LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance (Chapter 131)

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

INTRODUCTION

At the meeting of the Executive Council on 25 April 2023, the Council ADVISED and the Chief Executive ORDERED that the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/30A, should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now renumbered as No. S/K11/31 at Annex A.

AMENDMENTS TO THE TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OZP NO. S/K11/29 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/29 for amendments on 21 August 2018, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/30 (the draft OZP) incorporating the amendments was exhibited on 24 June 2022 for public inspection under section 5 of the Ordinance. The amendments to the matters shown on the draft OZP include the rezoning of:

Public Housing Development

(a) two sites abutting Shatin Pass Road (SPR) (including Chuk Yuen United Village (CYUV) to the east of SPR and a site to the west of SPR) (the CYUV site), from "Government, Institution or Community" ("G/IC") and an area shown as 'Road' to "Residential (Group A)4", with stipulation of building height (BH) restrictions of 120 metres above Principal Datum (mPD) and 145mPD for a proposed public housing development (Amendment Item A); and

Other Amendment

- (b) a strip of land to the south of the western portion of the CYUV site from "G/IC" to "Open Space" to form part of the existing Wong Tai Sin (WTS) Square so as to reflect the as-built condition (Amendment Item B).
- 3. Corresponding amendments in relation to the rezonings above and technical amendments to reflect the latest version of the Master Schedule of Notes to Statutory Plans were also made to the Notes and Explanatory Statement (ES) of the draft OZP.

<u>A</u>

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

4. During the exhibition of the draft OZP, eight valid representations and two valid comments on the representations (comments) were received. The representations and comments were considered by the Town Planning Board (the Board) at its meeting held on 16 December 2022.

Supportive Representations (3)

- 5. Three supportive representations in respect of Amendment Item A were submitted by the Hong Kong Housing Society (HKHS) (R1) and individuals (R2 and R3). The major grounds/views of the supportive representations are summarised below
 - (a) the development providing about 1,500 public housing units could address the pressing need of housing supply;
 - (b) the proposed land use and development density were compatible with the surroundings;
 - (c) local connectivity could be improved by constructing a footbridge above the SPR to link up the housing sites and possible options from and to WTS Square and WTS Public Transport Terminus;
 - (d) greenery area of not less than 20% of the site area and diverse landscaping would be provided within the development;
 - (e) WTS Temple would not be affected and preservation of object of cultural heritage interest would be explored;
 - (f) social welfare (not less than 5% of domestic gross floor area), community and retail facilities would be provided; and
 - (g) the development would not result in any insurmountable problems on various technical aspects.

Adverse Representations (4)

6. There were four adverse representations in respect of Amendment Item A submitted by individuals (R4 to R7). The major grounds/views and proposals of the adverse representations are summarised below –

<u>Development Intensity and Provision of Open Space</u>

- (a) the proposed public housing development was compact and of too high density with inadequate open space;
- (b) a landscaped area/park connecting WTS Temple should be

- proposed at the CYUV site to serve as open space for the local residents and/or as a tourist attraction;
- (c) the site to the east of SPR should be used to provide open space to serve the community;
- (d) the site to the west of SPR, including the site abutting the west of SPR of Amendment Item A and the government land to its west, should be proposed for public housing development. The towers should be located more distant away from WTS Temple;
- (e) the proposed public housing development should be relocated at Morse Park:

<u>Urban Design, Visual and Air Ventilation Aspects</u>

- (f) the proposed public housing development would create adverse visual and air ventilation impacts;
- (g) the proposed public housing development would block the public view at WTS Square toward Lion Rock;

Tree Preservation

(h) felling of trees at the CYUV site with no guarantee of adequate compensatory planting would result in the cumulative loss of mature trees. The large trees at the CYUV site should be preserved. The proposed new trees were of spindly species that could not grow tall:

Provision of Community Services

- (i) the site to the east of SPR should be proposed for a standalone Government, institution and community (GIC) development;
- (j) social welfare facilities with floor area not less than 5% were inadequate. There was a scarcity of provision of community services facilities:

Quality of Life

(k) the proposed redevelopment of the squatters in CYUV would diminish the quality of life and community ties of the affected residents;

Technical Issues

(I) the proposed development would create adverse traffic impact;

- (m) the proposed BH restrictions of the public housing development should be lower than the adjacent buildings for better dispersion of vehicular pollutant from Lung Cheung Road;
- (n) the proposed acoustic/fixed windows would prohibit future residents/users from hanging damp clothes outside, which would cause additional energy consumption, cost and health implications; and
- (o) it would be impossible for the proposed social welfare facilities at lower floors of the domestic towers to be in compliance with regulations relating to natural lighting, ventilation and heating.

Representation Providing Views (1)

- 7. There was a representation providing views on Amendment Item A submitted by Democratic Alliance for the Betterment and Progress of Hong Kong Wong Tai Sin Branch (R8). The major views of the representation are summarised below
 - (a) the use of automated parking systems should be explored in order to provide more parking spaces in the underground car park of the proposed public housing development;
 - (b) the transportation and road networks should be enhanced to divert the increased traffic and minimise the adverse impacts on the local residents;
 - (c) a permanent covered and barrier-free public walkway connecting WTS Public Transport Terminus and Mass Transit Railway WTS Station should be provided. A temporary covered and noise-dust-insulated walkway should be provided during the construction stage to safeguard the public users;
 - (d) sufficient community facilities to serve the additional population should be provided; and
 - (e) the infrastructural capacities for the proposed public housing development should be reviewed.

Comments on Representations (2)

- 8. There were two comments submitted by the HKHS (C1 (also R1)) and an individual (C2 (also R7)). The major grounds and views raised in the comments were largely similar to those raised in the representations. Other major comments raised by C2 which were not covered by the representations are summarised below
 - (a) rezoning for housing development became the only approach for the

Government to increase land and housing supply;

- (b) the Government should explore other approaches to increase land and housing supply, including purchasing vacant housing units in the Mainland for accommodating citizens in Hong Kong/one-way permit holders so as to free up more public housing units in Hong Kong, and introducing programmes to assist young people in purchasing their own homes; and
- (c) development of new public housing units should be questioned, given the abuse of public housing units; no incentive for public housing residents to downsize when family member(s) move out; shrinking population and economic slowdown; and failure to drive forward the Tenants Purchase Scheme.

The Board's Decision

- 9. After giving consideration to the representations and comments, the Board <u>noted</u> the supportive views of R1 to R3 and the views of R8, and <u>decided not to uphold</u> R4 to R7, and agreed that the draft OZP <u>should not be amended</u> to meet the representations for the following reasons
 - (a) the Government had been adopting a multi-pronged approach to increase land supply to meet the acute housing demand. The Item A Site was considered suitable for the proposed public housing development with provision of GIC facilities and commercial uses (R5 and R7);
 - (b) technical assessments on various aspects, including traffic and transport, environmental, visual, air ventilation, tree and landscape, drainage, sewerage, water supply, utilities and geotechnical, confirmed that there was no insurmountable technical problem in developing the Item A Site for high-rise public housing development with supporting infrastructural facilities and suitable mitigation/improvement measures (R4 to R7);
 - (c) striking a balance between providing more public housing flats and GIC facilities with adoption of the "Single Site, Multiple Use" principle, the proposed public housing development at the Item A Site would accommodate social welfare facilities providing elderly, child care and rehabilitation services on the lower floors/podium in compliance with relevant prevailing regulations and standards. The Government would continue to adopt a multi-pronged approach to identify suitable sites or premises for the provision of more welfare services. As for open space, its existing and planned provision was adequate according to the requirements of the Hong Kong Planning Standards and Guidelines (R4, R5 and R7); and
 - (d) the living environment of residents in the squatter areas would be

improved through the redevelopment and appropriate compensation and rehousing (C&R) would be provided in accordance with the prevailing policy. For the district as a whole, the proposed public housing development could create a quality living environment with provision of social welfare facilities, GIC facilities, open space, greenery and recreational facilities (R7).

