

銅鑼灣



Causeway Bay

**Submission of Layout Plan and Application for
Commercial Development on IL No. 8945
Causeway Bay, Hong Kong
A/H7/185 Further Information 3**

Planning Statement



April 2024

Patchway Holdings (HK) Limited

Submission of Layout Plan and Application for Commercial Development on IL No8945 Causeway Bay, Hong Kong under s16 of the Town Planning Ordinance (Cap.131)



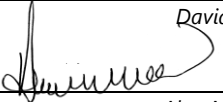
Planning Statement

Document No. 005

URBIS Limited

April 2024

In association with
Ronald Lu & Partners (Hong Kong) Ltd.
ARUP
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Otherland Limited
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Executive Summary

This planning application relates to Inland Lot 8945, Caroline Hill Road, Causeway Bay, Hong Kong. It is prepared and submitted under Section 16 of the Town Planning Ordinance (Cap.131) on behalf of Patchway Holdings (HK) Limited (the Applicant), to seek approval from the Town Planning Board (TPB/the Board) of a proposed Layout Plan for a proposed commercial and social welfare facility project. The Application Site is zoned "Commercial (2)" on the approved Wong Nai Chung OZP No. S/H7/21. All the proposed uses in the Layout Plan, including 'Office', 'Shop and Services', 'Eating Place', 'Social Welfare Facility', 'Public Clinic', 'Public Transport Terminus or Station' and 'Public Vehicle Park (excluding container vehicle)', are Column 1 uses which are always permitted in the "C(2)" zone. According to the Remarks of the Notes of the "C(2)" zone in the OZP, for any new development within the zone, a Layout Plan shall be submitted for the approval of the Board.

In a previous Section 16 application (No. A/H7/181) for this project, approved by the TPB on 6 May 2022, the development proposal included an additional 2,000m² of Performing Arts and Cultural Facilities (PACF) on 5/F of Towers 1 and 2 to be operated by a non-profit organisation. In the planning permission, this GFA was granted as additional to the 100,000m² stipulated in the OZP on the basis of a relaxation of the development parameters. The Applicant desires to implement the approved planning permission and fulfil the planning conditions at the earliest possible opportunity in order to bring the Site into productive use for the benefit of the Hong Kong economy and for the public and preliminary works are ongoing on site. However, despite their earnest intention to implement the PACF proposal as approved, the Applicant is facing genuine difficulties in doing so as it will be not financially viable to do so on a non-profit basis should the PACF land premium be set at a commercial level, which it appears from preliminary discussions, may be the case. Under such a difficult situation and with the pressing construction programme in mind, the Applicant therefore proposes this alternative development proposal to urgently re-direct the construction activity and achieve an optimal planning outcome. Therefore, this proposal does not contain the PACF but does instead include a new alternative facility in the form of approximately 2,000m² of Communal Podium Garden on 5/F of Towers 1 and 2. The Communal Podium Garden is proposed in accordance with the Joint Practice Note No.1 as a green feature. Under this alternative development proposal, the 2,000m² GFA concession sought for the PACF will not be required and thus the total GFA will be 100,000m² without any relaxation of GFA constraints being sought. Therefore, changes to development parameters of other all components will be minor.

The Application Site covers the majority of the "C(2)" zone in the OZP and has an area of about 14,802m². The Project consists of three commercial towers with five levels of basements including lay-bys for light buses at B1/F, public and private vehicle park at B2/F to B5/F, and 25 storeys at Towers 1 and 2 and 16 storeys at Tower 3. Social welfare facilities, which include a Child Care Centre, a Day Care Centre for the Elderly and a District Health Centre, are located at G/F to 1/F of Tower 3. Commercial uses are located at B1 to 3/F and 6/F to 27/F of Towers 1 and 2 with a communal podium garden proposed on 5/F. The open space on podium level with a covered Landscape Bridge that spans the new internal access road is proposed at 2/F, which is integrated with an elevated walkway connected over Leighton Road to Lee Garden Six. The 2/F podium and Landscape Bridge, together with a public open space area in the form of a semi-internal corridor and an area around the Old and Valuable Tree (OVT) No. LANDSD(LEASED) WCH/1 (Previous Registration No. HKP WCH/1) on G/F, will provide a public open space of at least 6,000m² in total, as required in the Notes of the OZP. The proposed Project under the Layout Plan will yield a total of 100,000m² countable GFA, the maximum allowable under the OZP.

This application establishes that the proposed commercial Project under this Layout Plan:

- fulfills the requirements of layout plan submission under Remarks of the Notes of the "C(2)" zone on the approved Wong Nai Chung OZP No. S/H7/21;
- complies with material requirements and development parameters of the approved Wong Nai Chung OZP No. S/H7/21;

- describes the problems that the Applicant is facing in implementing the performing art and cultural facility as approved, due to its likely financial non-viability; the consequent negative land use impact that leaving such a space unused might have; and the urgent need to re-direct construction activity towards this alternative development proposal;
- notes that provision of performing arts and cultural facilities is not a mandatory requirement in the OZP;
- provides significant recreational and sustainability benefits in the form of the proposed Communal Podium Garden;
- preserves designated features of historical and natural value located on the site;
- results in an enhanced provision and distribution of public open space for community enjoyment and appeal of landscape;
- enhances air ventilation through building design and layout;
- enhances pedestrian connectivity to the surrounding area and walkability in the wider area;
- integrates the required GIC facilities with the commercial Project for the benefit of the public;
- alleviates traffic congestion in the area through incorporation of the gazetted 'Proposed Road Improvement Works at Caroline Hill Road, Link Road, Hoi Ping Road and Leighton Road'; and
- poses no insurmountable adverse impacts in terms of technical aspects.

In light of the abovementioned merits of the proposed Project, favourable consideration of this application is respectfully requested from the Town Planning Board.

