

# LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance  
(Chapter 131)

## APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18

### INTRODUCTION

At the meeting of the Executive Council on 25 April 2023, the Council ADVISED and the Chief Executive ORDERED that the draft Ngau Chi Wan Outline Zoning Plan (OZP) No. S/K12/17A, should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now A renumbered as No. S/K12/18 at Annex A.

### AMENDMENTS TO THE NGAU CHI WAN OZP NO. S/K12/16 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Ngau Chi Wan OZP No. S/K12/16 for amendments on 4 October 2011, the draft Ngau Chi Wan OZP No. S/K12/17 (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 in Ngau Chi Wan Village (NCWV) abutting Wing Ting Road (the NCWV site) from "Residential (Group B)" ("R(B)", "Government, Institution or Community" ("G/IC"), "Open Space" ("O"), "Village Type Development" and areas shown as 'Road' to "Residential (Group A)1" ("R(A)1") with stipulation of building height (BH) restrictions of 115 metres above Principal Datum (mPD) and 130mPD for a proposed public housing development (Amendment Item A);

#### Other Amendments

- (b) two pieces of land abutting Wing Ting Road and Lung Cheung Road from "R(B)", "G/IC" and an area shown as 'Road' to "O" for a proposed public open space (POS) development (Amendment Item B); and
- (c) a strip of land along Lung Cheung Road from "G/IC" to an area shown as 'Road' to reflect the existing and proposed alignment of road and pavement along Lung Cheung Road (Amendment Item C).

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.

## 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 (4)

5. There were three supportive representations in respect of Amendment Item A submitted by the Hong Kong Housing Society (HKHS) (R1) and individuals (R2 and R3), and one supportive representation in respect of Amendment Item B submitted by an individual (R4). The major grounds/views and proposals of the supportive representations are summarised below –

#### Amendment Item A

- (a) the development providing about 2,700 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) Man Fat Nunnery within the NCWV site would be well preserved in-situ for adaptive reuse for public enjoyment;
- (d) local connectivity could be improved by constructing the extension of Wing Ting Road to link up with the planned Comprehensive Development Area development and Ngau Chi Wan Municipal Services Building;
- (e) social welfare (not less than 5% of domestic gross floor area (GFA)), community and retail facilities would be provided;
- (f) greenery area of not less than 20% of the site area and diverse landscaping would be provided within the development;
- (g) the development would not result in any insurmountable problems on various technical aspects;
- (h) the proposed POS within the "O" zone would be designed and constructed by HKHS to serve the public; and

## Amendment Item B

- (i) more quality open space would be provided in the district.

## Adverse Representations (4)

6. Apart from the supportive representation on Amendment Item B mentioned in paragraph 5 above, R4 also submitted an adverse representation on Amendment Item A. There were three other adverse representations submitted by East Kowloon Property Development Limited (R5), Keyman One Development Limited (R6) and an individual (R7) on Amendment Item A. R5 also submitted an adverse representation on Amendment Item B. The major grounds/views and proposals of the adverse representations are summarised below –

### Amendment Item A

#### Development Intensity and Provision of Open Space

- (a) the proposed public housing development was compact and of too high density with inadequate open space provision. Urban design of the area would be affected;

#### Technical Issue

- (b) the proposed development would create adverse traffic impact;

#### Local Consultation

- (c) the NCWV villagers had not been consulted on the proposed development;

#### Site-specific Proposal

- (d) the lot of R6 and sufficient nearby areas in NCWV was proposed to be excluded from "R(A)1" zoning, since the proposed high-density public housing development with BH restrictions of 115mPD and 130mPD would adversely affect the living quality of the proposed house at the lot; and

### Amendment Items A and B

#### Site-specific Proposal

- (e) an Enhanced Scheme was proposed by R5 and its key features are highlighted below:
  - (i) to increase the development intensity of the NCWV site by enlarging the "R(A)1" zone at Amendment Item A site by 3,178m<sup>2</sup>, with inclusion of the adjacent "O" zone covering the

