

**DRAFT CAUSEWAY BAY OUTLINE ZONING PLAN NO. S/H6/16  
 CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/H6/16-1 TO 247  
 AND COMMENTS NO. TPB/R/S/H6/16-C1 TO C7**

Subject of Representations	Representers (No. TPB/R/S/H6/16-)	Commenters (No. TPB/R/S/H6/16-)
<p><b>Amendment Item A –</b>            Revision of the building height restrictions (BHRs) for the “Commercial” (“C”), “Commercial(1)” (“C(1)”), “Commercial(2)” (“C(2)”) and “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) zones from 100mPD, 110mPD or 130mPD to 135mPD, except for the sites bounded by Lee Garden Road, Hysan Avenue, Yun Ping Road, Kai Chiu Road, Jardine’s Crescent, Jardine’s Bazaar and Hennessy Road</p> <p><b>Amendment Item B1 –</b>            Revision of the BHR of part of the “C(2)” site covering Lee Garden One from 32mPD to 200mPD</p> <p><b>Amendment Item B2 –</b>            Deletion of the requirement for a 2m wide non-building area (NBA) along Yun Ping Road for part of the “C(2)” site covering Lee Garden One and stipulation of BHR of 200mPD for that part of the site</p> <p><b>Amendment Item C1 –</b>            Revision of the BHR of the “C” site covering Lee Garden Two from 20mPD and 130mPD to 135mPD</p>	<p><b>TOTAL : 247</b></p> <p><b><u>Supportive (104)</u></b></p> <p><b><u>All Items (101)</u></b>  <b>R1 to R34 &amp; R36 to R101 (100):</b> Individuals</p> <p><b>R35:</b> Doctoral Exchange</p> <p><b><u>Items B1, B2 &amp; F (1)</u></b>  <b>R102:</b> Hysan Development Company Limited</p> <p><b><u>Items C1 &amp; C2 (1)</u></b>  <b>R103:</b> Barrowgate Limited</p> <p><b><u>Item C2 (1)</u></b>  <b>R104:</b> Individual</p> <p><b><u>Opposing (141)</u></b></p> <p><b><u>All Items (140)</u></b>  <b>R105:</b> Wan Chai District Council (WCDC)</p> <p><b>R106:</b> Office of Hon Kwong Chun Yu Legislative Council Member</p> <p><b>R107:</b> Office of Clarisse Yeung District Councillor</p> <p><b>R108:</b> Tai Hang Residents’ Welfare Association</p>	<p><b>TOTAL : 7</b></p> <p><b><u>Supporting R1 to R101 and Opposing R105 to R244 (1)</u></b>  <b>C1:</b> Excelsior Hotel (BVI) Ltd. &amp; The Excelsior Hotel (HK) Ltd.</p> <p><b><u>Supporting R102 &amp; R103 (2)</u></b>  <b>C2 &amp; C3:</b> Individuals</p> <p><b><u>Supporting R103 (1)</u></b>  <b>C4:</b> Individual</p> <p><b><u>Providing Comments on Amendments to OZP (1)</u></b>  <b>C5:</b> Individual</p> <p><b><u>Opposing R102 &amp; R103 and Supporting R105, R106, R107, R109, R246 &amp; R247 (1)</u></b>  <b>C6:</b> Individual</p> <p><b><u>Opposing R247 (1)</u></b>  <b>C7:</b> Individual</p>

<p><b>Amendment Item C2 –</b> Deletion of the requirement for a 2m wide NBA along Yun Ping Road from the “C” site covering Lee Garden Two and stipulation of BHR of 135mPD for that part of the site</p> <p><b>Amendment Item D –</b> Revision of the BHR for the “Residential (Group A)1” (“R(A)1”) sites generally bounded by Tung Lo Wan Road, Wun Sha Street, King Street and Tai Hang Road from 85mPD to 100mPD</p> <p><b>Amendment Item E1 –</b> Adjustment of the NBA requirements on Sugar Street and stipulating BHR of 135mPD for the areas concerned</p> <p><b>Amendment Item E2 –</b> Deletion of the NBA requirements on Lockhart Road and Great George Street and stipulation of BHR of 135mPD for the areas concerned</p> <p><b>Amendment Item E3 –</b> Deletion of the building gap (BG) requirement between 280 and 281 Gloucester Road</p> <p><b>Amendment Item F –</b> Stipulation of BHR of 200mPD for a 5m wide strip of land along the lot boundary of Hysan Place fronting Lee Garden Road</p>	<p><b>R109:</b> Green Sense</p> <p><b>R110 to R244 (135):</b> Individuals</p> <p><b><u>Opposing Item D (1)</u></b> <b>R245:</b> Incorporated Owners of Illumination Terrace</p> <p><b><u>Providing Views/Concerns (2)</u></b> <b>R246 &amp; R247:</b> Individuals</p>	
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Note: The names of all representers and commenters are attached at **Annex V(b)**. Soft copy of their submissions is sent to the Town Planning Board (TPB/Board) Members via electronic means/CD-Rom at **Annex VI** (for TPB Members only); and is also available for public inspection at the TPB’s website at [https://www.info.gov.hk/tpb/en/plan\\_making/S\\_H6\\_16.html](https://www.info.gov.hk/tpb/en/plan_making/S_H6_16.html) and the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin. A set of hard copy is deposited at the TPB Secretariat for Members’ inspection.