內容摘要

(內容如有差異，請以英文版本為準)

本規劃申請位於銅鑼灣加路連山道內地段 8945 號，博威控股 (香港) 有限公司(下稱「申請人」) 現按第 131 章城市規劃條例第 16 條，向城市規劃委員會(下稱「城規會」) 提交發展藍圖以供核准，以發展商業、社會福利設施項目(下稱「擬議項目」)。擬議地盤位於黃泥涌分區計劃大綱核准圖編號 S/H7/21(下稱「大綱圖」) 的「商業(2)」地帶。發展藍圖中的所有擬議用途，包括「辦公室」、「商店及服務行業」、「食肆」、「社會福利設施」、「政府診所」、「公共車輛總站或車站」及「公眾停車場(貨櫃車除外)」，皆為「商業(2)」地帶內經常准許的第一欄用途。根據大綱圖內有關「商業(2)」地帶下註釋的備註，在地帶範圍內，任何新發展或現有建築物的重建，都必須提交一份發展藍圖，以供城規會核准。

於 2022 年 5 月 6 日，城規會根據《城市規劃條例》第 16 條核准了早前的規劃申請(編號:A/H7/181)。核准發展計劃中包括略為放寬大綱圖內總樓面面積限制，由 100,000 平方米放寬至 102,000 平方米(2%)，以於第一及二座的五樓額外提供約 2,000 平方米的演藝及文化設施，並計劃由非牟利機構營運該設施。為了核准發展項目能實際上為本港帶來經濟發展上的好處及公眾裨益，申請人希望儘早實行核准發展並滿足規劃條件，而已正在發展地盤上進行前期的施工。儘管申請人懇切希望能實行核准發展中的演藝及文化設施項目，但如該設施的補地價評估根據初步討論以商業性質為基礎作決定，此非牟利性質的設施項目則會在財務上不可行。與面對此困難的同時，顧及緊迫的工程進度，申請人從而擬議本申請下的替代發展計劃以緊急地調整工程，並求達到最理想的規劃結果。因此，本申請下擬議的發展計劃包括於第一及二座的五樓提供約 2,000 平方米的公用平台花園，以替代核准發展中的演藝及文化設施。根據聯合作業備考第一號，擬議的公用平台花園屬「環保及創新的樓宇」下的環保設施。因此，擬議的替代發展計劃下總樓面面積為 100,000 平方米，而其他發展參數則會作出微調。

發展地盤覆蓋「商業(2)」地帶大部分範圍，面積為 14,802 平方米。擬議項目包括三座商業大廈及五層地庫，第一及二座為 25 層高，第三座為 16 層高，而地庫一層設小巴停車處、地庫二層至五層設公眾及私人停車場。第三座地下至一樓將設三間社會福利設施，包括一間地區康健中心、一間幼兒中心及一間長者日間護理中心。

第一及二座的地庫一層至三樓及六樓至二十七樓將作商業用途，五樓部分另闢設植有草木的公用平台花園。擬議項目的二樓平台上的休憩用地將設有蓋景觀橋，橫跨地盤內的擬議道路，並延伸至通往利園六期的擬議行人天橋。擬議項目包括於二樓平台及有蓋景觀橋、地面的綠走廊及近古樹名木的範圍提供約 6,000 平方米作公眾休憩用地，以符合大綱圖內註釋的備註中的要求。本申請下的擬議項目達至大綱圖上訂明的最高准許總樓面面積，為 100,000 平方米。

於設計優點及規劃理據而言，本申請下的作商業項目的發展藍圖：

- 符合大綱圖內《註釋》下的備註中有關提交發展藍圖的要求；
- 遵守大綱圖內的發展參數及所有重要要求；
- 說明申請人正在面對實行核准發展中演藝及文化設施上的困難，為難以達致財務上的可行性，而閒置此空間會為土地用途帶來負面影響，從而擬議本申請下的替代發展計劃以緊急地調整工程；
- 指出大綱圖內對演藝及文化設施的提供並非強制性要求；
- 透過於第一及二座五樓上闢設植草木的公用平台花園，帶來在康樂用途及可持續性上的裨益；
- 完全保留申請地點內具自然及歷史價值的特徵；
- 提供更多具質素及更妥善分佈的公眾休憩用地，以及美化景觀設計；
- 透過建築設計及佈局，改善地區的空气流通；

- 提高地區內的行人連接性及易行度；
- 有效地融合所需要的政府、機構或社區設施；
- 透過已刊憲的加路連山道、連道、開平道及禮頓道擬建道路改善工程，舒緩地區交通擠塞問題；以及
- 於技術層面不會產生不可克服的負面影響。

基於上述擬議修訂的優點，懇請城規會對本規劃申請作出正面積極的考慮。

TABLE OF CONTENTS

1	INTRODUCTION	8
1.1	Background and Purpose of the Application	8
1.2	Land Status	8
1.3	Planning History.....	8
2	SITE CONTEXT AND FEATURES	11
2.1	Site Location, Existing Condition and Surrounding Development	11
2.2	Heritage Features	11
2.3	Trees and Vegetation.....	14
3	OUTLINE ZONING PLAN PROVISIONS, PARAMETERS AND REQUIREMENTS	15
3.1	OZP Planning Intention.....	15
3.2	Development Parameters and Facilities Permitted under the OZP.....	15
3.3	Requirements of Layout Plan Submission	16
3.4	Facilities which are Encouraged under the OZP	17
4	DEVELOPMENT PROPOSAL	18
4.1	Introduction.....	18
4.2	Development Proposal and Architectural Layout	18
4.3	Site Planning and Layout Principles	22
4.4	Vehicular/ Pedestrian Circulation and Internal Parking Provision	25
4.5	Urban Design Proposal.....	26
4.6	Landscape Proposal.....	27
4.7	Treatment of Heritage Features	30
5	TECHNICAL ASSESSMENTS	32
5.1	Summary of Air Ventilation Assessment.....	32
5.2	Geotechnical Planning Review	32
5.3	Drainage Impacts	32
5.4	Sewerage Impacts	33
5.5	Traffic Impacts	33
5.6	Air Quality Impacts	34
5.7	Noise Impacts	34
5.8	Conservation Management Plan.....	34
5.9	Water Supply Impacts	34
6	PLANNING JUSTIFICATIONS	35
6.1	Compliance with Development Parameters and OZP Requirements.....	35
6.2	Provision of Performing Arts and Cultural Facility / Cultural Venue.....	37
6.3	Communal Podium Garden Proposal.....	38
6.4	Preservation of Designated OVTs and Heritage Features.....	39
6.5	Enhanced Provision of Public Open Space and Appeal of Landscape.....	39
6.6	Enhanced Air Ventilation Through Building Design and Layout	40
6.7	Enhanced Pedestrian Connectivity and Walkability	40
6.8	Traffic Improvements Through Road Improvement Works	41
6.9	No Insurmountable Technical Impacts.....	41
7	IMPLEMENTATION	42
7.1	Programme and Phasing.....	42