Amendment Item B site, a portion of the existing open space as well as an adjoining piece of Government land zoned "G/IC" currently occupied by a refuse collection point cum public toilet, a section of Lung Chi Path and an electric substation for plot ratio (PR) calculation;

- (ii) to exclude the proposed private housing site from land resumption by the Government so that it could be developed for private housing by R5 and other landowners with a maximum total PR of 9 and an increase in BH for production of not less than 500 private housing units; and
- (iii) to develop the remaining portion of the enlarged NCWV site by HKHS with the same GFA as per the original HKHS scheme and an increase in BH for production of 2,700 public housing units.

#### Representation Providing Adverse Views (1)

7. A representation providing adverse views was submitted by an individual (R8). The major views of the representation are summarised below –

##### Amendment Item A

##### Preservation of Man Fat Nunnery

- (a) it was inappropriate to rent out Man Fat Nunnery for commercial use which had no connection with the original use of the nunnery. The enclosure of the nunnery would be destroyed. It was suggested to use the nunnery for Government, institution and community (GIC) facilities;

##### Provision of Community Services

- (b) social welfare facilities with floor area of not less than 5% was inadequate. There was a scarcity of provision of elderly facilities;

##### Quality of Life

- (c) the proposed redevelopment of the squatters in NCWV would diminish the quality of life and community ties of the affected residents;

##### Technical Issues

- (d) felling of trees at the NCWV site with no guarantee of adequate compensatory planting would result in the cumulative loss of mature trees. The proposed new trees were of spindly species that could not grow tall;

- (e) 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;
- (f) the proposed acoustic/fixed windows would prohibit future residents from hanging damp clothes outside. Drying clothes indoors would cause additional energy consumption and health problem;
- (g) there were serious issues regarding the ventilation of the NCWV site;
- (h) there was no information on the way forward of the Jockey Club Breast Health Centre within the NCWV site; and

#### Amendment Item B

- (i) there was no indication on whether the proposed POS would be at grade or on podium. POS on podium was not genuine open space.

#### Comments on Representations (2)

8. There were two comments submitted by the HKHS (C1 (also R1)) and an individual (C2 (also R8)). The major grounds and views on Amendment Items A and B 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 noted the supportive views of R1 to R3 and R4(part) and decided not to uphold R4(part) to R8, and agreed that the draft OZP should not be amended 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 Amendment Item A site was considered suitable for the proposed public housing development with provision of GIC facilities and commercial uses (R4 and R7);
- (b) the representer's proposal of rezoning the "O" zone covering Amendment Item B site and a portion of the existing open space as well as the adjacent "G/IC" site to "R(A)1" for PR calculation was considered unacceptable. These two sites did not form part of the proposed public housing development in NCWV, and were/would be managed and maintained by the respective Government departments/utility agent. The "O" and "G/IC" zonings should be remained to reflect the planned POS and existing GIC uses respectively (R5);
- (c) the "R(A)1" zone was intended to facilitate comprehensive public housing development. The representer's proposal incorporating private residential development thereat would substantially increase the total GFA and BH and alter the overall design of the proposed public housing development, thereby necessitating re-assessment on various technical aspects and causing delay to the development programme. The representer also had not provided any information to substantiate the claim that the proposed private housing development might be implemented faster than the proposed public housing development by HKHS. There was no strong planning justification for rezoning to meet the representer's proposal (R5);
- (d) the "R(A)1" zone was intended to facilitate comprehensive public housing development. The representer's proposal of carving out its lot and the surrounding area would affect the integrity, layout design and planning parameters of the proposed public housing development and associated works, which would necessitate re-assessment on various technical aspects, causing delay to the development programme. There was no strong planning justification for rezoning to meet the representer's proposal (R6);
- (e) technical assessments on various aspects, including traffic and transport, environmental, heritage, visual, air ventilation, tree and landscape, drainage, sewerage, water supply, utilities and geotechnical confirmed that there was no insurmountable technical problem in developing the Amendment Item A site for high-rise public housing developments with supporting infrastructural facilities and suitable mitigation/improvement measures (R4, R6 to R8);

- (f) the proposed public housing development would accommodate social welfare facilities providing elderly and child care 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 facilities (R8); and
- (g) 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 (R8).