IMPLICATIONS OF THE PROPOSAL

- 10. The approval of the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/30A itself has no civil service implication. The economic, financial, environmental, sustainability, family and gender implications in respect of Amendment Item A are set out below. The impacts of Amendment Item B are considered negligible as it is a technical amendment mainly to reflect the as-built condition.
- 11. On economic implications, Amendment Item A will facilitate the proposed public housing development at the CYUV site which can help meet the housing demand in Hong Kong.
- 12. On financial implications, the proposed rezoning under Amendment Items A and B have no land revenue implication. The estimated capital cost for site formation and infrastructure works for the proposed public housing development at the CYUV site (under Amendment Item A) is not available at this stage. Funds required will be sought under the Capital Works Reserve Fund (CWRF) in accordance with the established mechanism. The construction cost of the proposed public housing development will be borne by the HKHS.
- 13. The proposed public housing development at the CYUV site (under Amendment Item A) would require both land resumption and clearance. The estimated cost for land resumption/clearance is not available at this stage and will be assessed before the funding application. Funds required will be sought under Block Allocations of the CWRF.
- 14. The estimated capital and recurrent costs of the social welfare facilities to be provided in the proposed public housing development are not available at this stage. Funds required will be sought in accordance with the established mechanism.
- 15. On environmental implications, various technical assessments including Preliminary Environmental Review (PER) have been conducted to assess the potential environmental impacts of the proposed amendment for the public housing development. The PER concluded that with the implementation of the proposed mitigation measures, no insurmountable environmental impact is anticipated.
- 16. On sustainability implications, the proposed public housing development with provision of social welfare facilities could facilitate better utilisation of land

resources to meet housing and social needs. The proposed public housing development may generate potential environmental impacts on the local area, and suitable mitigation measures should be adopted to alleviate any such possible impacts.

- 17. On family implications, the increase in housing supply could help improve the living environment of some families and in turn foster greater family harmony. The proposed social welfare facilities such as elderly and child care facilities within the proposed public housing development would help meet the needs of families for such services and enhance their financial ability.
- 18. On gender implications, the proposed provision of social welfare facilities such as elderly and child care facilities within the proposed public housing development, if materialised, will serve people in need whose carers are often women. The proposal should therefore be conducive to relieving the burden of carers and facilitating their participation in the workforce.

PUBLIC CONSULTATION

- 19. Prior to submission of the proposed amendments to the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/29 for consideration by the Metro Planning Committee of the Board, the Planning Department (PlanD), Civil Engineering and Development Department (CEDD) and Lands Department (LandsD) jointly consulted the WTS District Council (WTSDC) on 7 July 2020 regarding the proposed public housing developments at the CYUV site and Ngau Chi Wan Village (NCWV) site. WTSDC had no in-principle objection to the proposed developments at the CYUV site and the NCWV site.
- 20. On 3 May 2021, the affectees/operators of CYUV were invited to a briefing session jointly arranged by CEDD, LandsD and PlanD, on the broad development proposal for CYUV, programmes and the C&R arrangements. The concerns of the attendees were mainly on the C&R issues.
- 21. On 13 May 2022, PlanD, CEDD and LandsD jointly attended a meeting with two incumbent members of the WTSDC and the representatives of CYUV and NCWV. Both WTSDC members and the village representatives consulted gave full support to the proposed public housing developments at the CYUV site, the NCWV and WTS Community Centre sites and the proposed OZP amendments. At the meeting, the WTSDC members raised some concerns regarding impact on the local traffic and pedestrian flow arising from the proposed public housing developments, as well as provision of ancillary car parking facilities and community facilities. The village representatives were mainly concerned about the C&R issues and cultural heritage aspect in relation to CYUV and NCWV.

PUBLICITY

22. The approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/31 will be printed and exhibited in accordance with section 9(5) of the

Ordinance. A press release will be issued on the day of exhibition. A spokesman will be available for answering media enquiries.

23. The approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/31 is at Annex A for Members' reference. A set of Notes listing out the uses which are always permitted and those which may be permitted on application to the Board is at Enclosure I to Annex A. An Explanatory Statement in respect of the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/31 is at Enclosure II to Annex A.

ENQUIRY

24. Any enquiry on this brief can be addressed to Ms Lily YAM, Assistant Director of Planning/Board, PlanD (Tel. No. 2231 4606).

PLANNING DEPARTMENT MAY 2023

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

Approved Tsz Wan Shan, Diamond Hill and San Po Kong Annex A -Outline Zoning Plan (OZP) No. S/K11/31

> Notes of the Approved Tsz Wan Shan, Enclosure I:

Diamond Hill and San Po Kong OZP No.

S/K11/31

Enclosure II: Explanatory Statement of the Approved Tsz Wan Shan, Diamond Hill and San Po Kong

OZP No. S/K11/31

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CLERK TO THE EXECUTIVE COUNCIL

行政會議秘書

附件A Annex A

PLAN No.

KOWLOON PLANNING AREA NO. 11

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
 - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
 - (c) For the purposes of subparagraph (a) above, "existing use of any land or building" means
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as 'the first plan'),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and
 - (ii) after the publication of the first plan,
 - a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or

- 2 - <u>S/K11/31</u>

- a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions, alignments of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
 - (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine:
 - (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (c) maintenance or repair of watercourse and grave.
 - (8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:

on-street vehicle park and railway track.

- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, "existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

KOWLOON PLANNING AREA NO. 11

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

Schedule of Uses

	<u>Page</u>
COMPREHENSIVE DEVELOPMENT AREA	1
RESIDENTIAL (GROUP A)	4
RESIDENTIAL (GROUP E)	8
GOVERNMENT, INSTITUTION OR COMMUNITY	11
OPEN SPACE	15
OTHER SPECIFIED USES	16
GREEN BELT	24

- 1 - <u>S/K11/31</u>

COMPREHENSIVE DEVELOPMENT AREA

Column 1 Uses always permitted

Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board

Commercial Bathhouse/Massage

Establishment

Eating Place

Educational Institution

Exhibition or Convention Hall

Flat

Government Refuse Collection Point

Government Use (not elsewhere specified)

Hotel

Information, Technology and

Telecommunications Industries

Institutional Use (not elsewhere specified)

Library

Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances

Off-course Betting Centre

Office

Petrol Filling Station

Place of Entertainment

Place of Recreation, Sports or Culture

Private Club

Public Clinic

Public Convenience

Public Transport Terminus or Station

Public Utility Installation

Public Vehicle Park (excluding container

vehicle)

Recyclable Collection Centre

Religious Institution

Research, Design and Development Centre

Residential Institution

School

Shop and Services

Social Welfare Facility

Training Centre

Utility Installation for Private Project

- 2 - <u>S/K11/31</u>

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

<u>Planning Intention</u>

This zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

Remarks

- (1) Pursuant to section 4A(2) of the Town Planning Ordinance, and except as otherwise expressly provided that it is not required by the Town Planning Board, an applicant for permission for development on land designated "Comprehensive Development Area" shall prepare a Master Layout Plan for the approval of the Town Planning Board and include therein the following information:-
 - (i) the area of proposed land uses, the nature, position, dimensions, and heights of all buildings to be erected in the area;
 - (ii) the proposed total site area and gross floor area for various uses, total number of flats and flat size, where applicable;
 - (iii) the details and extent of Government, institution or community (GIC) and recreational facilities, public transport and parking facilities, and open space to be provided within the area;
 - (iv) the alignment, widths and levels of any roads proposed to be constructed within the area;
 - (v) the landscape and urban design proposals within the area;
 - (vi) programmes of development in detail;
 - (vii) an environmental assessment report to examine any possible environmental problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
 - (viii) a drainage and sewerage impact assessment report to examine any possible drainage and sewerage problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (ix) a traffic impact assessment report to examine any possible traffic problems that may be caused by the proposed development and the proposed mitigation measures to tackle them; and
 - (x) such other information as may be required by the Town Planning Board.

- 3 - <u>S/K11/31</u>

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- (2) The Master Layout Plan should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, major development parameters, design population, types of GIC facilities, and recreational and open space facilities.
- (3) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the total development and/or redevelopment in excess of a maximum gross floor area of 314,700m², of which not more than 127,500m² should be used for non-domestic purpose.
- (4) In determining the relevant maximum gross floor area for the purposes of paragraph (3) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as public transport facilities, railway station development or Government, institution, community or social welfare facilities as required by the Government, may also be disregarded.

- 4 - <u>S/K11/31</u>

RESIDENTIAL (GROUP A)

Column 1 Uses Uses always permitted with

Column 2
Uses that may be permitted with or without conditions on application to the Town Planning Board

Ambulance Depot

Flat

Government Use (not elsewhere specified)

House

Library

Market

Place of Recreation, Sports or Culture

Public Clinic

Public Transport Terminus or Station (excluding open-air terminus or station)

Public Vehicle Park (excluding container vehicle) (on land designated "R(A)4" only)

Residential Institution

School (in free-standing purpose-designed

building only)

Social Welfare Facility

Utility Installation for Private Project

Commercial Bathhouse/Massage

Establishment

Eating Place

Educational Institution

Exhibition or Convention Hall

Government Refuse Collection Point

Hospital

Hotel

Institutional Use (not elsewhere specified)

Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances

Office

Petrol Filling Station

Place of Entertainment

Private Club

Public Convenience

Public Transport Terminus or Station (not

elsewhere specified)

Public Utility Installation

Public Vehicle Park (excluding container vehicle) (not elsewhere specified)

Religious Institution

School (not elsewhere specified)

Shop and Services (not elsewhere specified)

Training Centre

- 5 - <u>S/K11/31</u>

RESIDENTIAL (GROUP A) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Training Centre

Planning Intention

This zone is intended 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.