7.2	Responsibility for Construction and Management.....	42
8	CONCLUSION	43
8.1	Summary.....	43

LIST OF TABLES

Table 2.1	Historic Buildings in the Vicinity of the Application Site
Table 3.1	Requirements of Layout Plan Submission under “C(2)” zone of the Approved Wong Nai Chung OZP No. S/H7/21 and the Relevant Sections of this Layout Plan Submission
Table 4.1	Comparison of Development Schedule between Approved and Proposed Schemes
Table 4.2	Comparison of Provision of Internal Transport Facilities between Approved and Proposed Schemes
Table 4.3	Proposed Land Uses by Floor
Table 4.4	Comparison of Summary of Tree Recommendation between Approved and Proposed Schemes
Table 4.5	Comparison of Compensatory Planting Ratio between Approved and Proposed Schemes
Table 6.1	Development Restrictions under “C(2)” zone of the Approved Wong Nai Chung OZP No. S/H7/21 and the Relevant Sections of this Layout Plan Submission

LIST OF FIGURES

Figure 1.1	Site Location Plan
Figure 1.2	Extract of the Approved Wong Nai Chung Outline Zoning Plan No. S/H7/21
Figure 2.1	Aerial Photo of the Application Site
Figure 2.2	Surrounding Development Context
Figure 2.3a – 2.3c	Application Site and Surrounding Land Use Context
Figure 2.4	Location of Grade 3 Masonry Walls and Earthenware Pipes
Figure 2.5	Photos of Grade 3 Masonry Walls and Earthenware Pipes
Figure 2.6	Plan Showing Historic Buildings in Vicinity of the Application Site
Figure 4.1	Adapted Lease Plan
Figure 4.2	Depth and Area of Excavation
Figure 4.3	Artist’s Impression of Planning Department Rezoning Conceptual Scheme
Figure 4.4	Artist’s Impression of Approved Development Proposal
Figure 4.5a – 4.5b	Artist’s Impression of Proposed Scheme
Figure 4.6	Covered Landscape Bridge
Figure 4.7a – 4.7b	Visual Corridor between Two OVTs
Figure 4.8a – 4.8b	Setback at G/F and 2/F Levels
Figure 4.9a – 4.9d	GIC Facilities with Window Frontage and Natural Daylight
Figure 4.10	Vehicular Accessibility – Ingress Routes
Figure 4.11	Vehicular Accessibility – Egress Routes
Figure 4.12	Internal Traffic Arrangement and Circulation – Private Cars
Figure 4.13	Internal Traffic Arrangement and Circulation – Light Buses, Goods Vehicles and Coaches
Figure 4.14	Pedestrian Circulation
Figure 4.15	Pedestrian Access from 2/F to Street Level
Figure 4.16a	Urban Design Analysis – 1
Figure 4.16b	Urban Design Analysis – 2
Figure 4.17	[Not used]
Figure 4.18	Plan showing the Graded and Ungraded Parts of the Masonry Wall Required to be Preserved
Figure 6.1	Artist’s Impression of 2/F Event Plaza

LIST OF ANNEXES

- Annex A-1 Plans and Minutes of Town Planning Board Meeting held on 8.5.2020 (Extracted)
- Annex A-2 Minutes of Town Planning Board Meeting held on 19.6.2020 (Extracted)
- Annex A-3 Town Planning Board Approval Letter (ref. TPB/A/H7/181)
- Annex B Layout Plan
- Annex C Landscape Master Plan
- Annex D Air Ventilation Assessment
- Annex E Sewerage Impact Assessment
- Annex F Supplementary Information for Potential Non-viability of Performing Arts and Cultural Facilities
- Annex G Supplementary Information for Water Supply Impact

LIST OF ABBREVIATIONS

AMO	Antiquities and Monuments Office
AVA	Air Ventilation Assessment
BD	Buildings Department
BH	Building Height
CCC	Child Care Centre
C(2)	Commercial (2)
DBH	Diameter at Breast Height
DE	Day Care Centre for the Elderly
DHC	District Health Centre
ELS	Excavation and Lateral Support
ES	Explanatory Statement
GFA	Gross Floor Area
"G/IC"	"Government, Institution or Community" (zone)
GIC	Government, Institution or Community
HGV	Heavy Goods Vehicle
HyD	Highways Department
LGV	Light Goods Vehicle
LMP	Landscape Master Plan
MGV	Medium Goods Vehicle
MLP	Master Layout Plan
NOFA	Net Operating Floor Area
OVT	Old and Valuable Trees
OZP	Outline Zoning Plan
POS	Public Open Space
PR	Plot Ratio
TPB	Town Planning Board
TPDM	Transport Planning and Design Manual
TPZ	Tree Protection Zone

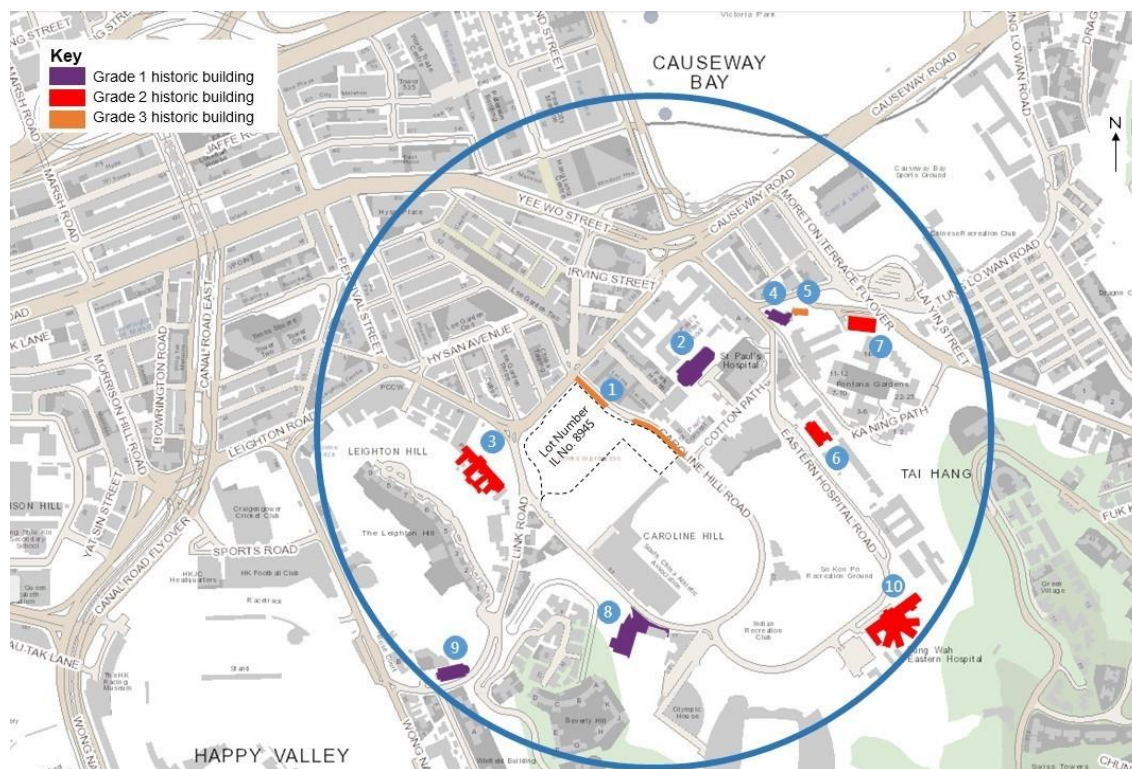


Figure 2.6 Plan Showing Historic Buildings in Vicinity of the Application Site

2.3 TREES AND VEGETATION

- 2.3.1 A total of 57 nos. of trees were surveyed on 21 August 2021 within the Application Site boundary, and are illustrated on the Approved Tree Survey Plan. Detailed tree findings are further elaborated in **Annex C**.

