

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

By Registered Post

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/R/S/H1/18-2

21 December 2011

The Real Estate Developers Association of Hong Kong
Rm 1403, World-Wide House
19 Des Voeux Road Central
Hong Kong
(Attn: Louis Loong)

Dear Sir/Madam,

Draft Kennedy Town & Mount Davis Outline Zoning Plan No. S/H1/18
(Representation No. R2)

I refer to my letter to you dated 18.11.2011.

After giving consideration to the representations and related comments, the Town Planning Board (TPB) decided on 25.11.2011 not to propose amendment to the above Plan to meet your representation for the following reasons:

- (a) The purpose of imposing building height restrictions (BHRs) in the Area is to provide better planning control on the building height (BH) upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, to prevent excessively tall or out-of-context buildings, and to instigate control on the overall BH profile of the Area. In formulating the BHRs for the Area, all relevant factors including the Urban Design Appraisal and Urban Design Guidelines, existing topography, stepped BH concept, local characteristics, existing BH profile, site formation level, land uses, compatibility with surrounding developments, the wind performance of the existing condition and the recommendations of the Air Ventilation Assessment (AVA), have been taken into consideration.
- (b) Sections 3 and 4 of the Town Planning Ordinance and the scheme of the legislation are intended to give the TPB comprehensive powers to control development in any part of Hong Kong. The TPB has the power to impose BHRs and building gaps on individual sites or for such areas within the boundaries of the Outline Zoning Plan (OZP) where there are necessary and sufficient planning justifications.
- (c) The BHRs are formulated on the basis of reasonable assumptions with allowance for design flexibility to accommodate development intensity permissible under the OZP. The BHRs would not result in larger building bulk. The provision of better designed sustainable buildings is not guaranteed with more relaxed BH control.
- (d) To cater for site-specific circumstances and schemes with planning and design merits, there is provision for application for minor relaxation of

the BHRs under the OZP. Each application would be considered by the TPB on its individual merits.

- (e) The measures on Sustainable Building Design (SBD) Guidelines/Joint Practice Notes (JPN) and the OZP restrictions are under two separate development control regimes, although they are complementary with each other. The SBD Guidelines and JPN are administrative measures which are complied on a voluntary basis without reference to specific district characteristics. OZP restrictions are statutory control to achieve planning objectives specific to the district.
- (f) Blanket relaxation of the BHRs by 20m is not supported as it would significantly increase the overall BH profile in the neighbourhood, create canyon effect, reduce the visible areas of the mountain backdrop and the waterbody of the harbour from the local vantage points and adversely affect the local character and cityscape, which is not in line with the intended planning control.
- (g) Designation of building gap requirements on the OZP can serve a positive planning purpose and have positive planning benefits by improving air ventilation. It has legal basis as it would form part of the planning control of the TPB, which has the necessary and sufficient justifications. Designation of building gaps would not adversely affect the development potential of the affected sites.
- (h) The two-month statutory exhibition period and provision for representations and comments form part of the public consultation process under the Town Planning Ordinance. Any premature release of information before exhibition of the amendments to the OZP may prompt an acceleration of submission of building plans, thus nullifying the effectiveness of imposing the BHRs. All information supporting the BHR and building gap requirements on the OZP including the AVA Report and Urban Design Appraisal, is available for public inspection.

A copy of the relevant extract of minutes of the TPB meeting held on 25.11.2011 is enclosed herewith for your reference.

In accordance with section 8 of the Town Planning Ordinance, the above Plan together with a schedule of the representation(s) and comment(s), if any, will be submitted to the Chief Executive in Council for a decision.

If you wish to seek further clarification/information on matters relating to the above decision, please contact Mr. K.S. Ng of Hong Kong District Planning Office at 2231 4934.

Yours faithfully,



(S.K. CHEUNG)

for Secretary, Town Planning Board