Remarks

- (1) On land designated "Residential (Group A)" ("R(A)"), "Residential (Group A)1" ("R(A)1"), "Residential (Group A)2" ("R(A)2") and "Residential (Group A)3" ("R(A)3"), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, or the plot ratio of the existing building, whichever is the greater. Except where the plot ratio is permitted to be exceeded under paragraphs (13) and/or (14) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- On land designated "R(A)", "R(A)1", "R(A)2" and "R(A)3", for a non-domestic building to be erected on the site, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (13) and/or (14) hereof.

- 6 - <u>S/K11/31</u>

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (3) For the purposes of paragraph (1) above, on land designated "R(A)", "R(A)1", "R(A)2" and "R(A)3", no addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the relevant maximum domestic and/or non-domestic plot ratio(s), or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable -
 - (i) the plot ratio(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
 - (ii) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.
- (4) Except as otherwise provided herein, on land designated "Residential (Group A)4" ("R(A)4"), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum domestic and non-domestic gross floor area specified below:

Sub-zone	<u>Maximum</u> <u>Domestic Gross Floor Area</u>	<u>Maximum</u> Non-Domestic Gross Floor Area
R(A)4	75,000m ²	15,000m ²

- (5) On land designated "R(A)", "R(A)1", "R(A)2", "R(A)3" and "R(A)4", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- On land designated "R(A)1", a maximum building height restriction of 120mPD would be permitted for sites with an area of 400m² or more.
- (7) On land designated "R(A)2", a maximum building height restriction of 140mPD would be permitted for sites with an area of 400m² or more.
- (8) On land designated "R(A)3", a maximum building height restriction of 160mPD would be permitted for sites with an area of 400m^2 or more.

- 7 - <u>S/K11/31</u>

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (9) On land demarcated for 12m-wide building gap from Tseuk Luk Street across Shung Ling Street and Yi Lun Street to Ning Yuen Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (10) On land demarcated for 15m-wide building gap fronting Wan Fung Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 54mPD.
- (11) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating Government, institution or community (GIC) facilities including school(s) as may be required by the Government shall be deducted in calculating the relevant site area.
- (12) In determining the relevant maximum plot ratio/gross floor area for the purposes of paragraphs (1), (2) and (4) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, on land designated "R(A)4", may also be disregarded.
- (13) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/gross floor area for the building on land to which paragraph (1), (2) or (4) above applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/gross floor area specified in paragraphs (1), (2) and (4) above may thereby be exceeded.
- (14) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1), (2) and (4) to (8) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (15) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and the building gap restrictions as stated in paragraphs (9) and (10) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 8 - <u>S/K11/31</u>

RESIDENTIAL (GROUP E)

Column 1 Uses always permitted Column 2
Uses that may be permitted with or without conditions on application to the Town Planning Board

Ambulance Depot

Government Use (not elsewhere specified)
Public Transport Terminus or Station
(excluding open-air terminus or station)
Utility Installation for Private Project

Commercial Bathhouse/Massage Establishment

Eating Place

Educational Institution

Exhibition or Convention Hall

Flat

Government Refuse Collection Point

Hospital Hotel

House

Institutional Use (not elsewhere specified)

Library

Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level

other than Entrances

Office

Petrol Filling Station

Place of Entertainment

Place of Recreation, Sports or Culture

Private Club

Public Clinic

Public Convenience

Public Transport Terminus or Station

(not elsewhere specified)

Public Utility Installation

Public Vehicle Park

(excluding container vehicle)

Religious Institution

Residential Institution

School

Shop and Services

Social Welfare Facility

Training Centre

- 9 - <u>S/K11/31</u>

RESIDENTIAL (GROUP E) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place Educational Institution Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Recyclable Collection Centre School Shop and Services Social Welfare Facility **Training Centre**

Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

- 10 - <u>S/K11/31</u>

RESIDENTIAL (GROUP E) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 6.0.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan.
- (3) Non-building area(s) from the lot boundary shall be provided:
 - (i) a minimum of 3m-wide abutting King Fuk Street; and
 - (ii) a minimum of 1.5m-wide abutting Prince Edward Road East.
- (4) In determining the relevant maximum plot ratio for the purposes of paragraph (1), any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and stated in paragraphs (3)(i) and 3(ii) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 11 - <u>S/K11/31</u>

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted

Column 2
Uses that may be permitted with or without conditions on application to the Town Planning Board

For "Government, Institution or Community" and "Government, Institution or Community (1)" only

Ambulance Depot

Animal Quarantine Centre (in Government

building only)

Broadcasting, Television and/or Film

Studio

Cable Car Route and Terminal Building

Eating Place (Canteen, Cooked Food

Centre only)

Educational Institution

Exhibition or Convention Hall

Field Study/Education/Visitor Centre

Government Refuse Collection Point

Government Use (not elsewhere specified)

Hospital

Institutional Use (not elsewhere specified)

Library Market

Place of Recreation, Sports or Culture

Public Clinic

Public Convenience

Public Transport Terminus or Station

Public Utility Installation

Public Vehicle Park (excluding container

vehicle)

Recyclable Collection Centre

Religious Institution

Research, Design and Development Centre

School

Service Reservoir

Social Welfare Facility

Training Centre

Wholesale Trade

Animal Boarding Establishment

Animal Quarantine Centre (not elsewhere

specified)

Columbarium

Correctional Institution

Crematorium

Driving School

Eating Place (not elsewhere specified)

Firing Range

Flat

Funeral Facility

Helicopter Landing Pad Helicopter Fuelling Station

Holiday Camp

Hotel

House

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground Level

other than Entrances

Off-course Betting Centre

Office

Petrol Filling Station

Place of Entertainment

Private Club

Radar, Telecommunications Electronic

Microwave Repeater, Television

and/or Radio Transmitter Installation

Refuse Disposal Installation (Refuse

Transfer Station only)

Residential Institution

Sewage Treatment/Screening Plant

Shop and Services (not elsewhere

specified)

Utility Installation for Private Project

Zoo

- 12 - <u>S/K11/31</u>

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (1) On land designated "Government, Institution or Community" ("G/IC"), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storeys or metres above Principal Datum (mPD), as stipulated on the Plan or the height of the existing building, whichever is the greater.
- On land designated "G/IC(1)", no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storeys, as stipulated on the Plan.
- (3) On land demarcated for 12m-wide building gap from Tseuk Luk Street to Yi Lun Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (4) On land demarcated for 15m-wide building gap fronting Po Kong Village Road as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 54mPD.
- (5) In determining the relevant maximum number of storeys for the purposes of paragraphs (1) and (2) above, any basement floor(s) may be disregarded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and the building gap restrictions as stated in paragraphs (3) and (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 13 - <u>S/K11/31</u>

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

	Column 2
Column 1	Uses that may be permitted with or
Uses always permitted	without conditions on application
· -	to the Town Planning Board

For "Government, Institution or Community (2)" only

Eating Place (Canteen only) Educational Institution

Field Study/Education/Visitor Centre

Government Use

Institutional Use (not elsewhere specified)

Library

Place of Recreation, Sports or Culture

Public Clinic

Public Convenience

Public Utility Installation

Recyclable Collection Centre

School

Social Welfare Facility

Training Centre

Eating Place (not elsewhere specified)

Exhibition or Convention Hall

Flat

Holiday Camp

Hotel

Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level

other than Entrances

Office

Place of Entertainment

Private Club

Public Vehicle Park (excluding container

vehicle)

Residential Institution

Religious Institution

Shop and Services

Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of a holistic centre for youth development including youth centre, performance venue, hostel, and public open space serving the needs of the local residents and/or a wider district, region or the territory.

Remarks

- (1) Any new development, except alteration and/or modification to an existing building, requires permission from the Town Planning Board under section 16 of Town Planning Ordinance.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) A public open space of not less than 3,530 m², of which not less than 2,000 m² at grade, shall be provided.