4 Development Proposal

4.1 INTRODUCTION

- 4.1.1 The current Layout Plan demonstrates the technical feasibility, openness and ventilation, accessibility, connectivity as well as other design merits of the Project as required under the OZP.
- 4.1.2 With regard to the previous Section 16 application (No. A/H7/181) submitted by the Applicant, the approved development proposal with an additional 2,000m² of PACF operated by non-profit organisation was permitted with minor relaxation of GFA on 6 May 2022.
- 4.1.3 Under the current Layout Plan of the proposed Project, as an alternative to the approved development proposal, the cultural facilities will be omitted and a Communal Podium Garden is instead proposed on 5/F of Towers 1 and 2. Therefore the relaxation of GFA restrictions, which was permitted in the approved planning application, will not be sought in this application.

4.2 DEVELOPMENT PROPOSAL AND ARCHITECTURAL LAYOUT

- 4.2.1 The proposed Project consists of three commercial towers, namely Tower 1 & Tower 2 with 25 storeys (at the Edged Blue Site) and Tower 3 with 16 storeys (at the Edged Red Site) (**Figure 4.1** refers).
- 4.2.2 There are five levels of basements which include one level of Commercial & Lay-bys for Light Buses at B1/F and 4 levels of basement carpark for Public Vehicle Park and Private Parking at B2-B5/F. A retaining structure will be constructed in the Application Site up to the level of and surrounding a portion of the OVT (No. JUD WCH/1 (Previous Registration No. EMSD WCH/1)) in the adjacent District Court site. The architectural drawings and plan showing the area and depth of excavation are at **Figure 4.2**. The site formation plans with the additional protective barrier in the retaining structure and updated retaining wall extent were submitted to BD.
- 4.2.3 The 2/F podium is proposed (Level +18.35mPD) with a fully covered and enclosed Landscape Bridge over a new internal access road connecting the Edged Blue Site with the Edged Red Site. The 2/F podium will serve as part of the Public Open Space and as a pedestrian link that connects Towers 1 & 2 with Tower 3 and the GIC facilities.
- 4.2.4 The GIC facilities required under the OZP, which include a Child Care Centre (CCC), a Day Care Centre for the Elderly (DE) and a District Health Centre (DHC), are located at the podium level of Tower 3, occupying 3 storeys (at G/F – 1/F) and integrated with the covered public open space at 2/F. The requirements for DHC, CCC and DE with NOFA of approximately 1,000m², 531m² and 358m² will be complied with, as stated in the ES of the OZP.
- 4.2.5 The additional PACF under the approved scheme (No. A/H7/181) with a permitted minor relaxation of GFA, will be replaced with a Communal Podium Garden under the proposed Project on 5/F of Towers 1 and 2. The overall total GFA will be 100,000m² under the Proposed Scheme.
- 4.2.6 However, there will be a minor redistribution of GFA, when compared to the Approved Scheme, in terms of the provision of the required GIC facilities, light bus lay-bys and office. The total GFA of GIC facilities will be approximately 3,100m² under the Proposed Scheme with the minimum required NOFA inclusive as listed on the Lease. The previously approved GIC GFA of approximately 3,000m² was estimated based on a preliminary layout. The layout of GIC facilities has been further refined during liaison with relevant departments to facilitate future operations. In addition, the B1/F layout, consisting of commercial area, driveway and light bus lay-bys will be updated under the Proposed Scheme. The

- 4.3.6 In order to further enhance air ventilation flow, Tower 3 is proposed to be raised above the podium level at 2/F with the provision of covered public open space underneath. The covered POS area will be landscaped with greenery and recreational facilities. By raising the tower above the podium level, it will allow passage of air flow underneath, and, thereby, facilitate air ventilation at podium level (**Section 5.1** refers).

Communal Podium Garden at 5/F of Towers 1 and 2

- 4.3.7 In accordance with the Joint Practice Note No.1, a Communal Podium Garden with an net area of not less than 5% of the area of the tower footprint, which is around 2,000m², is proposed on 5/F of Towers 1 and 2 as green feature to promote the recreation and wellbeing of users of the building and the community and as a sustainable building initiative (**Figure 4.5** refers).
- 4.3.8 The Communal Podium Garden on 5/F of Towers 1 and 2 will be designed in accordance with the requirements of 1(d) and 2(d) of Appendix A in JPN1. There will be no occupied accommodation at the same floor and the floor will be for use as podium garden for sitting out purpose only without any commercial activities. The Podium Garden will be accessible from the common area and it will be for the use of building users and public visitors during opening hours. Within this Garden area, not less than 15% of the area of the tower footprint will be provided as greenery / vegetation.