## 1. Introduction

- 1.1 On 26.1.2018, the draft Causeway Bay Outline Zoning Plan (OZP) No. S/H6/16 (**Annex I**) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**.
- 1.2 During the two-month exhibition period, a total of 247 representations were received. On 8.5.2018, the representations were published for three weeks for public comments. A total of 7 comments were received.
- 1.3 On 27.7.2018, the Board agreed to consider the representations (**R1 to R247**) and comments (**C1 to C7**) collectively in one group. This paper is to provide the Board with information for consideration of the representations and comments. A summary of the grounds of representations and comments and their proposals, and responses of the Planning Department (PlanD) to the representations and comments as well as their proposals is at **Annex V(a)**. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

## 2. Background

- 2.1 The previous amendments incorporated into the draft Causeway Bay OZP No. S/H6/15 were subject to two Judicial Reviews (JRs). In response to the Court's rulings on the JRs, a review of development restrictions including those on building height (BH), NBA, BG and setback taking into account the permissible development intensity, implications of Sustainable Building Design Guidelines (SBDG), and planning and design aspects has been conducted for all commercial, "OU(MU)" and "R(A)1" sites on the OZP.
- 2.2 On 17.11.2017 and 5.1.2018, the Board considered the proposed amendments to the draft Causeway Bay OZP No. S/H6/15 and agreed that the proposed amendments are suitable for public inspection under section 7 of the Ordinance. The relevant TPB Papers No. 10340 and 10375 are available at the TPB's website at [www.info.gov.hk/tpb/en/papers/TPB/1156-tpb\\_10340.pdf](http://www.info.gov.hk/tpb/en/papers/TPB/1156-tpb_10340.pdf) & [www.info.gov.hk/tpb/en/papers/TPB/1160-tpb\\_10375.pdf](http://www.info.gov.hk/tpb/en/papers/TPB/1160-tpb_10375.pdf) and the minutes of the two respective TPB meetings are at **Annexes III(a)** and **III(b)** respectively. Accordingly, the OZP renumbered to S/H6/16 was gazetted on 26.1.2018.

## 3. Consultation with the Wan Chai District Council

- 3.1 The current amendments incorporated into the OZP were presented to WCDC on 6.3.2018. In gist, WCDC Members expressed concern on the relaxation of the BHRs for the commercial and "OU(MU)" sites and considered that the amendments would significantly increase the number of high-rise commercial buildings and retail malls, thus worsening pedestrian and traffic flows in the Causeway Bay area. WCDC Members also raised concerns on the inadequate transport and car parking facilities, insufficient width of the pavements and

roads, and the deletion of some NBA/setback requirements which would aggravate the traffic problem and air pollution and thus worsen the living environment in Causeway Bay area. PlanD's responses to the concerns raised by WCDC were recorded in the minutes of the WCDC meeting at **Annex IV**. WCDC Members attended the meeting unanimously objected to the amendments to the OZP. WCDC also subsequently submitted a representation (**R105**) to the Board to convey the views expressed by WCDC members at that meeting.

#### **4. The Representations**

##### **4.1 Subject of Representations**

- 4.1.1 There are a total of 247 valid representations, among which 104 are supportive, 141 are opposing and 2 providing views (**Plans H-1, H-2a & H-3a & H-3b**). The supportive representations (**R1 to R104**) are submitted by 101 individuals, 1 concern group (**R35**) and 2 companies (**R102 & R103**). The two representations (**R246 & R247**) providing views on the amendments are submitted by individuals.
- 4.1.2 The opposing representations (**R105 to R245**) are submitted by WCDC (**R105**), two respective offices of Legislative Council and District Council members (**R106 & R107**), a residents' association (**R108**), a concern group (**R109**), an incorporated owners (**R245**) and individuals. Among them, 140 object to all Amendment Items (**R105 to R244**), and 1 objects to only Amendment Item D (**R245**). It is noted that **R122 to R244** (a total of 123 representations) are submitted using standard forms (**R200 to R244** are similar standard form with some variations in the objection reasons by individual representers).
- 4.1.3 A summary of the representations and PlanD's responses, in consultation with the relevant Government departments, is at **Annex V(a)**.

##### **4.2 Supportive Representations**

###### **General Grounds**

- 4.2.1 **R1 to R101** support all the Amendment Items on the ground that Causeway Bay is a major business, retail and tourism centre, taller buildings are needed for quality office development. The relaxation of the BHR can balance the need to maintain the cityscape and provide flexibility to development taking into account building design and environmental benefits to business, local community and visitors.
- 4.2.2 The remaining three representations support specific Amendment Items; i.e. **R102** supports Amendment Items B1, B2 & F, **R103** supports Amendment Items C1 & C2 with proposals on BHR as detailed in paragraph 4.2.4 below and **R104** supports Amendment Item C2.

### Proposals from Supportive Representations

4.2.3 Some supporting representers have proposed further relaxation of BHRs for the reason that, though the relaxation of BHRs is on the right track, the current 135mPD for the development sites under the OZP is not sufficient for the development of Grade A office and a higher BH is needed to facilitate the development of Causeway Bay into a major business, retail and tourism centre. These proposals include:

- (a) from 135mPD to 200mPD (**R7, R36, R37, R62, R64, R65, R76, R90 & R101**);
- (b) from 135mPD to 200mPD or above including proposals to accommodate public transport interchange (PTI) and/or sky garden or facilities for public use (such as greenery, footbridge/elevated walkway and podium garden etc.) (**R6, R10, R30, R32, R38, R40, R63, R67, R68, R75, R85, R87, R88, R89, R96, R97, R98 & R99**); and
- (c) an additional BH of 50m for all Amendment Items so as to include PTI and/or sky garden (**R33**) in the development sites.