- 14 - <u>S/K11/31</u>

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Remarks (Cont'd)

- (4) A minimum setback of 15m and 16m from the lot boundary fronting Tsat Po Street and King Fuk Street shall be provided respectively.
- (5) In determining the relevant maximum number of storeys for the purposes of paragraph (2) above, any basement floor(s) may be disregarded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction as stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the setback requirements as stated in paragraph (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 15 - <u>S/K11/31</u>

OPEN SPACE

	Column 2
Column 1	Uses that may be permitted with or
Uses always permitted	without conditions on application
	to the Town Planning Board
Aviary	Cable Car Route and Terminal Building
Barbecue Spot	Eating Place
Field Study/Education/Visitor Centre	Government Refuse Collection Point
Park and Garden	Government Use (not elsewhere specified)
Pavilion	Holiday Camp
Pedestrian Area	Mass Transit Railway Vent Shaft and/or
Picnic Area	Other Structure above Ground Level
Playground/Playing Field	other than Entrances
Promenade	Place of Entertainment
Public Convenience	Place of Recreation, Sports or Culture
Sitting Out Area	Private Club
Zoo	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container
	vehicle)
	Religious Institution
	Service Reservoir
	Shop and Services
	Tent Camping Ground
	Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

Remarks

On land demarcated for 12m-wide building gap from Tseuk Luk Street to Yi Lun Street as shown on the Plan, no new development shall exceed the maximum building height restriction of 22mPD.

- 16 - <u>S/K11/31</u>

OTHER SPECIFIED USES

Column 1 Uses always permitted

Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board

For "Business" only

Schedule I: for open-air development or for building other than industrial or industrial-office building[@]

Ambulance Depot

Commercial Bathhouse/Massage

Establishment

Eating Place

Educational Institution

Exhibition or Convention Hall

Government Use (Police Reporting Centre,

Post Office only)

Information Technology and

Telecommunications Industries

Institutional Use (not elsewhere specified)

Library

Non-polluting Industrial Use (excluding industrial undertakings involving the

use/storage of Dangerous Goods⁽²⁾)

Off-course Betting Centre

Office

Place of Entertainment

Place of Recreation, Sports or Culture

Private Club

Public Clinic

Public Convenience

Public Transport Terminus or Station

Public Utility Installation

Public Vehicle Park (excluding container

vehicle)

Radar, Telecommunications Electronic

Microwave Repeater, Television and/or

Radio Transmitter Installation

Recyclable Collection Centre

Religious Institution

Research, Design and Development Centre

School (excluding free-standing

purpose-designed building and

kindergarten)

Shop and Services

Training Centre

Utility Installation for Private Project

Broadcasting, Television and/or Film Studio

Cargo Handling and Forwarding Facility

Government Refuse Collection Point

Government Use (not elsewhere specified)

Hotel

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground Level

other than Entrances

Non-polluting Industrial Use (not

elsewhere specified)

Petrol Filling Station

School (not elsewhere specified)

Social Welfare Facility (excluding those

involving residential care)

Warehouse (excluding Dangerous Goods

Godown)

Wholesale Trade

- 17 -S/K11/31

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted

Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board

For "Business" only (Cont'd)

Schedule II: for industrial or industrial-office building[@]

Ambulance Depot

Art Studio (excluding those involving direct provision of services or goods)

Cargo Handling and Forwarding Facility (not elsewhere specified)

Eating Place (Canteen only)

Government Refuse Collection Point

Government Use (not elsewhere specified)

Information Technology and

Telecommunications Industries

Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods[△])

Office (excluding those involving direct provision of customer services or goods)

Public Convenience

Public Transport Terminus or Station

Public Utility Installation

Public Vehicle Park (excluding container vehicle)

Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Recyclable Collection Centre

Research, Design and Development Centre

Shop and Services (Motor Vehicle

Showroom on ground floor, Service

Trades only)

Utility Installation for Private Project

Warehouse (excluding Dangerous Goods

Godown)

In addition, for building without industrial undertakings involving offensive trades or the use/storage of Dangerous Goods[△], the following use is always permitted:

Broadcasting, Television and/or Film Studio

Cargo Handling and Forwarding Facility

(Container Freight Station,

free-standing purpose-designed

Logistics Centre only)

Industrial Use (not elsewhere specified)

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground Level

other than Entrances

Off-course Betting Centre

Office (not elsewhere specified)

Petrol Filling Station

Place of Recreation, Sports or Culture (not

elsewhere specified)

Private Club

Shop and Services (not elsewhere specified) (ground floor only except Ancillary

Showroom[#] which may be permitted on any floor)

Vehicle Repair Workshop

Wholesale Trade

Office

- 18 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

Commercial Bathhouse/Massage Establishment **Eating Place Educational Institution Exhibition or Convention Hall** Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic **Religious Institution** School (excluding kindergarten) Shop and Services **Training Centre**

Social Welfare Facility (excluding those involving residential care)

- [®] An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose as approved by the Building Authority.
- Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).
- # Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

- 19 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

Planning Intention

This zone is intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new "business" buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, or the plot ratio of the existing building, whichever is the greater.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) Non-building area(s) from the lot boundary shall be provided:
 - (i) a minimum of 3m-wide abutting Tai Yau Street and King Fuk Street; and
 - (ii) a minimum of 1.5m-wide abutting Choi Hung Road, Tseuk Luk Street, Sheung Hei Street, Sam Chuk Street, Sze Mei Street, Ng Fong Street, Luk Hop Street, Tsat Po Street, Pat Tat Street and Prince Edward Road East.
- (4) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 20 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

Remarks (Cont'd)

(7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as stated in paragraphs (3)(i) and 3(ii) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 21 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted

Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board

For "Commercial/Residential Development Above Public Transport Terminus" only

Ambulance Depot

Flat

Government Use (not elsewhere specified)

House Library Market

Place of Recreation, Sports or Culture

Public Clinic

Public Transport Terminus or Station

Public Vehicle Park (excluding container

vehicle)

Residential Institution

School (in free-standing purpose-designed

building only)

Social Welfare Facility

Utility Installation for Private Project

Commercial Bathhouse/Massage

Establishment

Eating Place

Educational Institution

Exhibition or Convention Hall

Government Refuse Collection Point

Hospital Hotel

Institution Use (not elsewhere specified)

Mass Transit Railway Vent Shaft and/or

Other Structure above Ground Level

other than Entrances

Office

Petrol Filling Station

Place of Entertainment

Private Club

Public Convenience

Public Utility Installation

Religious Institution

School (not elsewhere specified)

Shop and Services (not elsewhere

specified)

Training Centre

In addition, the following uses are always permitted the purpose-designed in non-residential portion of an existing building, excluding floors containing wholly mainly car parking, or loading/unloading bays and/or plant room:

Eating Place

Educational Institution

Institutional Use (not elsewhere specified)

Off-course Betting Centre

Office

Place of Entertainment

Private Club

Public Convenience

Recyclable Collection Centre

School

Shop and Services

Training Centre

- 22 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

For "Commercial/Residential Development Above Public Transport Terminus" only (Cont'd)

Planning Intention

This zone is intended primarily for a residential development incorporating commercial uses on the podium above public transport terminus. Commercial uses are always permitted in the purpose-designed non-residential portion of the commercial and residential building.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 107,500m² and a maximum non-domestic gross floor area of 52,200m².
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as public transport facilities, railway station development or Government, institution, community or social welfare facilities, as required by the Government, may also be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

- 23 - <u>S/K11/31</u>

OTHER SPECIFIED USES (Cont'd)

Column 1	Column 2	
Uses always permitted	Uses that may be permitted with or	
	without conditions on application	
	to the Town Planning Board	

For "Landscaped Elevated Walkway" only

Landscaped Elevated Walkway Government Use

Planning Intention

This zone is primarily intended for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting San Po Kong with Kai Tak.

- 24 - <u>S/K11/31</u>

GREEN BELT

Column 1 Uses always permitted

Column 2
Uses that may be permitted with or without conditions on application to the Town Planning Board

Agricultural Use
Barbecue Spot
Government Use (Police Reporting Centre only)
Nature Reserve
Nature Trail
On-Farm Domestic Structure
Picnic Area
Public Convenience
Tent Camping Ground
Wild Animals Protection Area

Animal Boarding Establishment
Broadcasting, Television and/or Film
Studio

Burial Ground

Cable Car Route and Terminal Building Columbarium (within a Religious Institution or extension of existing Columbarium only)

Crematorium (within a Religious Institution or extension of existing Crematorium only)

Field Study/Education/Visitor Centre

Flat

Golf Course

Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad

Holiday Camp

T----

House

Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances

Petrol Filling Station

Place of Recreation, Sports or Culture

Public Transport Terminus or Station

Public Utility Installation

Public Vehicle Park (excluding container vehicle)

Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Religious Institution Residential Institution

School

Service Reservoir Social Welfare Facility

Utility Installation for Private Project

Zoo

Planning Intention

The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.