## IMPLICATIONS OF THE PROPOSAL

10. The approval of the draft Ngau Chi Wan Outline Zoning Plan No. S/K12/17A itself has no civil service implication. The economic, financial, environmental, sustainability, family and gender implications in respect of Amendment Items A, B and C are set out below.

11. On economic implications, Amendment Item A will facilitate the proposed public housing development at the NCWV site which can help meet the housing demand in Hong Kong.

12. On financial implications, the proposed rezoning under Amendment Items A, B and C have no land revenue implication. The estimated capital cost for site formation and infrastructure works for the proposed public housing development at the NCWV site (under Amendment Item A), the proposed public open space (under Amendment Item B) and the adjacent road works (under Amendment Item C) will be sought under the Capital Works Reserve Fund (CWRF) in accordance with the established mechanism.

13. The construction cost of the proposed public housing development (under Amendment Item A) and the proposed public open space (under Amendment Item B) will be borne by the HKHS.

14. The proposed public housing development (under Amendment Item A) and the proposed public open space (under Amendment Item B) 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.

15. 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.

16. 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.

17. On sustainability implications, the proposed public housing development with provision of social welfare facilities and public open space 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.

18. 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.

19. 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

20. Prior to submission of the proposed amendments to the approved Ngau Chi Wan OZP No. S/K12/16 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 Wong Tai Sin District Council (WTSDC) on 7 July 2020 regarding the proposed public housing developments at Chuk Yuen United Village (CYUV) site and the NCWV site. WTSDC had no in-principle objection to the proposed developments at the CYUV site and the NCWV site.

21. On 4 May 2021, the affectees/operators of NCWV were invited to a briefing session jointly arranged by the CEDD, LandsD and PlanD, on the broad development proposal for NCWV, programmes and the C&R arrangements. The concerns of the attendees were mainly on the C&R issues.

22. On 13 May 2022, PlanD, CEDD and LandsD jointly attended a meeting with two incumbent members of the WTSDC and the representatives of NCWV and CYUV. Both WTSDC members and the village representatives consulted gave full support to the proposed public housing developments at the NCWV site, the CYUV



and Wong Tai Sin 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 NCWV and CYUV.

#### PUBLICITY

23. The approved Ngau Chi Wan OZP No. S/K12/18 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.

A 24. The approved Ngau Chi Wan OZP No. S/K12/18 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 Ngau Chi Wan  
A-I  
A-II OZP No. S/K12/18 is at Enclosure II to Annex A.