4.2.4 Few representers have specifically proposed further relaxation of BHR from 135mPD to 150mPD (**R35 & R103**); or 200mPD (**R7**); or alternative amendments that the Board sees fit (**R103**) for Amendment Items C1 and C2 (i.e. Lee Garden Two site) so as to facilitate a quality commercial/office development at the site. In particular, **R103** has also raised query on the notional scheme prepared by PlanD and provided the following justifications for relaxing the BHR to 150mPD including an alternative scheme illustrated in **Drawings H-1c to H-1f** and **Annex VI**:

- (a) the concerned “C” zone covering the Lee Garden Two site is narrow and elongated in shape with development constraints, therefore, greater flexibility should be provided to facilitate development at the site;
- (b) with reference to SBDG, a BH of 150mPD is required to accommodate the full development potential of the site for a standard floor-to-floor (FTF) height of 4.5m for office and a FTF height of 5m for retail uses. With BH of 135mPD, development would need a total of 6-storey basement including 2.5 storeys basement for retail uses which is not considered reasonable or best practice from environmental, commercial or town planning perspective;
- (c) the assumptions adopted in the notional schemes prepared by PlanD are not meeting current design needs, details include:

- (i) no detailed information about the assumptions adopted and there is no provision for the electrical and mechanical (E&M) floors;
  - (ii) retail activities are commonly found on upper floors of building, however, only 3 podium floors with a typical FTF height of 5m have been assumed;
  - (iii) a minimum FTF height of 4.5m should be adopted instead of the 4m assumed for Grade A office, and a nominal height of 4.5m should be adopted for refuge floor as part of the sky garden instead of a FTF height of 2.3m; and
  - (iv) the office tower under the notional scheme is not practical and efficient as the building separations and permeability requirements would unlikely be waived by the Buildings Department (BD); and
- (d) a planning application for an underground vehicular tunnel connecting Lee Garden Two and Lee Garden One was approved by the Board on 15.7.2016. However, with a BHR of 135mPD, it would be impossible to implement the proposed tunnel which would improve vehicular circulation between the developments and the Causeway Bay areas.

4.2.5 Some supporting representers have proposed the provision of basements to accommodate various uses (such as retail outlet, restaurant, underground shopping street and sports facilities etc.) to alleviate existing congested roads and pedestrian environment at street level, and separate pedestrian from traffic. Those proposals include stipulation of:

- (a) a minimum of 4 storeys of basement under the current BH restriction of 135mPD (**R8**);
- (b) 6 storeys of basement for large scale redevelopment (**R7, R9, R39 & R73**);
- (c) the provision of basement in development (**R29, R36, R66, R68, R87, R89, R93, R96 & R98**); and
- (d) no restriction on basement development (**R12, R18, R25, R37, R46, R52 & R67**).

### 4.3 Representations Providing Views

4.3.1 Two representers have commented that there should be no restriction on the number of basement levels and new developments should be required to provide PTI, the BHRs should be further relaxed from 135mPD to 200mPD or above (**R246 & R247**).

#### 4.4 Opposing Representations

- 4.4.1 For the opposing representations, **R105 to R244** oppose to all the Amendment Items and **R245** (Incorporated Owners of Illumination Terrace) opposes only to Amendment Item D. The major grounds of the opposing representations are summarised below:

##### Development Intensity

- 4.4.2 Some representers have concerns that due to the high land value of Causeway Bay after relaxation of BHRs, developers would increase the development intensity (i.e. plot ratio (PR)) of their sites in Causeway Bay by transferring residual PR from other sites (**R106, R107, R108, R122 to R124, R126 to R135, R137, R139 to R144, R146, R147, R149 to R152, R154, R155, R159, R161 to R163, R167 to R171, R173, R175, R176, R180 to R183, R185 to R187, R189, R191 to R194, R196, R197 & R200 to R244 (except R217 and R244)**). Some representers propose that for sites with BH relaxation, they should be prohibited from PR increase (**R106, R107, R108, R127 to R130, R132, R134, R135, R137 to R141, R143, R144, R147, R149, R151, R152, R156, R162, R167, R171, R172, R174, R182, R183, R186, R188, R190 to R193, R209, R220 to 243 (except R215 to R217, R228, R229, R239 and R244)**).

##### Building Design and SBDG Requirements

- 4.4.3 SBDG is not a statutory requirement and hence could not ensure any building and environmental improvement upon redevelopment.

##### Traffic and Pedestrian

- 4.4.4 Causeway Bay is densely built with insufficient traffic/transport infrastructure, car parking spaces, vehicle and pedestrian roads, no specific measures have been proposed to address existing problems.
- 4.4.5 Relaxation of the BHRs would increase the development intensity in the already congested Causeway Bay area causing further increase in pedestrian and traffic flow and affect the environment and residents in the area.

##### Environmental, Visual and Air Ventilation Aspects

- 4.4.6 Relaxation of the BHRs will cause adverse impacts to the environment (such as worsening air pollution, air quality and ventilation, urban heat island (UHI) and wall effects) and the cityscape (such as natural landscape, ridgeline and sunlight penetration). Amongst the areas of concerned aforementioned, some representers have concerns on possible changes to the character of the Wun Sha Street area in Tai

Hang (**R106, R107, R108, R122 to R124, R126 to R135, R137, R139 to R144, R146, R147, R149 to R152, R154, R155, R159, R161 to R163, R167 to R171, R173, R175, R176, R180 to R183, R185 to R187, R189, R191 to R194, R196, R197 & R200 to R244 (except R217 and R244)**).

- 4.4.7 NBA should not be removed as such requirements are essential for the already overcrowded and congested urban areas, like Causeway Bay, in order to improve pedestrian environment and safety.

#### Proposals from Opposing Representations

- 4.4.8 Four opposing representers (**R111 to R114**) have requested to impose NBA along Lee Garden Road under Amendment Item F.

### **5. Comments on Representations**

- 5.1 A total of seven comments have been received, and the major grounds raised are summarised as follows:

- (a) **C1** jointly submitted by two companies (Excelsior Hotel (BVI) Ltd. & The Excelsior Hotel (HK) Ltd.) supports the supporting representations **R1 to R101**, and objects to the opposing representations **R105 to R244**;
- (b) **C2 & C3** submitted by individuals support the supporting representations **R102 & R103**, and **C4** submitted by an individual supports the supportive representation **R103**. All three commenters suggest to further relax the BHR for the Lee Garden Two site to 150mPD;
- (c) **C5** submitted by an individual (**R110**) provides views on the key principles and emphases of zoning amendments, and stresses the importance for the Board to safeguard the general welfare and interests of the community in the spirit and objective of the Ordinance;
- (d) **C6** submitted by an individual objects to the supportive representations **R102 & R103**, supports the opposing representations **R105 to R107 & R109** and some of the views of **R246 & R247**, and suggests that there should be no limit to the number of basement levels for development without physical site constraints and large scale advertising sign on external walls of buildings should be prohibited; and
- (e) **C7** submitted by an individual objects to the suggestion of **R247** to require development to provide PTI as there is insufficient capacity in the surrounding road network for PTI.