KOWLOON PLANNING AREA NO. 11

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

EXPLANATORY STATEMENT

KOWLOON PLANNING AREA NO. 11

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG OUTLINE ZONING PLAN NO. S/K11/31

	Contents	<u>Page</u>	
1.	INTRODUCTION	1	
2.	AUTHORITY FOR THE PLAN AND PROCEDURES	1	
3.	OBJECT OF THE PLAN	3	
4.	NOTES OF THE PLAN		
5.	THE PLANNING SCHEME AREA	3	
6.	POPULATION		
7.	BUILDING HEIGHT RESTRICTIONS IN THE AREA		
8.	LAND USE ZONINGS		
	 8.1 Comprehensive Development Area 8.2 Residential (Group A) 8.3 Residential (Group E) 8.4 Government, Institution or Community 8.5 Open Space 8.6 Other Specified Uses 8.7 Green Belt 	5 6 9 10 12 13 15	
9.	COMMUNICATIONS	15	
10.	UTILITY SERVICES	17	
11.	CULTURAL HERITAGE		
12.	IMPLEMENTATION		

KOWLOON PLANNING AREA NO. 11

APPROVED TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG <u>OUTLINE ZONING PLAN NO. S/K11/31</u>

(Being an Approved Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note: For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. <u>INTRODUCTION</u>

This explanatory statement is intended to assist an understanding of the approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/31. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 The first statutory Layout Plan (LP) No. L/K11/36/3, covering a portion of the Kowloon Planning Area No. 11, was gazetted on 25 April 1958 under section 5 of the Town Planning Ordinance (the Ordinance) and was subsequently approved by the then Governor-in-Council (G in C) on 2 September 1958 under section 8 of the Ordinance. On 13 May 1960, the Outline Development Plan (ODP) No. LK 11/41B, covering Kowloon Planning Areas No. 8 and 11, was gazetted under section 5 of the Ordinance. On 6 December 1960, the then G in C, under section 8 of the Ordinance, approved the draft ODP. On 12 July 1963, the then G in C referred the approved ODP No. LK 11/41C to the Board for amendment under section 11 of the Ordinance. The ODP was then amended once and exhibited for public inspection under section 5 of the Ordinance. On 28 January 1964, the then G in C, under section 8 of the Ordinance, approved the draft ODP.
- On 12 August 1969, the then G in C, under section 12(1)(b)(i) of the Ordinance, referred the approved ODP No. LK 11/63 and the approved LP No. L/K11/36/3, to the Board for replacement by two new plans. On 19 May 1978, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. LK 11/75, covering the Planning Area No. 11, was gazetted under section 5 of the Ordinance. The OZP was subsequently amended three times and exhibited for public inspection under section 7 of the Ordinance.
- 2.3 On 4 July 1989, the then G in C considered the draft OZP No. S/K11/3 and agreed to refer the draft OZP to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended five times and exhibited for public inspection under section 5 or 7 of the Ordinance.

- 2 - <u>S/K11/31</u>

- On 18 November 1997, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/9. On 9 February 1999, the CE in C referred the approved OZP No. S/K11/9 to the Board for amendment under 12(1)(b)(ii) of the Ordinance. Since then, the OZP was amended twelve times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.5 On 6 November 2007, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/22. On 8 April 2008, the CE in C referred the approved OZP No. S/K11/22 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP was amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.6 On 12 January 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/25. On 7 January 2014, the CE in C referred the approved OZP No. S/K11/25 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP was subsequently amended twice and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 6 December 2016, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/29. On 21 August 2018, the CE in C referred the approved OZP No. S/K11/29 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the approved OZP was notified in the Gazette on 31 August 2018 under section 12(2) of the Ordinance.
- On 24 June 2022, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/30, incorporating amendments mainly to rezone Chuk Yuen United Village and the area nearby for housing development cum Government, institution or community (GIC) facilities from "Government, Institution or Community" ("G/IC") and an area shown as 'Road' to "Residential (Group A)4" ("R(A)4") was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of eight valid representations were received. On 9 September 2022, the representations were published for three weeks for public comments and two valid comments were received. After giving consideration to the representations and comments on 16 December 2022, the Board decided not to uphold the representation and that no amendment should be made to the draft OZP to meet the representations.
- 2.9 On 25 April 2023, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/31. On 5 May 2023, the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/31 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

- 3 - <u>S/K11/31</u>

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the Planning Scheme Area (the Area) can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development and to provide guidance for more detailed planning within the Area. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Tsz Wan Shan, Diamond Hill and San Po Kong areas and not to overload the road network in this area.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at http://www.info.gov.hk/tpb.

5. THE PLANNING SCHEME AREA

- 5.1 The Area is located in Wong Tai Sin District within East Kowloon. It is bounded by Hammer Hill to the east and southeast; Unicorn Ridge and Temple Hill to the north; Lion Rock to the west; and the Kai Tak area to the south. The boundary of the Area is delineated in a heavy broken line on the Plan. It covers about 325 hectares of land.
- 5.2 The predominant land use in the Area to the north of Lung Cheung Road and Po Kong Village Road is residential use which consists mainly of public housing estates. To the south of Choi Hung Road is the San Po Kong Business Area where flatted factory buildings have been developed and is under transformation to meet the changing needs of the industrial and business sectors. The south-western part of San Po Kong, bounded by Choi Hung

- 4 - <u>S/K11/31</u>

Road, Tseuk Luk Street and King Fuk Street, has been developed mainly for mixed commercial and residential uses and serves as a local commercial centre. The squatter areas in Tai Hom Village and Yuen Leng Village have been cleared to cater for a comprehensive development mainly for residential uses, together with open space, some commercial/retail and community facilities.

6. <u>POPULATION</u>

Based on the 2016 Population By-census, the population of the Area was estimated by the Planning Department as about 224,900 persons. It is estimated that the planned population of the Area would be about 237,500 persons.

7. BUILDING HEIGHT RESTRICTIONS IN THE AREA

- 7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, the Kowloon OZPs are subject to revisions to incorporate building height restrictions to guide future development/redevelopment. With the removal of ex-Kai Tak Airport and relaxation of the airport height restriction, the Area has been subject to redevelopment pressure, in particular San Po Kong Business Area. In order to prevent out-of-context tall buildings while respecting the existing building height profile of the Area, a review was undertaken to ascertain the appropriate building height restrictions for the "Residential (Group A)" ("R(A)"), "G/IC" and "Other Specified Uses" ("OU") zones on the Plan.
- 7.2 The building height restrictions are to preserve the views to the ridgelines of the Lion Rock, Tsz Wan Shan and Kowloon Peak from the vantage point of Quarry Bay Park. The stepped building height concept adopted for the Area has taken into account the Urban Design Guidelines, the overall natural topography, local area context, local wind environment, the existing building height profile and the need to maintain visually compatible building masses in the wider setting. There are ten main building height bands 80 metres above Principal Datum (mPD), 100mPD, 120mPD, 140mPD, 145mPD, 160mPD, 180mPD, 200mPD, 220mPD and 240mPD in the Area for the "R(A)", "Residential (Group E)" ("R(E)") and "OU" zones. The proposed building height bands help achieve a stepped height profile for visual permeability and wind penetration and circulation in the Area.
- 7.3 Moreover, specific building restrictions for the "G/IC" zone in terms of mPD or number of storeys, which mainly reflect the existing and planned building heights of developments, have been incorporated into the Plan. Building height control for GIC buildings of not more than 13 storeys will be specified in terms of number of storeys so as to allow more design flexibility, and to accommodate specific functional requirements. For those GIC developments which are higher than 13 storeys, a building height restriction in mPD will be adopted.

- 5 - <u>S/K11/31</u>

- 7.4 An air ventilation assessment by expert evaluation has been undertaken in 2008 (AVA 2008) to assess the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. The building height bands, non-building areas (NBAs), and building gaps as shown on the Plan have taken into account the recommendations of the AVA 2008.
- 7.5 A minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide flexibility for development/redevelopments with design merits/planning gains. Each application for minor relaxation of building height restriction will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan;
 - (f) providing a pronounced height profile in areas of sloping sites; and
 - (g) other factors such as the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.
- 7.6 However, for existing buildings where the building height has already exceeded the maximum building height restrictions in terms of mPD or number of storeys as stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8. LAND USE ZONINGS

- 8.1 "Comprehensive Development Area" ("CDA") Total Area 7.18 ha
 - 8.1.1 This zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design

- 6 - <u>S/K11/31</u>

- and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 8.1.2 The area bounded by Lung Cheung Road and Choi Hung Road to the south of Mass Transit Railway (MTR) Diamond Hill Station is within this zone. It is intended for a comprehensive development comprising public housing development with commercial and GIC facilities, a water feature park, a landscaped walk with cultural theme, religious facility and an open space and relocated public transport interchange.
- 8.1.3 In order to ensure that the intensity of the development is under statutory planning control, the maximum gross floor area (GFA) including a maximum non-domestic GFA has been specified in the Notes of the "CDA" zone.
- 8.1.4 Pursuant to section 4A(1) of the Ordinance, any development within the "CDA" zone would require approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan (MLP) should be submitted in accordance with the requirements as specified in the Notes of the Plan for the approval of the Board pursuant to section 4A(2) of the Ordinance. A copy of the approved MLP would be made available for public inspection in the Land Registry pursuant to section 4A(3) of the Ordinance.