Integration of GIC Facilities with Public Open Space

- 4.3.9 The GIC facilities required under the OZP, namely the Child Care Centre, the Day Care Centre for the Elderly and the District Health Centre, will be provided at the podium of Tower 3 at G/F to 1/F. It could be easily accessed from the street level at G/F or from the Landscape Bridge. Drop-off, L/UL and parking for these three GIC facilities are provided at B2/F of Tower 3 with direct disabled access to the GIC facilities.
- 4.3.10 There will be minor level changes of the GIC facilities compared to the Approved Scheme. The lowest floor will be slightly raised from +4.10mPD to +5.70mPD to flush with the adjoining street level. This will result in the levels of all three floors being raised by 1.6mPD. The lowest storey is thus renamed as "G/F" with the subsequent floor as "UG/F". The maximum height of Tower 3 at +90mPD will remain unchanged as per the Approved Scheme. This change will improve pedestrian access to the GIC premises and will mean that the staircase between G/F and 1/F in the Approved Scheme can be omitted. This will also help to enhance the barrier-free access and facilitate a more welcoming access especially for children and the elderly.
- 4.3.11 The 3-storey GIC complex will be well-integrated with the Public Open Space and green landscape. POS areas incorporated into G/F, UG/F, and 2/F of Tower 3 will feature landscaping and vertical greening, including green walls adorned with climbers, to create an inviting entrance to the upper ground floor lobby. With additional POS being integrated throughout the area, the visitor experience and social interaction can be enhanced.
- 4.3.12 Compared with the Approved Scheme, a portion of the POS is sunken to be located at +10.20mPD on UG/F of Tower 3, connecting the POS at +5.70mPD on G/F. The levels of POS were at +5.60mPD on G/F, +8.60mPD on UG/F, and +12.30mPD on 1/F under the Approved Scheme. Throughout the previous liaison with relevant departments, it was advised that the design should be updated to allow for more natural daylight into the GIC facilities. Therefore, a strip of POS will be carved out surrounding the GIC facilities to maximise the window frontage (**Figure 4.9d** refers). Sufficient windows and natural daylight will be allowed at both eastern and western sides of the GIC facilities (**Figures 4.9a to 4.9d** refer). Under the Proposed Scheme, the middle levels of the POS are now referred as UG/F. Therefore, the design intent remains unchanged compared to the Approved Scheme in that pedestrians will be connected via POS from 2/F to street level (**Figure 4.15** refers).

Urban Design Proposal

- 4.5.4 In terms of compatibility with its urban context, the scale of the commercial Project is compatible with the surrounding areas, with its maximum height set at 135mPD, the same as the commercial development to its north and the future District Court development to its south. A footbridge will be constructed to connect Lee Garden Six across Leighton Road to **the podium level** at approximately +18.35mPD in the Application Site. The footbridge offers a diversion for pedestrians from the existing busy Leighton Road, for a safer and more comfortable access to the various parts of the Project and completes an important part of the above-ground pedestrian network from Causeway Bay MTR Station to this area. **Figures 4.16a and 4.16b** depict the urban design analysis for the proposed Layout Plan.
- 4.5.5 Under the OZP and the Lease, it is stipulated that a Public Open Space (POS) of not less than 6,000m² shall be provided. The POS will comprise two portions. The first portion is a Banyan Garden and entrance plaza accessible from Leighton Road with its entry at the western side of the OVT, which is close to the existing pedestrian crossing on Leighton Road, outside the south-west corner of the Lippo Leighton Tower for the convenience and safety of pedestrians. A 24 hour-pedestrian walkway with an internal street runs through the Banyan Garden, creating a visual corridor between the two OVTs (LANDSD(LEASED) WCH/1 & JUD WCH/1), and enhancing both the physical and visual connection between them. The second portion is the **POS at 2/F and UG/F** and the associated POS surrounding the GIC facilities. It serves as the core of the POS, extending from the future footbridge connecting to Lee Garden Six across the Application Site to Tower 3. Details of the disposition and design of the POS are covered in **Section 4.6**. The disposition of the POS is shown in Appendix E under **Annex C**.
- 4.5.6 The OVT and the Grade 3 historic structure (the masonry wall and associated earthenware pipes) which contribute to the unique character to the surroundings are well respected in terms of visual connectivity through the creation of the Banyan Garden. A tree cluster situated on the masonry wall abutting the corner of Leighton Road and Caroline Hill Road East adds to the unique character to the surroundings. As such, the OVT and the tree cluster situated on masonry walls are to be preserved in-situ as far as practically possible. The detailed tree treatment proposal is further elaborated **in Annex C**.

4.6 LANDSCAPE PROPOSAL

Landscape Design and Open Space Provision

- 4.6.1 The Landscape Master Plan for the proposed Project is shown at Appendix C under **Annex C**. Based on the unique character of the Site identified in the urban design analysis, landscape design should embrace on the one hand, this part of Causeway Bay to the north as having a higher-end commercial and retail character, but on the other hand, it should respect the tranquillity of the neighbourhood to its south. The key distinctive features: that is, the OVTs and the masonry wall, as well as the trees situated on the masonry wall will be integrated into the landscape design alongside the functional and aesthetic requirements of the Application Site. In addition, a variety of landscape elements will be strategically placed throughout the area to create a harmonious blend between the building and its surroundings. Landscaping and vertical greening within the POS areas at G/F, UG/F and 2/F of Tower 3 is designed to provide a green wall with climbers to create a welcoming entrance to the tower lobby. Greenery area is provided at R/F of Tower 3. Also, a communal podium garden at 5/F of Towers 1 and 2 is proposed to provide sheltered view at the lower levels to soften the building's edge.
- 4.6.2 In the future post-pandemic era, functional open space will be one of the most valuable assets to public. The Landscape Bridge across the internal access road can increase the external site capacity and provide high-quality and safe open space to the public. In total a minimum public open space provision of at least 6,000m² will be provided as required by the Remarks of the Notes of the OZP

under the "C(2)" zone.

Banyan Garden at G/F

- 4.6.3 The OVT sitting at existing planting area (about 3.5m width) on top of the masonry wall at around 2 to 3m above road level - with its canopy and air-roots spreading almost 40m along Leighton Road - forms a unique part of the urban scenery. The Banyan Garden, entrance plaza, and internal street at G/F with an approximate area of 2,850m² forming part of the POS, will connect pedestrians from Leighton Road to this interim platform at around +9.0mPD and then to the Landscape Bridge at around +18.35mPD. In addition to the existing 3.5m-wide planting area, the remaining portion of the tree protection zone of OVT is proposed as a lawn area. Along with the adjacent POS, the Banyan Garden creates an engaging environment for visitors to intimately experience the presence of this magnificent tree, as if they are immersed in it and find a "relief" from the busy Leighton Road only 2 to 3m below it. The entrance to the Banyan Garden is from the northwest of the Application Site, which retains the integrity of the masonry wall.