## 6. Planning Consideration and Assessment

### 6.1 The Representation Sites and Its Surrounding Areas

#### The OZP Area

- 6.1.1 The OZP area (**Annex I**) (about 96.43 ha) is located at the northern part of Hong Kong Island fronting Victoria Harbour, with Wan Chai to the west, North Point to the east, Wong Nai Chung to the southwest and Jardine's Lookout to the southeast. The area is characterized with an intermix of commercial and residential developments to the north and south of Hennessy Road and Yee Wo Street, and the So Kon Po and Tai Hang areas to the south. The Developments in So Kon Po are mainly recreational and Government, institution or community (GIC) uses while Tai Hang is mainly residential in nature. There is a major cluster of open space, GIC and other specified uses extending in the north-south direction connecting Victoria Park with the So Kon Po area.
- 6.1.2 The site plans showing the areas subject of current amendments to the OZP are shown in **Plans H-2a to H-2d** and the existing building height profile for Causeway Bay planning scheme area is shown in **Plan H-2e**.

#### The Representation Sites

- 6.1.3 All Amendment Items are subject to adverse representations. A brief account of the representation sites is as follows:
- (a) **Item A** - Relaxation of BHRs from 100mPD, 110mPD or 130mPD to 135mPD: all the "C", "C(1)", "C(2)" and "OU(MU)" sites, except those bounded by Lee Garden Road, Hysan Avenue, Yun Ping Road, Kai Chiu Road, Jardine's Crescent, Jardine's Bazaar and Hennessy Road  
**(Plans H-1, H-2a & H-2e, H-3a & H-3b, H-4a to H-4g and H5a)**
- (i) the representation sites primarily cover the core commercial and business hub and the major tourist centre in Causeway Bay area, which is mainly bounded by Gloucester Road in the east and north, Percival Street/Hysan Avenue/Hoi Ping Road in the west and generally Leighton Road in the south. The area is characterised with medium to high-rise commercial/residential buildings intermixed with some low to medium-rise composite buildings. Other than residential use, retail shops, offices, restaurants and hotels/apartments are the principal uses in the area;

- (ii) other than Paterson Street, developments at Haven Street and area bounded by Tung Lo Wan Road, Moreton Terrace and Causeway Road are also zoned “OU(MU)”, buildings are generally low to medium-rise composite buildings and some GIC uses. Buildings at Haven Street are mainly 8 to 13 storeys (about 20mPD to 59mPD), and sites at Moreton Terrace are predominantly residential buildings of 11 to 23 storeys (about 20mPD to 79mPD) with a few commercial and hotel buildings of 23 to 32 storeys high (about 60mPD to 119mPD);
- (b) **Item B1** – Relaxation of BHR from 32mPD to 200mPD: the northeastern part of the “C(2)” site covering Lee Garden One at 33 Hysan Avenue  
**Item B2** – Deletion of NBA and Stipulation of BHR: a 2m wide strip of land along Yun Ping Road from the northeastern part of the “C(2)” site covering Lee Garden One at 33 Hysan Avenue  
**(Plans H-1, H-2a & H-2e, H-3a & H-3b, H-5b & H6)**
- (i) the representation site is Lee Garden One at 33 Hysan Avenue, which is one of the two landmark buildings (apart from Hysan Place) in the core commercial/business hub south of Hennessy Road in the Causeway Bay area. The current BH restriction of 200mPD for the site generally reflects the existing BH of Lee Garden One, which is a 40 storeys commercial building on top of a 4-level basement with a BH of about 208mPD;
- (c) **Items C1 & C2** – Deletion of BG and NBA: the “C” site covering Lee Garden Two at 28 Yun Ping Road  
**(Plans H-1, H-2a & H-2e, H-3a & H-3b, H-5c & H-7)**
- (i) the representation site is Lee Garden Two at 28 Yun Ping Road. It has a narrow and elongated site configuration of over 190m in length and, for most part of the site, less than 19m in width. It abuts 3 narrow streets (i.e. Jardine’s Crescent, Pennington Street and Yun Pun Road) of 9.1m to 12.4m wide. The existing Lee Garden Two is a 32 storey commercial building on top of a 2-level basement with a BH of about 124mPD;
- (d) **Item D** – Relaxation of BHR from 85mPD to 100mPD: the “R(A)1” sites generally bounded by Tung Lo Wan Road, Wun Sha Street, King Street and Tai Hang Road  
**(Plans H-1, H-2a to H-2e, H-3a & H-3b & H-5d)**
- (i) the representation sites are part of a residential neighbourhood in Tai Hang delineated along Tung Lo Wang Road and Wun Sha Street, and zoned “R(A)1”. The representation sites comprise a number of small street blocks and relatively narrow roads with low-rise buildings

of mainly 5 to 6 storeys of similar building style built in 1960's with BH ranging mainly from about 20mPD to 39mPD;

(e) **Item E1** – Adjustment of NBA: the area on the northern and southern sides of Sugar Street

**Item E2** – Deletion of NBA: the area to the south of Lockhart Road and on the two sides of Great George Street

**Item E3** – Deletion of BG: the land between 280 and 281 Gloucester Road

**(Plans H-1, H-2a to H-2d, H-3a & H-3b & H-5e to H-5g)**

(i) the representation sites relates to the following locations in the business core north of Hennessy Road with a mix of commercial and composite buildings:

- E1: along the northern and southern sides of Sugar Street, which is characterized by various medium-rise composite buildings of 20 to 30 storeys (about 60 to 99mPD) (**Plan H-2b**);
- E2: to the south of Lockhart Road and on the two sides of Great George Street. Buildings along Great George Street are mainly medium to high-rise composite buildings of 18 (Great George Building) to 41 (Windsor House) storeys (about 60 to 139mPD). Composite residential/commercial buildings facing Lockhart Road are generally of about 5 to 9 storeys, and about 6 to 26 storeys fronting Hennessy Road (about 20 to 99mPD) (**Plan H-2c**); and
- E3: between 280 and 281 Gloucester Road where the existing premises of The Excelsior (37 storeys at about 119mPD) and World Trade Centre (44 storeys at about 144mPD) are located (**Plan H-2d**); and

(f) **Item F** – stipulation of BHR to 200mPD: a 5m wide strip of land along the lot boundary of Hysan Place fronting Lee Garden Road (**Plans H-1, H-2, H-3a & H-3b & H-5h**)

(i) the representation site is a strip of land (5m wide) along the western frontage of the existing Hysan Place facing Lee Garden Road, which was previously stipulated as an NBA area under the previous OZP No. S/H6/15. The NBA restriction was subsequently quashed by the Court upon JRs; and

(ii) Hysan Place is a 37 storeys commercial building on top of a 4-level basement with a BH of about 199mPD. Hysan Place and Lee Garden One (see Amendment Items B1 & B2 above) to its south are the two tall commercial

developments within the commercial and business hub in Causeway Bay area. Together with Times Square to the southwest of Hysan Place falling within the Wan Chai OZP (all are around 200mPD), they form a 'triangle node' as a key destination for shopping and entertainment in the area.

## 6.2 Planning Intention

6.2.1 The planning intention of the zones which are the subjects of representations and comments are as follows:

- (a) "C" – primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre(s) and regional or district commercial/shopping centre(s) and these areas are usually major employment nodes;
- (b) "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. On land designated "R(A)1", a minimum setback of 0.5m from the lot boundary fronting School Street, King Street, Shepherd Street, Sun Chun Street, Ormsby Street, Brown Street, Warren Street, Jones Street and Lai Yin Street shall be provided; and
- (c) "OU(MU)" – primarily intended for mixed non-industrial land uses. Flexibility for the development/redevelopment/conversion of residential or other uses, or a combination of various types of compatible uses including commercial, residential, educational, cultural, recreational and entertainment uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs. Physical segregation has to be provided between the non-residential and residential portions within a new/converted building to prevent non-residential uses from causing nuisance to the residents. Some commercial uses are always permitted in an existing mixed use building before its redevelopment/conversion.

6.2.2 In order to facilitate ventilation along major corridors, NBAs are designated between the western end of Kingston Street and the eastern end of Jaffe Road with 8m in width, and on the two sides of Sugar Street with 1.5m in width. As the designation of NBAs is primarily for the purpose of above ground air ventilation, the NBA requirements will not apply to underground developments. No above ground structure is allowed, except that landscape feature, boundary fence/boundary wall, or minor structure (for footbridge connection or covered walkway, etc.) that is designed to allow high air porosity may be allowed.

6.3 Responses to Grounds and Proposals of Supportive Representations and Representations Providing Views

6.3.1 The supportive views of **R1 to R104** as detailed in paragraphs 4.2.1 and 4.2.2 above are noted. Proposals of the supportive representations as detailed in paragraphs 4.2.3 to 4.2.5 above, PlanD, in consultation with relevant Government departments, has the following responses (they are also applicable to **R246** and **R247** as their views are similar to the proposals made by some supporting representers):

***Further Relaxation of the BHR***

**(R6, R7, R10, R30, R32, R33, R36, R37, R38, R40, R62, R63, R64, R65, R67, R68, R75, R76, R85, R87, R88, R89, R90, R96, R97, R98, R99 & R101)**

6.3.2 The key objective of BH control is to provide better planning control in guiding developments to avoid excessive tall and out-of-context development which would adversely affect the quality of the living environment including air ventilation. In light of the Courts' ruling on the JRs in relation to the OZP, a review of the BH and development restrictions on the OZP was conducted. The amendments incorporated into the current draft OZP has duly taken into account all relevant planning considerations, the SBDG requirements, various urban design guidelines, air ventilation assessment (AVA) by expert evaluation undertaken in 2017 and permitted development intensity. The current BHRs for the representation sites are considered appropriate and have already allowed design flexibility for incorporation of SBDG requirements including greenery and/or design features on ground and at podium levels to improve both living and pedestrian environment.

6.3.3 Since the imposition of BHRs does not affect the permissible GFA to be accommodated within a development, it does not preclude the provision of public facilities or PTI. In addition, the overall existing and planned public facilities are sufficient to cater for the requirements of the planned population within the planning scheme area of the OZP, and there is no proposal to require provision of PTI within the representation sites. There is no planning justification and not necessary for a blanket relaxation of BHR for such provisions.

6.3.4 As there is no relevant technical assessment to substantiate that further relaxation of BHRs would not have any adverse impacts on the area, such relaxation proposals are not supported.

***Further Relaxation of the BHR for the Lee Garden Two Site***  
**(R7, R35 & R103)**

6.3.5 For the further relaxation of BHR of the Lee Garden Two site under Amendment Items C1 and C2, it is noted that **R103** has particularly queried the assumptions made under PlanD's notional scheme. It

should be noted that relevant assumptions adopted in the notional scheme were provided in Annexes F1, F2 & H1 of TPB Paper No. 10340. As for the alternative scheme proposed by **R103**, it is based on different assumptions, which are entirely a design choice to be made by the project proponent, having taken into account all the relevant factors including the development restrictions on the OZP. As for the provision of sky garden within the development, it is a green feature rather than a SBDG requirement and purely a choice amongst various good practice to improve the building design. Under PlanD's notional scheme, the BHR of 135mPD is able to accommodate the GFA permissible under B(P)R and 25% concession which would include mandatory, green and amenity features etc. Sky garden and E&M design would be included in the 25% concessionary GFA and integrated into the overall building design. A comparison of the assumptions adopted in PlanD's notional scheme and that of the alternative scheme is appended below.