8.2 "Residential (Group A)" ("R(A)") - Total Area 106.96 ha

- 8.2.1 This zone is intended primarily for high-density residential developments. Commercial uses such as shop, services and eating place are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.2.2 Existing public housing estates including Chuk Yuen (South and North) Estates, Fung Tak Estate, Upper Wong Tai Sin Estate (Phases 1, 3 and 4), Shatin Pass Estate, Tsz Lok, Tsz Ching, Tsz Hong and Tsz Man Estates, are located in the northern part of the Area. The existing Home Ownership Scheme developments including Lung Poon Court, Pang Ching Court, Fung Chuen Court, Fung Lai Court, Tsz Oi Court, Tsz On Court and Ying Fuk Court, are located in the central and northern part of the Area.
- 8.2.3 Public housing developments in "R(A)" zone are covered by a range of height bands of 120mPD, 140mPD, 160mPD, 180mPD, 200mPD and 240mPD. For large public housing sites with different formation platforms, distinct building height bands are imposed. Tsz Lok Estate is subject to two height bands of 160mPD and 180mPD, Tsz On Court is 180mPD and 200mPD, Tsz Ching Estate is 200mPD and 220mPD, while Tsz Oi Court is 200mPD and 240mPD.
- 8.2.4 A wide range of GIC facilities such as primary schools, community halls, local open space, markets and shopping centres are provided within these estates to serve the residents. Some of the community

- 7 - <u>S/K11/31</u>

facilities are free-standing within the housing estates. They are counted as follows:

Name of Estate	No. of Free-standing Facilities	No. of Storeys
Chuk Yuen (South) Estate	1 primary school	7
Fung Tak Estate	1 special school 1 community hall	7 5
Tsz Ching Estate	1 primary school	7
Tsz Lok Estate	2 primary schools	7

Within the large public housing estates, the free-standing GIC facilities should be kept as breathing spaces and visual relief to the building masses and any redevelopment of these GIC facilities should not exceed their existing building heights.

- 8.2.5 In order to preserve the existing open playground and green areas of about 1.09ha to the west of Tsz Oi Court but within Tsz Lok Estate boundary as a breathing space in the densely built-up area, they are designated as a NBA.
- 8.2.6 Existing private housing developments are zoned "R(A)" subject to height bands of 80mPD, 100mPD, 120mPD, 140mPD and 160mPD. These include the existing developments at Lung Cheung Road near Wong Tai Sin Station, the area bounded by Tseuk Luk Street, King Fuk Street and Choi Hung Road in San Po Kong, Lions Rise bounded by Muk Lun Street and Chun Yan Street, The Latitude abutting Prince Edward Road East, sandwich-class housing of Bel Air Heights at the junction of Lung Poon Street and Fung Tak Road, as well as Private Sector Participation Schemes developments of Grand View Garden at the junction of Po Kong Village Road and Hammer Hill Road, and Rhythm Garden bounded by Prince Edward Road East and Choi Hung Road. A site at Sheung Fung Street is reserved for Government staff quarters development and is subject to a maximum building height restriction of 145mPD.
- 8.2.7 Existing private housing developments include Fung Wong San Tsuen to the north of Fung Tak Road/Shatin Pass Road, the area around Kam Fung Street and Wan Fung Street as well as Forest Hills at Po Kong Village Road, and the area around Yuk Wah Crescent to the north of Po Kong Village Road are zoned "Residential (Group A)1" ("R(A)1), "Residential (Group A)2" ("R(A)2") and "Residential (Group A)3" ("R(A)3") respectively.
- 8.2.8 Developments and redevelopments in "R(A)1", "R(A)2" and "R(A)3" zones are subject to maximum building heights of 100mPD, 120mPD, 140mPD respectively. To avoid pencil-like buildings to be developed on small lots and to encourage amalgamation of sites for more

- 8 - <u>S/K11/31</u>

comprehensive development, including the provision of parking and loading/unloading and other supporting facilities, maximum building height restrictions of 120mPD, 140mPD and 160mPD will be allowed for sites with an area of 400m² or more in the respective zones.

- 8.2.9 The "R(A)4" site is intended for residential housing devleopment which is subject to a maximum domestic GFA of 75,000m² and a maximum non-domestic GFA of 15,000m², and maximum building heights of 120mPD/145mPD as stipulated on the Plan. In determining the relevant maximum GFA for land desginated "R(A)4", any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded. A public pedestrian link between the Wong Tai Sin Public Transport Terminus and Wong Tai Sin Square/MTR Station should be provided within the western portion of the development.
- 8.2.10 Based on the AVA 2008 study, due to the narrow widths of the streets, the air ventilation environment in San Po Kong area can be weak. To allow penetration of summer prevailing winds from Choi Hung Road in the south into Tai Yau Street in the north, the areas zoned "R(A)", which fall within the strip of 12m-wide land demarcated as a building gap in a north-south direction starting from Tseuk Luk Street across Shung Ling Street and Yi Lun Street to Ning Yuen Street as shown on the Plan, are subject to a maximum building height restriction of 22mPD.
- 8.2.11 Based on the AVA 2008 study, within the "R(A)2" zone, a strip of 15m-wide land fronting Wan Fung Street is demarcated as a building gap subject to a maximum building height restriction of 54mPD. This would create an air path from Po Kong Village Road to Kam Fung Street Sitting Out Area.
- 8.2.12 A Preliminary Air Ventilation Assessment-Expert Evaluation under the Site Formation and Infrastructure Works for Proposed Public Housing Developments at Ying Fung Lane, Wong Tai Sin Community Centre and Ngau Chi Wan Village, Wong Tai Sin Feasibility Study has been carried out for the "R(A)4" site and several mitigation measures such as building separations and building/podium setbacks have been proposed in the assessment to alleviate the potential air ventilation impacts on the surrounding wind environment. These measures could be incorporated in the proposed development to facilitate air flow, subject to detailed design.
- 8.2.13 In the consideration of the overall transport, environmental and infrastructural constraints, as well as the adequacy in the provision of community facilities envisioned in the Kowloon Density Review, completed in early 2002, developments or redevelopments within the "R(A)" zone and its sub-zones are subject to specific control on plot ratios as specified in the Notes, i.e. a maximum plot ratio of 7.5 for a domestic building and a maximum plot ratio of 9.0 for a partly domestic and partly non-domestic building. In calculating the GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely for accommodating school or

- 9 - <u>S/K11/31</u>

- other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.
- 8.2.14 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios/GFAs may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 8.2.15 For large housing development sites (including public housing sites), it is required to provide varying building height profile within the same building height band to avoid wall effect of buildings, add variation to the sites and help wind penetration at street level.
- 8.2.16 To provide design/architectural flexibility, minor relaxation on the plot ratio/GFA restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.
- 8.2.17 No above ground structure is allowed within the NBA except for landscape feature, boundary fence/boundary wall that is designed to allow high air porosity, and minor structure for footbridge connection or covered walkway. Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA and building gaps restrictions may be considered by the Board on application under section 16 of the Ordinance.
- 8.2.18 The GFA control under the "R(A)4" zone is regarded as being stipulated in a "new or amended statutory plan" according to the Joint Practice Note No. 4 "Development Control Parameters Plot Ratio/Gross Floor Area", and shall be subject to the streamlining arrangements stated therein.

8.3 "Residential (Group E)" ("R(E)") - Total Area 0.93 ha

- 8.3.1 This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.
- 8.3.2 The major part of the San Po Kong Business Area is anticipated to transform gradually to business type development. In August 2006, Housing Department commissioned a consultancy study on the review of land use of the ex-San Po Kong Flatted Factory Sites at King Fuk Street. Taking into account its recommendation, the south site has been developed for residential use, namely King Tai Court.