#### ENQUIRY

25. 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

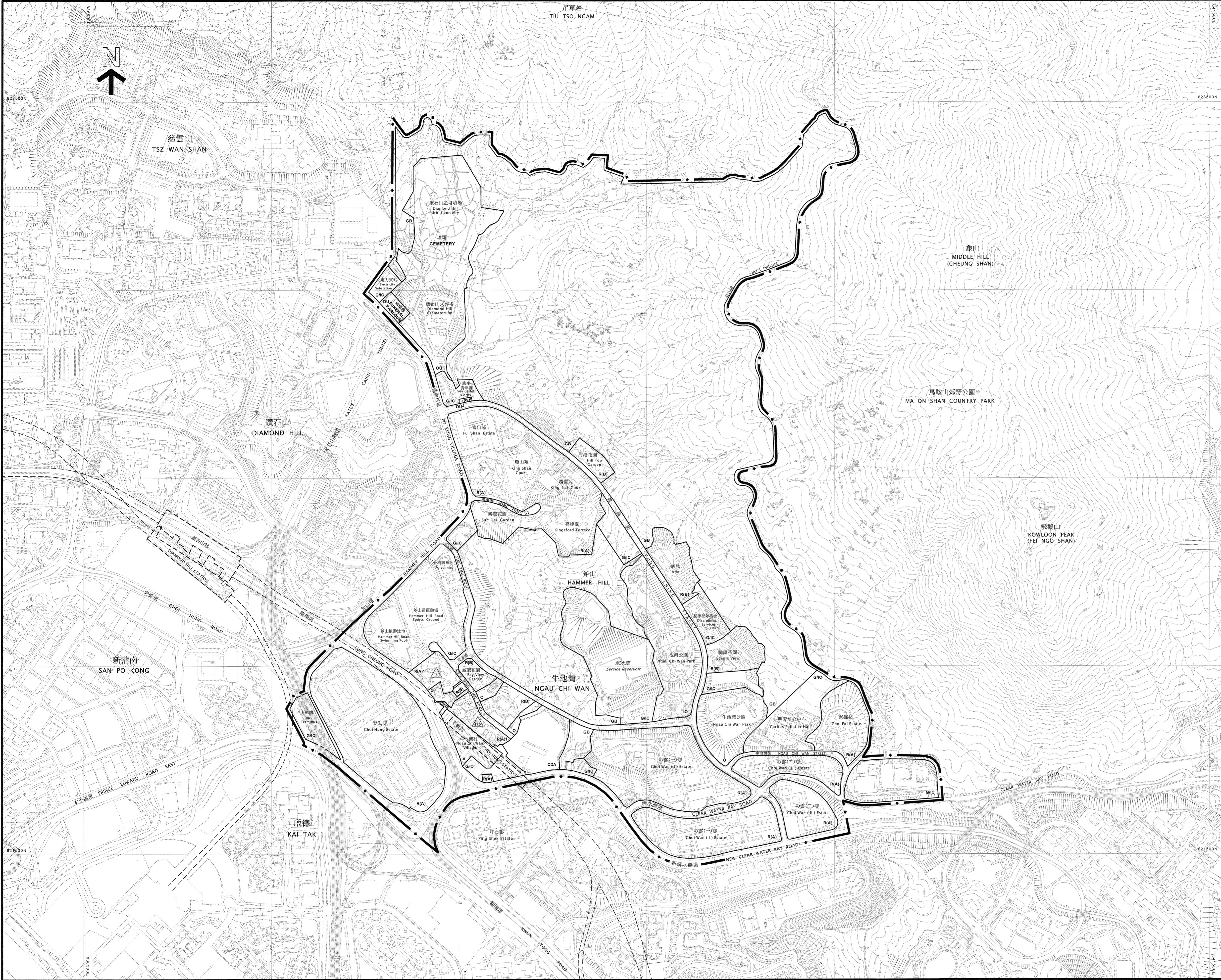
APPROVED NGAU CHI WAN  
OUTLINE ZONING PLAN NO. S/K12/18

Annex A - Approved Ngau Chi Wan Outline Zoning Plan (OZP) No. S/K12/18

Enclosure I : Notes of the Approved Ngau Chi Wan OZP No. S/K12/18

Enclosure II : Explanatory Statement of the Approved Ngau Chi Wan OZP No. S/K12/18





圖例  
NOTATION

ZONES		地帶
COMPREHENSIVE DEVELOPMENT AREA	CDA	綜合發展區
RESIDENTIAL (GROUP A)	R(A)	住宅(甲類)
RESIDENTIAL (GROUP B)	R(B)	住宅(乙類)
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	G/C	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶
<b>COMMUNICATIONS</b>		
RAILWAY AND STATION (UNDERGROUND)		鐵路及車站(地下)
MAJOR ROAD AND JUNCTION		主要道路及路口
ELEVATED ROAD		高架道路
<b>MISCELLANEOUS</b>		
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高建築物高度 (在主水平基準上若干米)
PETROL FILLING STATION	P F S	加油站

