annex I	Schedule of Amendments to the draft Kennedy Town & Mount Davis Outline Zoning Plan No. S/H1/20
Annex II	List of representers
Annex III	List of commenters
Annex IV	Summary of representations
Annex V	Summary of comments
Plan P-1	Amendments incorporated to the draft Kennedy Town & Mount Davis Outline Zoning Plan No. S/H1/21
Plan P-2	Location plan of the representations and comments sites