- 10 - <u>S/K11/31</u>

- 8.3.3 Developments within this zone are subject to specific control on plot ratio as stipulated in the Notes, i.e. any new development or redevelopment should not exceed a maximum plot ratio of 6.0. Moreover, development and redevelopment within this zone are subject to a maximum building height restriction of 100mPD as stipulated on the Plan.
- 8.3.4 The AVA 2008 Study has recommended that the existing Kai Tak East Playground and the site to its west are important openings to allow air penetration from the south to different parts of the San Po Kong Business Area. A strip of 12m-wide land is designated in the north-eastern part of the zone to provide an air path extending from Pat Tat Street across the "O" sites to Prince Edward Road East. Also, within the zone, a minimum of 3m-wide NBA from the lot boundary abutting King Fuk Street and a minimum of 1.5m-wide NBA abutting Prince Edward Road East shall be provided. Such designation would largely tie in with the proposed Traffic Improvement Works for Industrial Land in San Po Kong by Transport Department since 2001 requiring setbacks from public roads for future road widening.
- 8.3.5 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratio may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 8.3.6 To provide design/architectural flexibility, minor relaxation on the plot ratio restriction may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restriction as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.
- 8.3.7 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.

8.4 "Government, Institution or Community" ("G/IC") - Total Area 45.73 ha

- 8.4.1 This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 8.4.2 Most of the existing facilities are sited in groups. Major facilities include Wong Tai Sin Police Station, Tung Wah Group of Hospitals Wong Tai Sin Hospital and Our Lady of Maryknoll Hospital located at

- 11 - <u>S/K11/31</u>

Shatin Pass Road, Wu York Yu Clinic at Sheung Fung Street, Chi Lin Nunnery and Home for the Aged, Hong Kong School for the Deaf at Hammer Hill Road, two indoor games halls at San Po Kong and one indoor recreation centre at Diamond Hill. This zone also covers three covered service reservoirs to the west of Tsz Wan Shan, Wong Tai Sin Temple at Wong Tai Sin Road, a divisional fire station and an ambulance depot at Fung Tak Road, Wong Tai Sin Public Transport Terminus and a number of primary and secondary schools.

- 8.4.3 Sites have also been reserved for the development of additional community facilities. The majority of them are located in the Diamond Hill, Tai Hom and San Po Kong areas. Tentatively, they include a clinic, a service reservoir and pumping station and a number of primary and secondary schools. An area of about 0.4 ha located immediately to the east of Wong Tai Sin Temple is reserved for development of religious use and ancillary uses that would enhance the character of the area as a place of visitor attraction.
- 8.4.4 Development and redevelopment in the "G/IC" sites are subject to maximum building heights in terms of mPD or number of storeys (excluding basement floor(s)) as stipulated on the Plan. Building height restriction for most of the "G/IC" sites is stipulated in terms of number of storeys while the proposed redevelopment of the Hong Kong Examinations and Assessment Authority at Tseuk Luk Street and the Fire Services Department Wong Tai Sin Rank and File Married Quarters at Fung Tak Road are subject to maximum building heights of 75mPD and 100mPD respectively to reflect the proposed and existing building heights.
- 8.4.5 In order to maintain the continuity of air flow along the two sides of Shatin Pass Road, the existing 30-storey Wong Tai Sin Disciplined Services Quarters at Shatin Pass Road, which is zoned "Government, Institution or Community (1)", is subject to a maximum building height of 9 storeys upon its redevelopment. Redevelopment of the site exceeding the building height restriction or up to the existing building height is not permitted.
- 8.4.6 A site bound by King Fuk Street, Sam Chuk Street and Tsat Po Street is zoned "Government, Institution or Community (2)" ("G/IC(2)") and subject to a building height restriction of 4 storeys. The "G/IC(2)" zone is intended for the provision of a holistic centre for youth development including youth centre, performance venue, hostel, and public open space serving the needs of the local residents and/or a wider district, region or the territory. A public open space of not less than 3,530 m², of which not less than 2,000 m² at grade, shall be provided. A minimum setback of 15m and 16m from the lot boundary fronting Tsat Po Street and King Fuk Street shall be provided respectively to facilitate the air ventilation along the two streets. In order to address the concerns of the Board on the content and design of the proposed holistic centre and the provision of public open space, any new development, except alteration and/or modification to an existing

- 12 - <u>S/K11/31</u>

building, requires permission from the Board under section 16 of the Ordinance. In submitting the section 16 application, information on the accessibility of public open space within the development to the public, landscape and urban design proposals for the development as well as other relevant aspects should be provided.

- 8.4.7 To allow penetration of summer southerly prevailing winds into the San Po Kong area, an area zoned "G/IC" falling within the strip of 12m-wide land demarcated as a building gap in a north-south direction from Tseuk Luk Street and Yi Lun Street is subject to a maximum building height restriction of 22mPD. This measure will help improving the air ventilation condition of the area upon its redevelopment.
- 8.4.8 To allow the down flow of easterly winds from Po Kong Village Road merging with the Kam Fung Street Sitting Out Area via Wang Fung Garden, a strip of 15m-wide land is demarcated as building gap within the "G/IC" zone fronting Po Kong Village Road subject to a maximum building height restriction of 54mPD.
- 8.4.9 To facilitate north-south airflow to the inner part of Diamond Hill, a 15m-wide NBA is designated at the western boundary of the "G/IC" zone at Sze Mei Street. The remaining part of the "G/IC" site is subject to a building height restriction of 8 storeys.
- 8.4.10 For development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taken into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.
- 8.4.11 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the setback requirements, building gap/NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.

8.5 "Open Space" ("O") - Total Area 29.02 ha

- 8.5.1 This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.5.2 Major existing open spaces are mainly located in San Po Kong and Tsz Wan Shan, including Choi Hung Road Playground opposite to Wong Tai Sin Police Station, Kai Tak East Playground at Luk Hop Street, Muk Lun Street Playground, the children's playgrounds at Shung Ling Street and Yan Oi Street, Tsz Wan Shan Estate Central Playground, Lok Wah Street Rest Garden, the existing temple courtyard and open landscaped area at Wong Tai Sin Square, Fung Tak Road Park, Nan Lian Garden opposite to Chi Lin Nunnery and Po Kong Village Road Park. Local open spaces and rest areas are incorporated in other land

- 13 - <u>S/K11/31</u>

use zones.

- 8.5.3 An open space fronting Sze Mei Street which may include a possible road link between Kai Tak area and Choi Hung Road has been reserved within the area for urban park and other recreational uses.
- 8.5.4 Kai Tak East Playground at Luk Hop Street serves as a buffer between the industrial operations in the core of San Po Kong Business Area and the "R(E)" zone at Prince Edward Road East. It serves the workers in the business area and to meet demand from additional population arising from King Tai Court in the "R(E)" zone.
- 8.5.5 Based on the AVA 2008 Study, a strip of 12m-wide NBA is designated within the "O" zones at King Fuk Street and Sze Mei Street in a northwest-southeast direction creating an air path from Pat Tat Street to Prince Edward Road East. In addition, the portion of "O" zone at Shung Ling Street falling within the strip of 12m-wide land demarcated as a building gap in a north-south direction from Tseuk Luk Street to Yi Lun Street as shown on the Plan is subject to a maximum building height restriction of 22mPD, in order to allow penetration of summer prevailing winds from the south into San Po Kong area. No above ground structure is allowed within the NBA except for landscape feature, boundary fence/boundary wall that is designed to allow high air porosity, and minor structure for footbridge connection or covered walkway may be allowed.
- 8.6 "Other Specified Uses" ("OU") Total Area 13.82 ha
 - 8.6.1 This zoning covers land allocated for specific uses.
 - 8.6.2 The commercial/residential development, known as Plaza Hollywood and the Galaxia, at Lung Cheung Road is zoned "OU" annotated "Commercial/Residential Development Above Public Transport Terminus". In order to ensure that the intensity of this development is under statutory planning control, maximum domestic and non-domestic GFA have been specified in the Notes. The public transport terminus provides transport interchange facilities for MTR Diamond Hill Station.
 - 8.6.3 About 10.96 ha of land is zoned "OU" annotated "Business". zone is intended primarily for general business uses. A mix of technology telecommunications information and non-polluting industrial, office and other commercial uses are always permitted in new "business" buildings. However, in order to ensure that the concerns on fire safety and environmental impacts are properly addressed, only less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted as of right in existing industrial and industrial-office (I-O) buildings. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure compatibility of the uses within the same industrial or I-O building and in the San Po Kong area until the whole area is transformed to cater for

- 14 - <u>S/K11/31</u>

the new non-polluting business uses. Developments within this zone are subject to a maximum plot ratio of 12.0. Development within this zone should make reference to the relevant Town Planning Board Guidelines.