Public Open Space at 2/F and UG/F

- 4.6.4 A total area of approximately 3,150m² comprises the remaining portion of the POS at 2/F and UG/F. The POS at 2/F podium is designed to let visitors escape from the hustle and bustle of Causeway Bay and enjoy a moment of tranquillity. At the same time, this is designed to respect the existing natural and cultural context. A number of existing trees on site will be transplanted and brought back to the POS at 2/F and UG/F. This area will include a number of recreational features of various types including open lawns for multi-use purposes by groups or individuals. Within the 2/F podium, a small area will be designated for non-POS use, namely the Event Plaza. The public can still access and use the space most of the time, except during special events when temporary barriers will be erected along the perimeter of this area. A unified landscape design will be adopted for the entire open space at 2/F regardless of whether it is a POS or non-POS area. This approach aims to achieve an integrated design and provide high-quality open space for public enjoyment, without any physical barriers. However, clear demarcation lines will be implemented between POS and non-POS area, such as incorporating a different colour of pavement/ material at detailed design stage.
- 4.6.5 The Landscape Bridge (**Figure 4.6**) featuring a transparent / semi-transparent cover will allow its primary users - being elderly, young children and patients travelling to Tower 3 GIC facilities, access to carefully design natural elements and biophilic design, which is beneficial to ensure health and wellbeing as recommended by the WHO, accelerating recovery rates, reducing stress and enhancing the mental relaxation of the GIC users and public. Additionally, small-sized trees will be strategically placed throughout the Covered Landscape Bridge. With an internal headroom of approximately 6m and ample sunlight provided by the transparent or semi-transparent cover, the environment within the landscape bridge can support the growth of certain small-sized tree species. The specific trees proposed are illustrated in Appendix B of **Annex C**.
- 4.6.6 According to WELL standards, creating space for physical activity is important for encouraging physical movement and fostering a healthy lifestyle and their standards suggest that a minimum space of 1860m² is required for the Project. The Landscape Bridge connected to the covered public open space under Tower 3 can contribute to this purpose. Apart from the area, the quality and usability of the public open space is crucial. Innovative devices and ideas for smart microclimate control in the covered parts of the Landscape Bridge are to be incorporated to increase its usable period.
- 4.6.7 The POS at G/F Banyan Garden and 2/F podium will be accessible to the public 24-hours a day with barrier-free access. To cater for the heavy pedestrian flows and at the same time provide a natural urban environment, there will be an appropriate balance between hard (paved) and soft (planted)

landscape. The Project has incorporated greater than 10% of greenery within primary zone as required in PNAP-APP152 (approximately 2,320m²).

Tree Preservation and Removal Proposal

- 4.6.8 In the Landscape Master Plan, 19 existing trees - including the OVT (LANDSD(LEASED) WCH/1) situated on and/or abutting the masonry retaining walls – are to be retained at their original locations. Four trees are suitable for transplanting and will be transplanted out of and back to the Project. Among the trees to be transplanted, five trees have unexpectedly failed since the approval of the planning application, due to natural events and causes, including typhoons. Proposed permanent receptor sites for transplanted trees have been identified at the site entrance at Leighton Road and at the podium (2/F) within the Lot boundary.
- 4.6.9 There are 34 trees assessed as not being feasible for transplanting / relocation, and these are to be felled, with compensation tree planting being provided. These include two *Michelia x alba* trees which are a species protected under the Forests and Countryside Ordinance (T31 and T33). The detailed treatment of all trees and justifications of tree felling is further elaborated in Annex C and summarised in Table 4.4.

Table 4.4: Comparison of Summary of Tree Recommendation between Approved and Proposed Schemes

Recommendation	Nos. of Trees under Approved Scheme (No. A/H7/181)	Nos. of Trees under Proposed Scheme
Tree to be retained	21	19
Tree to be transplanted	9	4
Tree to be felled	27	34
Total (Existing Trees within Site Boundary)	57	57

Compensatory Tree Planting

- 4.6.10 The compensation ratio of felled trees will be not less than 1:1 in terms of quantity, in accordance with LAO PN No. 6/2023.
- 4.6.11 In order to compensate for the loss of trees within the Lot, 34 high quality Heavy Standard trees are to be planted alongside the eastern and western sections of Caroline Hill Road, and at the podium level (2/F). The compensatory ratio in terms of number will be at least 1:1 and in terms of diameter at breast height (DBH) will be at least 1:0.13. Besides, in accordance with the Lease, 22 nos. of additional trees shall be planted with the Lot apart from the retaining trees, transplanting trees, as well as compensatory trees. The additional trees are referred to as "new trees". A summary of the compensatory/ new tree planting ratio is presented in Table 4.5. A detailed proposal is further presented in Annex C.

Table 4.5: Comparison of Compensatory Planting Ratio between Approved and Proposed Schemes

however, facing genuine difficulties and obstacles in doing so, for the reasons set out below.

- 6.2.6 In Section 9.1.1 of the Hong Kong Planning Standards and Guidelines (HKPSG) Chapter 3, 'Community Facilities' it is made clear that a 'community' arts and cultural facility must be non-profit making. The PACF proposal in the approved planning application was therefore designed and sized on the basis that it would be operated by a non-governmental organisation (NGO) on a non-profit basis. During the lease modification process for the provision of additional GFA for the PACF, the Applicant therefore applied for a nil premium for the GFA of the PACF because, as explained above, a community arts venue cannot be profitmaking.
- 6.2.7 However, during negotiations with appropriate authorities in December 2023, the application for nil-premium for the venue was not supported citing the 2022 Policy Address policy of commercialising the provision of arts and culture in Hong Kong. Without the nil-premium policy support, the premium for the venue is therefore likely to be based on commercial use, meaning that the premium will not be nil or nominal. Given that this community arts venue is required by the HKPSG to be not-for-profit and has been planned and designed on this basis, it will not be realistically possible for an NGO to run it on a commercial basis. Research carried out by property consultants on behalf of the Applicant has clearly demonstrated that in Hong Kong, operation of arts and performing spaces is not financially viable on a commercial / profit making basis (see **Annex F**).

Threat to Project Programme

- 6.2.8 Should the PACF land premium be set at a level that would not be viable for a non-profit operator, it will likely remain vacant. This will be wasteful of precious Hong Kong land resources and will fail to deliver any community benefit. In this case, it is suggested that there is a need to urgently re-direct construction activity towards an alternative, socially and environmentally beneficial development proposal.
- 6.2.9 In order to meet the implementation programme of 6 May 2026 set out in the planning permission of 20 May 2022, there will not be sufficient time to prepare and submit an alternative s16 proposal at the point that the land premium is determined and so the Applicant wishes to submit this alternative proposal in advance so that, works can be redirected at the moment when the PACF land premium is determined.

Alternative Development Proposal to Performing Arts and Cultural Facilities

- 6.2.10 While the Applicant is serious in their desire to implement the PACF proposal as approved, should the decision on the PACF land premium mean that this is not financially viable on a non-profit making basis, it is likely that the PACF space would simply remain vacant and unused. This would be a wasteful use of precious Hong Kong land resources and a missed opportunity.
- 6.2.11 This is not a scenario that the Applicant desires and they therefore believe that an alternative development proposal which offers significant community and environmental benefits would be a much better use of resources and a greater benefit to users of the project and the community generally.
- 6.2.12 Without seeking the minor relaxation of GFA restriction, the Applicant proposes an alternative proposal with a Communal Podium Garden to meet the pressing construction programme.