土地用途及面積一覽表  
SCHEDULE OF USES AND AREAS

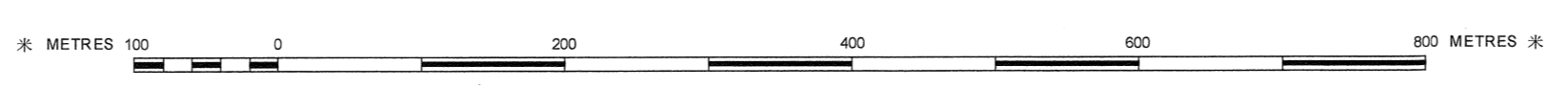
USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分比	
COMPREHENSIVE DEVELOPMENT AREA	2.17	1.13	綜合發展區
RESIDENTIAL (GROUP A)	37.28	19.33	住宅(甲類)
RESIDENTIAL (GROUP B)	5.00	2.59	住宅(乙類)
VILLAGE TYPE DEVELOPMENT	1.06	0.55	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	22.42	11.62	政府、機構或社區
OPEN SPACE	7.99	4.14	休憩用地
OTHER SPECIFIED USES	9.60	4.98	其他指定用途
GREEN BELT	91.21	47.29	綠化地帶
MAJOR ROAD ETC.	16.14	8.37	主要道路等
TOTAL PLANNING SCHEME AREA	192.87	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分  
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

行政長官會同行政會議於2023年4月25日 根據城市  
規劃條例第9(1)(a)條核准的圖則  
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER  
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON  
25 APRIL 2023

Ms Carmen KONG 江嘉敏女士  
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

香港城市規劃委員會依據城市規劃條例擬備的牛池灣(九龍規劃區第12區)分區計劃大綱圖  
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD  
KOWLOON PLANNING AREA No. 12 - NGAU CHI WAN - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示擬備  
PREPARED BY THE PLANNING DEPARTMENT UNDER  
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號  
PLAN No. S/K12/18



**KOWLOON PLANNING AREA NO. 12****APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18**

(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
      - 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. 12**

**APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18**

Schedule of Uses

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OTHER SPECIFIED USES	12
GREEN BELT	14

COMPREHENSIVE DEVELOPMENT AREA

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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

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(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Planning Intention

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 the 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 landscaping 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.

(Please see next page)



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 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. Under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- (4) In determining the relevant maximum plot ratio 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.

RESIDENTIAL (GROUP A)

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 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)1" 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

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

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

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)”) and “Residential (Group A)1” (“R(A)1”), 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 (7) and/or (8) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- (2) On land designated “R(A)” and “R(A)1”, 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 (7) and/or (8) hereof.
- (3) On land designated “R(A)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 the maximum building height, in terms of meters above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (4) For the purposes of paragraph (1) above, on land designated “R(A)” and “R(A)1”, 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.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (5) 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 Government shall be deducted in calculating the relevant site area.
- (6) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) 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)1", may also be disregarded.
- (7) 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) or (2) 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 specified in paragraphs (1) and (2) above may thereby be exceeded.
- (8) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) to (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) 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 School (not elsewhere specified) Shop and Services Social Welfare Facility Training Centre

Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

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 5.0, or the plot ratio of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks (Cont'd)

- (2) In determining the relevant 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, 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.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio restriction as stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

VILLAGE TYPE DEVELOPMENT

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 Government Use (Police Reporting Centre, Post Office only) House Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified)# Institutional Use (not elsewhere specified)# Petrol Filling Station Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation# Public Vehicle Park (excluding container vehicle) Religious Institution (not elsewhere specified)# Residential Institution# School# Shop and Services Social Welfare Facility# Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a house:

- Eating Place
- Library
- School
- Shop and Services

Planning Intention

The planning intention of this zone is primarily for the provision of land for the retention and expansion of existing villages as well as reservation of land for the reprovisioning of village houses affected by Government projects. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a house. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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
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) 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

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.