- 8.6.4 About 0.18ha of land is zoned "OU" annotated "Landscaped Elevated Walkway". This zone is primarily intended for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting San Po Kong area with Kai Tak.
- 8.6.5 In order to accommodate traffic growth resulted from the land use transformation, appropriate traffic improvement measures, including road widening and building set back requirements, would be provided subject to detailed design and further study. To facilitate maintenance by Government departments, the rear lanes within this zone would also be widened.
- 8.6.6 Based on the AVA 2008 Study, measures have been taken to reinforce air path and improve the wind environment within San Po Kong Business Area. Opportunity is also taken to enhance the overall streetscape of the area. A minimum of 3m-wide NBA from the lot boundary abutting Tai Yau Street and King Fuk Street, and a minimum of 1.5m-wide NBA from the lot boundary abutting Choi Hung Road, Sheung Hei Street, Sam Chuk Street, Sze Mei Street, Ng Fong Street, Luk Hop Street, Tsat Po Street, Pat Tat Street, Tseuk Luk Street and Prince Edward Road East shall be provided within this zone. Such designation would largely tie in with the proposed traffic improvement works for industrial land in San Po Kong by Transport Department since 2001 requiring setbacks from public roads for future road widening.
- 8.6.7 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratio may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 8.6.8 To provide design/architectural flexibility, minor relaxation on the maximum plot ratio/GFA restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.
- 8.6.9 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.

- 15 - <u>S/K11/31</u>

8.7 "Green Belt" ("GB") - Total Area 70.43 ha

- 8.7.1 The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone. Development within this zone will be carefully controlled and development proposals will be assessed on individual merits taking into account the Town Planning Board Guidelines.
- 8.7.2 This zoning covers mainly steep hillslopes which are unsuitable for urban development and are retained in their natural state. Passive recreational uses may however be possible at certain locations.
- 8.7.3 The steep hillslopes to the north of the public housing estates at Chuk Yuen and Tsz Wan Shan and to the north of Chi Lin Nunnery at Diamond Hill North are within this zone.

9. <u>COMMUNICATIONS</u>

9.1 Roads

- 9.1.1 Majority of the sections of Lung Cheung Road, which passes through the central part of the Area, is an urban trunk road serving North Kowloon. Prince Edward Road East at the southern edge of the Area is also an urban trunk road which connects East and West Kowloon.
- 9.1.2 The district distributor network within the Area consists of Choi Hung Road, section of Shatin Pass Road between Chuk Yuen Road and Lung Cheung Road, Ma Chai Hang Road, Wong Tai Sin Road, Tsz Wan Shan Road, Po Kong Village Road, Hammer Hill Road and Fung Tak Road.
- 9.1.3 Tate's Cairn Tunnel connects Siu Lek Yuen in Sha Tin New Town with Diamond Hill in the Area. It links up with Kwun Tong By-pass and, via the Eastern Harbour Crossing, with the Island Eastern Corridor, and is a part of the trunk road system connecting Hong Kong Island with North East New Territories.
- 9.1.4 A local distributor, Kai San Road, provides a convenient route linking up San Po Kong and Kai Tak Development.

9.2 Mass Transit Railway

9.2.1 The existing MTR Kwun Tong Line runs through the central part of the Area beneath Lung Cheung Road. There are two stations viz. MTR Wong Tai Sin and Diamond Hill Stations. The former serves the housing estates in Wong Tai Sin and Chuk Yuen, while the latter serves the Tai Hom and San Po Kong areas. - 16 - <u>S/K11/31</u>

9.2.2 The railway scheme for the MTR Shatin to Central Link was authorized by CE in C on 27 March 2012 and the railway tracks and station within the Area have been completed. Pursuant to section 13A of the Ordinance, the railway scheme authorized by the CE in C under the Railways Ordinance (Chapter 519) shall be deemed to be approved under the Ordinance. The railway alignment, stations and structures within the Area are shown on the Plan for information only.

9.3 <u>Public Transport Terminus</u>

A public transport terminus, including a bus terminus, a public light bus terminus and a taxi stand, is provided at the "OU" annotated "Commercial/Residential Development Above Public Transport Terminus" zone at Lung Cheung Road. It provides transport interchange facilities for MTR Diamond Hill Station. A public transport terminus, including a coach park and a public light bus terminus, is provided at the "G/IC" zone at the junction of Wong Tai Sin Road and Shatin Pass Road. It provides transport interchange facilities for MTR Wong Tai Sin Station.

9.4 <u>Pedestrian Connections with Kai Tak Development</u>

- 9.4.1 To facilitate pedestrian connections between San Po Kong area with the Kai Tak Development, a comprehensive pedestrian connection system including public passageway in form of subway and landscaped elevated walkways is indicated on the Plan. It aims to provide pedestrians with a convenient, comfortable and animated walking experience. The detailed design of this comprehensive pedestrian connection system is completed under the Civil Engineering and Development Department (CEDD)'s Kai Tak Development Engineering Study. Details of the connection points between San Po Kong and Kai Tak are shown below:
 - (a) Existing subway at the interchange between Prince Edward Road East and Choi Hung Road was enhanced to connect Trade and Industry Tower and Kai Tak Community Hall.
 - (b) A curvilinear landscaped elevated walkway connecting the Latitude and Trade and Industry Tower and Kai Tak Community Hall will be further extended to connect with the future developments in Kai Tak.
 - (c) A subway has been provided in conjunction with Kai San Road to connect Tsat Po Street and King Fuk Street in San Po Kong to the westbound footpath of Prince Edward Road East in Kai Tak. It will be further extended to connect with the Kai Tak Station.
 - (d) An existing subway underneath Prince Edward Road East connecting with the Kowloon East Regional Headquarters and Operational Base-cum-Ngau Tau Kok Divisional Police Station has been provided.
 - (e) Landscaped elevated walkway over Prince Edward Road East

- 17 - <u>S/K11/31</u>

near Kai Tak East Playground will be provided.

- (f) Landscaped elevated walkway over Prince Edward Road East near Rhythm Garden to connect with Kai Tak City Centre was completed.
- 9.4.2 Pursuant to section 13A of the Ordinance, the road scheme authorized by the CE in C on 31 March 2009 under the Roads (Works, Use and Compensation) Ordinance (Chapter 370), i.e. the alignments of the elevated walkway as mentioned in paragraphs 9.4.1 (b) and (f) above, shall be deemed to be approved under the Ordinance.

10. <u>UTILITY SERVICES</u>

The Area is well served with piped water supply, drainage and sewerage systems. Electricity, gas and telephone services are also available. To cater for the future developments in Diamond Hill and Tai Hom, sites have been reserved for a service reservoir and a pumping station. Additional waterworks and sewerage upgrading works may be required to upgrade existing infrastructure provision to cater for future development.

11. <u>CULTURAL HERITAGE</u>

Wong Tai Sin Temple (Grade 1), Old Pillbox (Grade 2) and Former Royal Air Force Hangar (Grade 3) are graded historic buildings located within the Area. On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 historic buildings, in which some buildings/structures within the Area have been accorded gradings. The AAB also released a number of new items in addition to the 1,444 historic buildings. These items are subject to the grading assessment by the AAB. Details of the list of 1,444 historic buildings and its new items have been uploaded to the website of AAB at http://www.aab.gov.hk. Prior consultation with the Antiquities and Monuments Office (AMO) should be made if any development, redevelopment or rezoning proposals that might affect the graded historic buildings/structures, and the new items pending for grading mentioned above, as well as the government sites identified by AMO as listed at https://www.amo.gov.hk, and any other historic buildings/structures, both at grade and underground, and their immediate environs.

12. IMPLEMENTATION

12.1 Although existing uses non-conforming to the statutory zonings are tolerated, any material change of use and any other development/redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. The Board has published a set of guidelines for the interpretation of existing use in the urban and new town areas. Any person who intends to claim an "existing use right" should refer to the guidelines and will need to provide sufficient evidence to support his claim. The enforcement of the zonings mainly rests with the Buildings Department, the Lands Department (LandsD) and the

- 18 - <u>S/K11/31</u>

various licensing authorities.

- 12.2 The Plan provides a broad land use framework within which more detailed non-statutory plans for the Area are prepared by the Planning Department. These detailed plans are used as the basis for public works planning and site reservation within the Government. Disposal of sites is undertaken by LandsD. Public works projects are co-ordinated by CEDD in conjunction with the client departments and the works departments, such as the Highways Department and the Architectural Services Department. In the course of implementation of the Plan, the Wong Tai Sin District Council would also be consulted as appropriate.
- 12.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans, layout plan and the guidelines published by the Board. The outline development plans and layout plan are available for public inspection at the Planning Department. published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and guidance notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

TOWN PLANNING BOARD MAY 2023