	PlanD's notional scheme	<b>R103's</b> scheme
Building Height (mPD)	135	150
FTF height	- Podium: 5m - Tower: 4m <sup>^</sup> - Refuge Floor <sup>#</sup> : 3m	- LG/F (Retail & L/UL): 5m - G/F to 5/F(Retail): 5m - 6/F to 13/F & 16/F to 29/F(Office): 4.5m - 14/F(Refuge <sup>#</sup> & Sky Garden): 5.4m - 15/F(E&M): 6m
No. of Storeys)	31 Storeys* - Podium : 3 - Tower: 27 - Refuge Floor: 1	31 Storeys - Retail: 7 - Office: 22 - Refuge Floor & Sky Garden: 1 - E&M: 1
Basement	Carpark only depending on design	4 Storeys - (LG/F) Retail and L/UL: 1 - (B1 to B3) Carpark: 3
No. of Towers	2	2

**Remarks:**

<sup>^</sup> The total no. of storeys for the notional scheme is less than the achievable no. of storeys under BHR of 135mPD (i.e. 32 storeys). Hence, a higher FTFH of 4.5m is possible for some typical floors under the schemes.

\* The BHR of 135mPD is able to accommodate the GFA permissible under B(P)R and 25% concession which would include mandatory, green and amenity features etc.. Sky garden and E&M design would be included in the 25% concessionary GFA and integrated into overall building design.

# Only a 2.3m clear headroom for refuge floor is required under the Code of Practice of Fire Safety in Buildings 2011.

- 6.3.6 There is no strong justification to further relax the BHR for a specific scheme submitted with no corresponding technical assessments where the potential impacts arising from further relaxation of BHR cannot be ascertained. On the contrary, it has been demonstrated by PlanD's notional scheme (**Plan H-8**) that a BHR of 135mPD is able to accommodate both the SBDG requirements and the permitted development intensity for the representation site.
- 6.3.7 For the proposed vehicular tunnel as mentioned by **R103**, it should be noted that the proposed tunnel is part and parcel of an approved planning scheme under the planning application No. A/H6/79 (approved with conditions by the Metro Planning Committee of TPB on 24.6.2016). The proposed tunnel would connect the Lee Garden One and Lee Garden Two at their existing basement level. The planning permission is only for the existing Lee Garden Two and the revision of the BHR for the site would not affect the implementation of the approved scheme. Should the existing Lee Garden Two be redeveloped in future, it would be up to the project proponent to decide whether the tunnel, if implemented as part of the approved scheme, should be maintained in the future redevelopment.

***Inclusion of Basement Requirement under the OZP***

**(R7, R8, R9, R12, R18, R25, R29, R36, R37, R39, R46, R52, R66, R67, R68, R73, R87, R89, R93, R96, R98 & R246)**

- 6.3.8 The current BHRs are imposed in mPD which do not preclude inclusion of basement in development. There is neither restriction under OZP over the provision of basement nor the number of basement levels. In addition, there is no change to the permitted development intensity under the current OZP. As such, the provision and uses of basement are at the discretion of project proponents subject to the compliance of building regulations and other relevant legislations. Therefore, it is not necessary to stipulate a blanket requirement for the provision of basement on the OZP.

6.4 Responses to Grounds and Proposals of Opposing Representations

***General Comments***

- 6.4.1 Set against the background of high redevelopment pressure in the Causeway Bay 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 in guiding developments/redevelopments to avoid excessively tall and out-of-context developments which will adversely affect the visual quality of the area. In setting the BHRs, one of the major considerations is that the BHRs would not adversely affect the development intensity permitted under the OZP.

- 6.4.2 In reviewing the BHRs on the OZP, due consideration has been given to the SBDG and other planning and design requirements including the existing BH profile, committed development, topography, site formation level, local characteristics, the waterfront and foothill setting, compatibility with surroundings, predominant land use and development intensity, visual impact, air ventilation and a proper balance between public interest and private development right. The BHRs and development restrictions/ requirements for the representation sites are considered appropriate after balancing various factors mentioned above.

#### Development Intensity

- 6.4.3 There is no PR restrictions for “C”, “OU” and “R(A)1” zones on the OZP. The amendments incorporated into the current OZP involve only the revisions of BRHs and NBA/BG requirements which would not induce any increase in PR nor transfer of PR.

#### Building Design and SBDG Requirements

- 6.4.4 SBDG was first promulgated by the BD in 2011 through Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAPs) APP-151 and APP-152 in response to various changes to design requirements and building features. Practice notes and guidelines would be issued by the Buildings Authority as and when necessary to reflect changing circumstances.
- 6.4.5 Although SBDG is not a statutory requirement, it is one of the prerequisites for granting GFA concessions for greening/amenity features and non-mandatory/non-essential plant rooms and services SBDG. Moreover, the SBDG requirements will be included where appropriate in the lease conditions of new land sale sites or lease modification/land exchange. It was noted that out of the average approval of some 200 building plans each year for new buildings, about half of the new private building developments would follow SBDG. The amendments incorporated into the OZP, which have duly considered the relevant considerations including the SBDG requirements, will help achieve good building design and a sustainable environment for the Causeway Bay area.