OPEN SPACE

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

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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.

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
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For "Cemetery" only

Columbarium	Place of Recreation, Sports or Culture
Crematorium	Public Transport Terminus or Station
Funeral Facility	Public Utility Installation
Government Use (not elsewhere specified)	Religious Institution
Grave	Shop and Services
Public Convenience	Utility Installation for Private Project
Refreshment Kiosk	

Planning Intention

This zone is intended primarily for the provision of cemetery serving the needs of the general public.

For "Petrol Filling Station" only

Petrol Filling Station	Government Use Utility Installation not Ancillary to the Specified Use
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Planning Intention

This zone is intended primarily for the provision of petrol filling station(s) serving the needs of local residents as well as the general public.

(Please see next page)

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
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For "Funeral Parlour" only

Funeral Parlour	Government Use Utility Installation not Ancillary to the Specified Use
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Planning Intention

This zone is intended primarily for the provision of funeral parlour serving the needs of the general public.

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 3.85 and a maximum building height of 98.0 metres above Principal Datum, or the plot ratio and height of the existing building, whichever is the greater.
- (2) 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) 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 specified in paragraph (1) above may thereby be exceeded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 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 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. 12**

**APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18**

**EXPLANATORY STATEMENT**

**KOWLOON PLANNING AREA NO. 12****APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18**

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## **KOWLOON PLANNING AREA NO. 12**

### **APPROVED NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/18**

(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. INTRODUCTION**

This explanatory statement is intended to assist an understanding of the approved Ngau Chi Wan Outline Zoning Plan (OZP) No. S/K12/18. 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 plan No. LK 12/44 covering the Ngau Chi Wan area was gazetted on 8 September 1967 under section 5 of the Town Planning Ordinance (the Ordinance). On 8 July 1969, the then Governor in Council (G in C) referred the draft Ngau Chi Wan OZP No. LK 12/45 to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. Since then, the OZP was subsequently amended once and exhibited under section 5 of the Ordinance.
- 2.2 On 4 April 1972, the then G in C, under section 9(1) of the Ordinance, approved the draft Ngau Chi Wan OZP No. LK 12/49. On 23 September 1975, the then G in C referred the approved OZP to the Board for amendment under section 12 of the Ordinance. The OZP was subsequently amended six times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.3 On 26 October 1993, the then G in C referred the draft Ngau Chi Wan OZP No. S/K12/5 to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.4 On 21 April 1998, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ngau Chi Wan OZP, which was subsequently renumbered as S/K12/8. On 13 April 1999, the CE in C referred the approved OZP No. S/K12/8 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.

- 2.5 On 7 March 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ngau Chi Wan OZP, which was subsequently renumbered as S/K12/10. On 10 October 2000, the CE in C referred the approved OZP No. S/K12/10 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP was subsequently amended three times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.6 On 26 November 2002, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ngau Chi Wan OZP, which was subsequently renumbered as S/K12/14. On 8 July 2003, the CE in C referred the approved OZP No. S/K12/14 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 2 November 2004, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ngau Chi Wan OZP, which was subsequently renumbered as S/K12/16. On 4 October 2011, the CE in C referred the approved OZP No. S/K12/16 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 14 October 2011 under section 12(2) of the Ordinance.
- 2.8 On 24 June 2022, the draft Ngau Chi Wan OZP No. S/K12/17, incorporating amendments mainly to rezone the Ngau Chi Wan Village to the north of Mass Transit Railway (MTR) Choi Hung Station from “Residential (Group B)” (“R(B)”), “Government, Institution or Community” (“G/IC”), “Open Space” (“O”), “Village Type Development” (“V”) and areas shown as ‘Road’ to “Residential (Group A)1” (“R(A)1”) for housing development cum Government, institution or community (GIC) facilities, as well as to rezone two pieces of land abutting Wing Ting Road and Lung Cheung Road from “R(B)”, “G/IC” and an area shown as ‘Road’ to “O” for public open space 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 representations 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 Ngau Chi Wan OZP, which was subsequently renumbered as S/K12/18. On 5 May 2023, the approved Ngau Chi Wan OZP No. S/K12/18 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

