

**SUBMISSION OF THE
DRAFT CAUSEWAY BAY OUTLINE ZONING PLAN No. S/H6/16A
UNDER SECTION 8 OF THE TOWN PLANNING ORDINANCE
TO THE CHIEF EXECUTIVE IN COUNCIL FOR APPROVAL**

1. Introduction

The purpose of this Paper is to seek Members' agreement that the draft Causeway Bay Outline Zoning Plan (OZP) No. S/H6/16A (**Annex I**) together with its Notes (**Annex II**) are suitable for submission under section 8 of the Town Planning Ordinance (the Ordinance) to the Chief Executive in Council (CE in C) for approval, and that the updated Explanatory Statement (ES) (**Annex III**) is suitable for submission to the CE in C together with the draft OZP.

2. Background

- 2.1 On 13.9.2005, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/H6/14. On 6.7.2010, the CE in C referred the approved OZP No. S/H6/14 to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP for amendment was notified in the Gazette on 17.9.2010 under section 12(2) of the Ordinance.
- 2.2 On 17.9.2010, the draft OZP No. S/H6/15, incorporating mainly amendments to impose building height restrictions for various zones, to rezone 'Commercial/Residential' ("C/R") sites to "Commercial" ("C"), "Residential (Group A)" ("R(A)", or "Other Specified Uses" annotated "Mixed Use" ("OU(MU)") zones and to rezone various sites to reflect the planning intention or the as-built conditions, was exhibited for public inspection under section 5 of the Ordinance.
- 2.3 During the two-month exhibition period, a total of 165 valid representations were received. On 27.11.2010, the representations were published for public comments and, in the first three weeks of the publication period, 5 valid comments were received. After giving consideration to the representations and comments under section 6B(1) of the Ordinance on 11.3.2011, the Board decided to propose amendments to the draft OZP to meet/partially meet some representations. The proposed amendments were published on 1.4.2011 under section 6C(2) of the Ordinance. Three valid further representations were received. On 24.6.2011, the Board gave consideration to the further representations and decided to amend the OZP by the proposed amendments under sections 6F(8) and 6G of the Ordinance.

- 2.4 The Board's decisions made on 11.3.2011 on some representations were the subjects of judicial reviews (JRs) and submission of the draft OZP to the CE in C for approval had since been stayed pending the results of the JRs. On 26.9.2016, the Court of Final Appeal handed down judgment on the JRs and related appeals. According to the Courts' rulings, among other things, the non-building area requirement at the Hysan Place site was quashed and those representations related to the JRs had to be remitted to the Board for consideration. To take forward the Courts' rulings, a review of the development restrictions for "C", "R(A)" and "OU(MU)" zones on the draft OZP was conducted in 2017.
- 2.5 On 26.1.2018, the draft OZP No. S/H6/16, incorporating mainly amendments to the building height restrictions, and non-building area and building gap requirements for "C", "OU(MU)" and "R(A)1" sites, was exhibited for public inspection under section 7 of the Ordinance.
- 2.6 During the two-month exhibition period, a total of 247 representations were received. On 8.5.2018, the representations were published for public comments and, in the first three weeks of the publication period, 7 comments were received. After giving consideration to the representations and comments under section 6B(1) of the Ordinance on 14.9.2018, the Board decided not to propose any amendment to the draft OZP to meet the representations under section 6B(8) of the Ordinance.

3. Submission to the Chief Executive in Council

- 3.1 In accordance with section 8 of the Ordinance, the Board shall submit the draft OZP, together with a schedule of the representations (if any), the comments on representations (if any), the further representations (if any) and the amendments (if any) made by the Board to the CE in C for approval within nine months of the expiration of the plan exhibition period. Since the representation consideration process has been completed, the draft OZP is now ready for submission to the CE in C for approval.
- 3.2 For submission to the CE in C, the draft Causeway Bay OZP has been renumbered as S/H6/16A (**Annex I**). Opportunity is also taken to update the ES (**Annex III**) to reflect the latest position of the OZP. For easy reference, the amendments are highlighted in *bold and italics* or ~~strike-out~~ form.
- 3.3 Upon the approval of the draft OZP No. S/H6/16A by the CE in C, the approved OZP will be renumbered as S/H6/17.

4. Decision Sought

Members are invited to:

- (a) agree that the draft Causeway Bay OZP No. S/H6/16A and its Notes at **Annexes I and II** respectively are suitable for submission under section 8 of the Ordinance to the CE in C for approval;

- (b) endorse the updated ES for the draft Causeway Bay OZP No. S/H6/16A at **Annex III** as an expression of the planning intention and objectives of the Board for the various land use zonings on the draft OZP and to be issued under the name of the Board; and
- (c) agree that the updated ES is suitable for submission to the CE in C together with the draft OZP.

Attachments

Annex I	Draft Causeway Bay OZP No. S/H6/16A
Annex II	Notes of the Draft Causeway Bay OZP No. S/H6/16A
Annex III	Explanatory Statement of the Draft Causeway Bay OZP No. S/H6/16A

**PLANNING DEPARTMENT
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