#### Traffic and Pedestrian

- 6.4.6 As the revisions to the BHRs do not involve any increase in PR, significant increase in traffic and pedestrian flow is not envisaged. In any case, TD will continue to monitor the traffic conditions in the area and review the need for any road/pedestrian improvement works and traffic management measures as appropriate.
- 6.4.7 To improve the pedestrian circulation and walking environment in Causeway Bay area, setback requirements were previously imposed for the “C(1)”, “C(2)”, “R(A)1” and “OU(MU)” sites on the OZP. There



is no change to these setback requirements under the current OZP which aim to widen the footpaths fronting Lockhart Road, Jaffe Road, Cannon Street, Lan Fong Road, Jardine's Bazaar and Lee Garden Road to about 3.5m; and to widen the footpaths fronting Haven Street and in the Wun Sha Street area to about 2m to 2.5m (Plans 1 to 4 of the Explanatory Statement of the OZP). In addition to setback requirement, the current BHRs encourage developments to adopt SBDG which would result in opening up some ground floor spaces in new developments or redevelopments thereby improving pedestrian circulation and wind environment.

#### Environmental, Air Ventilation and Visual Aspects

##### *Environment*

- 6.4.8 Regarding the concerns on the possible adverse environmental impact of the relaxation of BHRs, since the proposed OZP amendments would not affect the development intensity permitted under the OZP, and the uses of the areas subject to the OZP amendments are not polluting in nature, the Director of Environmental Protection advises that adverse environmental impact including air and noise pollutions is not anticipated. For planning and design terms, the relaxation of BHRs would allow design flexibility and scope for development to adopt SBDG and/or design features that would improve the pedestrian environment and provision of greenery.

##### *Air Ventilation*

- 6.4.9 As part of the BH review, an AVA was undertaken in 2017 (Annex G1 of TPB Paper No. 10340) to evaluate the potential air ventilation impacts on the pedestrian wind environment. The AVA concluded that:
- (a) the existing wind environment in the north-western part of Causeway Bay is poor due to the high building density with tall buildings and narrow streets. With such high BH to street width ratio (H/W ratio), it is difficult for wind from the roof top level to penetrate to ventilate the street level. Under such circumstances, BH alone ceases to be the key consideration in improving the pedestrian wind environment for the OZP area;
  - (b) building design measures to reduce ground coverage and create building permeability, particularly at low level through provision of effective air paths to facilitate airflow from prevailing wind directions, are more important in improving the pedestrian wind environment in Causeway Bay area. Hence, relaxing the BHRs to allow flexibility for incorporation of various design elements including SBDG would in general better improve air ventilation in the area; and
  - (c) the relaxation of the BHRs would not have any adverse impact on the air ventilation at the street level in the area.

- 6.4.10 NBAs have been stipulated on the OZP at various key locations, i.e. Sugar Street and on land between the western end of Kingston Street and the eastern end of Jaffe Road, to maintain the major air paths in the Causeway Bay area in order to improve district ventilation.

*Visual*

- 6.4.11 Visual appraisal has been conducted as part of the BH review for the current OZP (Annex G2 of TPB Paper No. 10340 and Plans 1 to 3 and paragraphs 2.7 to 2.11 and Plans 6 to 15 of TPB Paper No. 10375). While the relaxation of the BHRs will reduce the visual openness within Causeway Bay area, it would neither affect the views to the ridgelines to be protected nor protrude into the 20% building free zone below ridgelines as viewed from key vantage points (**Plans H-4a to H-4e** which are extracted from Plans 1, 8, 9, 13 & 14 of TPB Paper No. 10375). The relaxation of the BHRs is a trade-off amongst different urban design considerations, i.e. with slightly taller building for a better pedestrian environment in a dense urban district such as Causeway Bay. As a whole, the relaxation of the BHRs is considered not incompatible in scale with the surrounding and would not result in unacceptable visual impact (**Plans H-4b & H-4c**).
- 6.4.12 The relaxation of the BHRs has allowed design flexibility for development to adopt SBDG which would reduce ground coverage and enhance the environmental quality of living space by providing opportunities for landscape and greenery, particularly at pedestrian level to mitigate various impacts including UHI effect.

*Site Specific*

*Wun Sha Street (R245)*

- 6.4.13 **R245** objects to Amendment Item D which relates to the revision of the BHR for the “R(A)1” sites generally bounded by Tung Lo Wan Road, Wun Sha Street, King Street & Tai Hang Road from 85mPD to 100mPD (**Plan H-5d**). According to the AVA, the regular street pattern in Wun Sha Street area is well connected and aligned with the NE and SE prevailing wind directions which is important to air movement particularly at pedestrian level. Hence, the relaxation of BHR from 85mPD to 100mPD, while providing flexibility for development to adopt SBDG to improve pedestrian environment, would not have any adverse impact on street level air ventilation for the area.
- 6.4.14 The general setting and characters of the Wun Sha Street area have been mentioned in paragraph 6.1.3(d) above. The current relaxation of BHRs at Wu Sha Street area will not change the existing small streets or street pattern, and there is also no change to the zoning or permitted development intensity of sites involved. The area will remain part of a larger residential neighbourhood in Tai Hang, and the characters of the area will not be adversely affected. Relaxation of

BHRs will encourage adoption of SBDG providing design flexibility to improve street and pedestrian environment within the area.

***NBA along Lee Garden Road (R111 to R114)***

6.4.15 For the proposal from **R111 to R114** that a NBA should be imposed on the 5m wide strip of land along Lee Garden Road (which was designated as a NBA under the previous draft OZP). It should be noted that the NBA requirement was quashed by the Court upon JR. Notwithstanding the above, the AVA conducted in 2017 concluded that under the northerly wind, Percival Street is the major air path of the area around Lee Garden Road and Hysan Place. As Lee Garden Road is not a major air path, the provision of a NBA along Lee Garden Road has only localized effect to the wind environment, whereas similar improvement to the wind environment can be achieved through the adoption of SBDG when the surrounding areas are redeveloped. Hence, the deletion of the NBA would not have adverse impact on the air ventilation of the area.