6.3 COMMUNAL PODIUM GARDEN PROPOSAL

- 6.3.1 As an alternative to the wasted opportunity that would occur if the PACF were to remain vacant, the Applicant proposes instead, a Communal Podium Garden on 5/F of Towers 1 and 2.
- 6.3.2 A Communal Podium Garden is deemed to be a "green and innovative" building feature as defined by Joint Practice Note No.1 'Green and Innovative Buildings' (2019). For this reason, it is exempted from

GFA and SC calculations for the purposes of town planning (Para 12 of JPN No.1 refers).

- 6.3.3 The Communal Podium Garden on 5/F of Towers 1 and 2 will be designed in accordance with the requirements of 1(d) and 2(d) of Appendix A in JPN1. The Garden will be a communal open space for sitting out purpose surrounding the lift lobby and E&M on 5/F, and is proposed for the exclusive use of the owners, tenants and their visitors only. There will be no occupied accommodation at the same floor. The Communal Podium Garden will be accessible from the common area only. A clear height of not less than 4.5m will be designed as part of this space. Within this Garden, not less than 15% of the area of the tower footprint will be provided as greenery / vegetation. The key attributes of the Communal Podium Garden are set out below.

A Social, Recreational Resource

- 6.3.4 The Communal Podium Garden will offer around 2,000m² of recreational space for the exclusive use of the owners, tenants and their visitors only. The layout and site furniture of the Garden will offer opportunities to promote personal well-being through social interaction in certain areas with intimate spaces for clusters of seats and tables. The Garden will form an important passive recreational resource which will be usable even in warmer weather, given that it will be almost entirely shaded.

A Sustainable, Biophilic Asset

- 6.3.5 JPN1 recognises the importance of communal podium gardens to contributing to sustainability, not least in terms of biodiversity, habitat provision, carbon capture, etc. To promote sustainable development objectives, the Communal Podium Garden will be designed with vegetation occupying not less than 15% of the area of the tower footprint and its design will be based on biophilic design principles which emphasise the mental and physical wellbeing benefits of proximity to nature and to natural materials.
- 6.3.6 In summary, it can be said that, should the PACF ultimately not be viable for operation by a non-profit making NGO, then the provision of a Communal Podium Garden will offer a highly valuable alternative planning gain in terms of recreational and environmental benefits to buildings users and the wider community.

Planning Implications of Communal Podium Garden

- 6.3.7 Approval of the alternative Communal Podium Garden proposal will mean that the 2,000m² GFA concession sought for the PACF can be dispensed with and will no longer be required. This will result in a total GFA on 100,000m² as stipulated in the Notes of the OZP.
- 6.3.8 The addition of the Communal Podium Garden would not require a relaxation of building height restrictions above that permitted in the OZP.

6.4 PRESERVATION OF DESIGNATED OVTs AND HERITAGE FEATURES

- 6.4.1 All parts of the graded masonry wall including the earthenware pipes, as well as the OVTs, will be preserved as part of the Project under the Layout Plan. For the masonry walls and earthenware pipes, as required by the Explanatory Statement of the OZP, prior consultation was conducted with AMO and they note that such features are to be preserved in-situ and that as the proposal does not pose any impact on the Grade 3 historic structure. They will be maintained as an important part of the streetscape as an expression of the history of the Causeway Bay area.

6.5 ENHANCED PROVISION OF PUBLIC OPEN SPACE AND APPEAL OF LANDSCAPE

- 6.5.1 As required by the Explanatory Statement of the OZP, a minimum of 6,000m² of Public Open Space will be provided as part of the Project. Also as required by the Explanatory Statement of the OZP,

much of this space will be provided on the eastern side of the Application Site. In contrast to the design of the public open space in the rezoning application for the site, the Public Open Space which is open to public 24 hours a day, in the Layout Plan is an integrated open space network that is not fragmented by the intervening internal road.

- 6.5.2 As discussed in **Section 4.6**, the POS will comprise two portions. The Banyan Garden, entrance plaza, and internal street at G/F, covering a total area of approximately 2,850m², will be included in the POS. This portion will serve as a connection for pedestrians traveling from Leighton Road to the interim platform. It will offer an intriguing opportunity for users to experience close proximity to the magnificent tree, as if they are immersed in it, providing a "relief" from the busy Leighton Road located just 2 to 3 meters below. The entrance to the Banyan Garden is from the northwest of the Application Site, preserving the integrity of the masonry wall.
- 6.5.3 A total area of approximately 3,150m² comprises a core portion of the POS at 2/F and UG/F. The open space on 2/F will integrate the Edged Blue and Edged Red sites of the Project and act as a community node to pull in pedestrian flow via the elevated pedestrian walkway. The POS **at 2/F podium** will be designed with various types of open spaces, including open lawn, multi-functional area and covered public open space. Additional landscape elements with multiple smaller paths will be integrated into the **open space** at 2/F. There will be the provision of flexible and multifunctional open space at 2/F, enhancing the opportunities for chance encounters and will also diversify the use and appeal of the landscape as a whole (**Figure 6.1** refers).
- 6.5.4 The **open space at the podium level** is proposed outside the building entrances to provide maximum flexibility to users, and also to provide a sheltered area of relief from the urban density in the city. Meandering routes are designed to encourage people to walk through the greenery. Pocket spaces within these areas are proposed to encourage people to enjoy the environment. In particular, the extensive covered POS at 2/F, extending from the Landscape Bridge to Tower 3, will provide a seamless pedestrian connection with weather-proof protection. In addition, increased greenery coverage will help to mitigate the urban heat island effect. This open space area is envisioned to be busy year-round.
- 6.5.5 To enhance the visitor experience and encourage social interaction, additional POS will be integrated throughout the area. For example, POS areas will be incorporated around T3 on the G/F, UG/F, and 2/F. These areas will feature landscape and vertical greening, including green walls with climbers, to create an inviting entrance to the Tower's upper ground floor lobby. These POS locations will provide opportunities for visitors and users to rest, gather, and enjoy the surroundings.
- 6.5.6 The Applicant will follow the requirements of the "Public Open Space in Private Developments Design and Management Guidelines" promulgated by the Development Bureau.