### **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 of land 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 Ngau Chi Wan area 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 and 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 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 Kowloon Peak and Middle Hill to the east, Tate's Cairn to the north, New Clear Water Bay Road and Kwun Tong Road to the south, and Hammer Hill Road and Po Kong Village Road to the west. The boundary of the Area is shown in a heavy broken line on the Plan. It covers about 193 hectares of land.
- 5.2 A large part of the Area is unsuitable for intensive development and has been retained as green belt. This includes the steep slopes located to the north and north-east of the Area as well as the area around Hammer Hill.
- 5.3 Developments are mainly concentrated in the southern part of the Area and along the main roads including Hammer Hill Road, Po Kong Village Road, Lung Cheung Road, Clear Water Bay Road and New Clear Water Bay Road.

Developments are gradually introduced along Fung Shing Street subject to appropriate traffic improvement schemes in the locality.

## **6. POPULATION**

Based on the 2016 Population By-census, the population of the Area was estimated by the Planning Department as about 84,800 persons. It is estimated that the planned population of the Area would be about 96,400 persons.

## **7. LAND USE ZONINGS**

### **7.1 “Comprehensive Development Area” (“CDA”): Total Area 2.17 ha**

7.1.1 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 and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. The area previously occupied by the St. Joseph’s Home for the Aged which is located to the east of Ngau Chi Wan Village and west of Choi Wan Estate is within this zone.

7.1.2 To ensure that the development intensity of the site is under statutory planning control, maximum domestic and non-domestic plot ratios are imposed under the Notes of the Plan. There are three historic buildings within the existing compound of the Home for the Aged, i.e. Gate House, Villa and Dormitory A of the former St. Joseph’s Home for the Aged, which are Grade 2 historic buildings. For any future development within this “CDA” site, the Antiquities and Monuments Office (AMO) of Development Bureau (DEVB) should be consulted in advance.

7.1.3 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.

### **7.2 “Residential (Group A)” (“R(A”): Total Area 37.28 ha**

7.2.1 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.

- 7.2.2 Choi Hung, Choi Wan, Choi Fai and Fu Shan Estates are under this zoning. These public rental housing developments are provided with the necessary commercial, community and open space facilities to meet the requirements of the estate population.
- 7.2.3 King Shan Court, King Lai Court, King Hin Court and Kingsford Terrace (Home Ownership Schemes), Sun Lai Garden (Private Sector Participation Scheme) and a small existing private housing development near the junction of Lung Cheung Road and New Clear Water Bay Road adjacent to the entrance of MTR Choi Hung Station are under this zoning.
- 7.2.4 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 facilities are free-standing within the housing estates. They are counted as follows:

<u>Name of Estate</u>	<u>No. of Free-standing Facilities</u>
Choi Hung Estate	1 primary school 2 secondary schools
Choi Wan Estate	1 primary school 1 community hall 1 sheltered workshop

These school and GIC facilities are zoned “R(A)” on the OZP so as to allow for flexibility in the comprehensive planning and development of these large residential sites.

- 7.2.5 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 Study Review, completed in early 2002, developments or redevelopments within this zone are subject to specific control on plot ratio except otherwise 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 gross floor areas for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely for accommodating school or other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.
- 7.2.6 The “R(A)1” site to the north of MTR Choi Hung Station is intended for residential development and is subject to a total plot ratio of 9.0 with the maximum domestic plot ratio of 7.5 and the maximum building heights of 115 meters above Principal Datum (mPD)/130 mPD as stipulated on the Plan.
- 7.2.7 In order to facilitate the provision of GIC facilities, in determining the relevant maximum plot ratio for land designated “R(A)1”, any floor space

that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.