6.5 Responses to Grounds and Views of Comments

6.5.1 The grounds of comments are largely similar to those raised in the representations. The responses to the representations in paragraphs 6.3 and 6.4 above are relevant. The major grounds of comments and responses are in **Annex V(a)**.

7. **Consultation**

7.1 The following Government departments have been consulted and their comments have been incorporated in the above paragraphs and **Annex V(a)** where appropriate:

- (a) Commissioner for Transport;
- (b) Chief Highway Engineer/Hong Kong, Highways Department;
- (c) Commissioner of Police;
- (d) District Lands Officer/Hong Kong East, Lands Department;
- (e) Chief Building Surveyor/Hong Kong East and Heritage, BD;
- (f) Director of Environmental Protection;
- (g) District Officer (Wan Chai), Home Affairs Department; and
- (h) Chief Town Planner/Urban Design and Landscape, PlanD.

8. **Planning Department's Views**

8.1 The supportive views of **R1 to R101** on all Amendment Items, **R102** on Amendment Items B1, B2 and F, **R103** on Amendment Items C1, and C2 and **R104** on Amendment Item C2 as detailed in paragraph 4.2 above are noted.

8.2 Based on the assessment in paragraph 6 above, PlanD does not support the remaining part of representations **R6, R7, R8, R10, R12, R18, R25, R29, R30,**

**R32, R33, R35, R36, R37, R38, R39, R40, R46, R52, R62, R63, R64, R65, R66, R67, R68, R73, R75, R76, R85, R87, R88, R89, R90, R93, R96, R97, R98, R99, R101 and R103, and representations R105 to R247 and considers that the OZP should not be amended to meet the representations for the following reasons:**

*For all Representations*

- (a) the amendments to the OZP including relaxation of the BHRs and the revisions to the NBA and BG are appropriate as they have taken into account all relevant considerations such as the existing BH profile, committed development, topography, site formation level, local characteristics, the waterfront and foothill setting, compatibility with surroundings, predominant land use and development intensity, visual impact, air ventilation, SBDG requirements and a proper balance between public interest and private development right. **(R6, R7, R10, R30, R32, R33, R36, R37, R38, R40, R62, R63, R64, R65, R67, R68, R75, R76, R85, R87, R88, R89, R90, R96, R97, R98, R99, R101, R103 & R105-R247);**

*For the Supportive Representations*

- (b) as the imposition of BHR does not preclude the provision of PTI or public facilities, a blanket relaxation of BHRs for such facilities and green features on the OZP is not justified and not necessary. There is also no technical assessment to substantiate such a relaxation of BHRs. **(R6, R8, R10, R29, R30, R33, R36, R38, R39, R40, R46, R63, R66, R67, R68, R88, R89, R93, R96, R97, R98 & R99);**
- (c) there is no restriction for the provision of basement under the OZP and the BHRs do not preclude inclusion of basement in development. It is considered unnecessary to have a blanket stipulation for basement development within the OZP area. **(R7, R8, R9, R12, R18, R25, R29, R36, R37, R39, R46, R52, R66, R67, R68, R73, R87, R89, R93, R96 & R98);**
- (d) the building design of the Lee Garden Two site is solely a decision to be made by its project proponent having regard to all relevant considerations including the BHRs on the OZP. There is no justification for nor technical assessments to substantiate further relaxation of the BHR for the Lee Garden Two site **(R7, R35 & R103);**

*For the Opposing Representations*

- (e) there is no PR restriction for the representation sites on the OZP. As relaxation of BHRs does not involve any increase in the development intensity or transfer of PR, it would not induce any additional traffic, environmental and infrastructural impacts **(R105 to R245);** and

- (f) according to the AVA, it is not necessary to impose a NBA along the boundary of Hysan Place fronting Lee Garden Road. Hence, Amendment Item F is considered appropriate (**R111, R112, R113 & R114**).

## 9. 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.

### Attachments

<b>Annex I</b>	Draft Causeway Bay OZP No. S/H6/16 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the Draft Causeway Bay OZP No. S/H6/15
<b>Annex III(a)</b>	Minutes of 1156 <sup>th</sup> TPB Meeting held on 17.11.2017
<b>Annex III(b)</b>	Minutes of 1160 <sup>th</sup> TPB Meeting held on 5.1.2018
<b>Annex IV</b>	Minutes of WCDC Meeting on 6.3.2018
<b>Annex V(a)</b>	Summary of Representations and Comments and PlanD's Responses
<b>Annex V(b)</b>	List of Representers ( <b>R1 to R247</b> ) and Commenters ( <b>C1 to C7</b> ) in respect of Draft Causeway Bay OZP No. S/H6/16
<b>Annex VI</b>	CD-Rom of Representations and Comments (for TPB Members only)
<b>Drawings H-1a to H-1f</b>	Proposed Scheme submitted by Representer <b>R103</b>
<b>Plan H-1</b>	Location Plan
<b>Plan H-2a to H-2e</b>	Site Plans and Existing Building Height Profile
<b>Plans H-3a &amp; H-3b</b>	Aerial Photos
<b>Plans H-4a to H-4g</b>	Viewing Points and Photomontages of BH Profile from Tsim Sha Tsui and along the Waterfront
<b>Plans H-5a to H-5h</b>	Site Photos of Amendment Items A, B1, B2, C1, C2, D, E1, E2, E3 and F
<b>Plan H-6</b>	Location of Representer <b>R102</b>
<b>Plan H-7</b>	Location of Representer <b>R103</b>
<b>Plan H-8</b>	Notional Schemes for the Lee Garden Two site

**TPB Paper No. 10467**  
**For Consideration by the**  
**Town Planning Board on 14.9.2018**

**DRAFT CAUSEWAY BAY OUTLINE ZONING PLAN NO. S/H6/16**  
**CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/H6/16-1 TO 247**  
**AND COMMENTS NO. TPB/R/S/H6/16-C1 TO C7**