6.6 ENHANCED AIR VENTILATION THROUGH BUILDING DESIGN AND LAYOUT

- 6.6.1 To enhance the wind performance, the Tower 2 setback above 2/F is widened from 23m to min. 36m in Proposed Scheme. This setback provides higher wind permeability for incoming wind especially from the podium of the proposed District Court and thereby facilitates leeward side ventilation performance.
- 6.6.2 The building design of the Proposed Scheme will bring enhancement to air ventilation. With the incorporation of building separation and set back, compliance with Sustainable Building Design Guidelines under PNAP-APP 152 will be ensured.

6.7 ENHANCED PEDESTRIAN CONNECTIVITY AND WALKABILITY

- 6.7.1 The proposed scheme will significantly enhance pedestrian connectivity within the district. The 24-hour
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pedestrian walkway will connect the site from the podium level at 2/F with Lee Garden Six across Leighton Road. The fully covered and enclosed Landscape Bridge over the future internal road, which forms a part of the covered public open space, provides a seamless pedestrian connection between the western and eastern parts of the Application Site, spanning the internal road and allowing easy access to the community GIC facilities in Tower 3. The Landscape Bridge spanning the internal road is covered which provides a comfortable walking experience. The public using the GIC facilities and employees at the offices of Tower 3 at the eastern end of the site can reach the centre of Causeway Bay swiftly. The elevated walkway will also facilitate pedestrians to access the Application Site, extending the vibrancy of the well-established cluster of retail facilities in Causeway Bay. Pedestrians who walk to reach the re-provisioned light bus lay-bys at the Application Site will also enjoy the convenience of the walkway system.

- 6.7.2 With its multi-level walkway system, the proposed Project under the Layout Plan can significantly improve the walking experience in the area and promote a functional synergy between commercial heart of Causeway Bay and the Application Site.

6.8 TRAFFIC IMPROVEMENTS THROUGH ROAD IMPROVEMENT WORKS

- 6.8.1 With Leighton Road being a district distributor, the road junctions nearby experience high traffic volumes. During peak periods, traffic queues may tail back to the junction of Leighton Road and Yun Ping Road, resulting in traffic congestion on the wider local road network.
- 6.8.2 With the proposed two-way internal road connecting Caroline Hill Road (West) and Caroline Hill Road (East), access can be facilitated for the different users of the Application Site and concentration of traffic at particular neighbourhood junctions avoided.
- 6.8.3 The Layout Plan offers a set back at Caroline Hill Road (West) and a portion of Leighton Road near its junction with Caroline Hill Road (West) for the gazetted 'Proposed Road Improvement Works at Caroline Hill Road, Link Road, Hoi Ping Road and Leighton Road'. Detailed design of the concerned road improvement works will be submitted by the Applicant to Highways Department and other relevant Government departments for approval at a later stage, under Lease requirements. The road improvement works, which the Applicant has committed to under the lease, will alleviate the traffic congestion in the area and improve traffic flows.

6.9 NO INSURMOUNTABLE TECHNICAL IMPACTS

- 6.9.1 As demonstrated in **Section 5** and technical assessments at **Annexes D to E**, the current scheme will not create any adverse drainage, sewerage, noise, air quality, water supply, geotechnical, traffic or air ventilation impacts.
- 6.9.2 As such, the Project under the proposed Layout Plan will not result in insurmountable technical impacts.

7 Implementation

7.1 PROGRAMME AND PHASING

- 7.1.1 The target construction completion of the Project under this Layout Plan remains the same as that in the Approved Layout Plan, i.e. Q3 of 2029.
 - 7.1.2 The new internal access road and the associated road improvement works (the gazetted 'Proposed Road Improvement Works at Caroline Hill Road, Link Road, Hoi Ping Road and Leighton Road') will be completed by the Applicant by 30 June 2026.
 - 7.1.3 The construction of the required GIC facilities including the Child Care Centre, Day Care Centre for the Elderly and District Health Centre, will also be completed by that date for handover back to the Government, thereby ensuring timely provision of services.
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7.2 RESPONSIBILITY FOR CONSTRUCTION AND MANAGEMENT

- 7.2.1 As required under Lease, the Public Open Space (including the landscape bridge and its relevant structural supports) and public vehicle park will be constructed, operated and maintained at the Applicant's cost.
 - 7.2.2 The proposed internal road will also be constructed and maintained at the Applicant's cost until it is surrendered to the Government as required under the Lease. Lighting and ventilation will be provided for the internal access road underneath the proposed landscape bridge. Requirements under the Transport Planning and Design Manual (TPDM) will be observed and associated details will be submitted to HyD and relevant Government departments for approval.
 - 7.2.3 The Applicant will construct at their own cost the Child Care Centre, Day Care Centre for the Elderly and District Health Centre in accordance to the Technical Schedule under Lease and other relevant regulations and guidelines.
 - 7.2.4 The Applicant will construct and maintain at their own cost, the proposed Communal Podium Garden.
 - 7.2.5 The light bus lay-bys constructed at the Applicants' cost will be accessible to the public 24 hours a day as required under Lease.
 - 7.2.6 The detailed design of structural features, utilities, drainage, etc. as well as necessary regulatory and Lease submissions will be made in the future at the appropriate point in time.
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8 Conclusion

8.1 SUMMARY

8.1.1 This Application presents the proposed Layout Plan for the Commercial Project on Caroline Hill Road, Causeway Bay. The Project proposed by the Applicant:

- fulfills the requirements of layout plan submission under Remarks of the Notes of the "C(2)" zone on the approved Wong Nai Chung OZP No. S/H7/21;
- complies with material requirements and development parameters of the approved Wong Nai Chung OZP No. S/H7/21;
- describes the problems that the Applicant is facing in implementing the performing art and cultural facility as approved, due to its likely financial non-viability; the consequent negative land use impact that leaving such a space unused might have; and the urgent need to re-direct construction activity towards this alternative development proposal;
- notes that provision of performing arts and cultural facilities is not a mandatory requirement in the OZP;
- provides significant recreational and sustainability benefits in the form of the proposed Communal Podium Garden;
- preserves designated features of historical and natural value located on the site;
- results in an enhanced provision and distribution of public open space for community enjoyment and appeal of landscape;
- enhances air ventilation through building design and layout;
- enhances pedestrian connectivity to the surrounding area and walkability in the wider area;
- integrates the required GIC facilities with the commercial Project for the benefit of the public;
- alleviates traffic congestion in the area through incorporation of the gazetted 'Proposed Road Improvement Works at Caroline Hill Road, Link Road, Hoi Ping Road and Leighton Road'; and
- poses no insurmountable adverse impacts in terms of technical aspects.

8.1.2 The Applicant therefore respectfully requests the Town Planning Board, exercising its powers under Section 16 of the Town Planning Ordinance (Cap 131), to approve the proposed Layout Plan, with or without condition.