- 7.2.8 A Grade 3 historic building, namely the Man Fat Nunnery, is identified within the “R(A)1” site which would be preserved in-situ for adaptive reuse. In the design stage of site formation and infrastructure work, a Heritage Impact Assessment will be conducted in accordance with the prevailing Government’s Technical Circular and in consultation with AMO of DEVB.
- 7.2.9 A Preliminary Air Ventilation Assessment-Expert Evaluation under the Site Formation and Infrastructural 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)1” site and several mitigation measures such as building separations, building/podium setbacks and openings at lower floors have been proposed in the assessment to alleviate the potential air ventilation impacts on the surrounding wind environment. These measures should be incorporated in the proposed development to facilitate air flow subject to further review and detailed design.
- 7.2.10 To provide design/architectural flexibility, minor relaxation of the plot ratio/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its individual merits.
- 7.2.11 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios 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.
- 7.2.12 The plot ratio control under “R(A)1” 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.

7.3 “Residential (Group B)” (“R(B)”) : Total Area 5.00 ha

- 7.3.1 This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. Existing developments within this zone include Hill Top Garden, Scenic View and Aria at Fung Shing Street, Bay View Garden, Fortune Garden, Wealth Garden and Fire Services Married Quarters at Wing Ting Road. One site fronting the proposed Ping Ting Road extension is reserved for private residential development.

7.3.2 Developments within this zone are subject to a maximum plot ratio of 5.0 in order to restrain traffic growth which will otherwise overload the existing road network.

7.3.3 To provide design/architectural flexibility, minor relaxation of the plot ratio restriction may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its own merits.

7.4 “Village Type Development” (“V”) : Total Area 1.06 ha

7.4.1 This zone is intended primarily for the provision of land for the retention and expansion of existing villages as well as reservation of land for the reprovisioning of village houses affected by Government projects. It covers part of Ngau Chi Wan Village which has been redeveloped in connection with the construction of the MTR Choi Hung Station.

7.4.2 Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a house. Other commercial, community and recreational uses may be permitted on application to the Board. In order to maintain a low-rise character of the village, development or redevelopment of building within this zone, except for certain uses, is subject to a maximum building height of 3 storeys (8.23m) or the height of the existing building, whichever is the greater.

7.4.3 To provide design/architectural flexibility on the building design adopted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board on application under section 16 of the Ordinance. Each proposal will be considered on its individual planning merits.

7.5 “Government, Institution or Community” (“G/IC”) : Total Area 22.42 ha

7.5.1 This zone is intended primarily for the provision of GIC facilities serving the needs of 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.

7.5.2 Major existing GIC facilities include an electricity substation at Po Kong Village Road, East Kowloon Polyclinic at Ping Ting Road, Disciplined Services Married Quarters at Fung Shing Street, Good Shepherd Convent, Hong Kong Sea Cadet School, Ngau Chi Wan Fire Station, Choi Hung Bus Terminus, Ngau Chi Wan Fresh Water Service Reservoir and High Level Fresh Water Service Reservoir on Hammer Hill, Ngau Chi Wan Fresh Water Pumping Station off Clear Water Bay Road, Ngau Chi Wan Complex, Hammer Hill Road Sports Ground, Hammer Hill Road Swimming Pool and a number of primary and secondary schools. In

addition, there are two public transport termini at the junction of Fung Shing Street and Po Kong Village Road, and near Ngau Chi Wan Fresh Water Pumping Station off Clear Water Bay Road.

7.5.3 Provision has been made for the development of a community hall within the proposed residential development at the “R(A)1” site. A site to the east of Kingsford Terrace at King Tung Street has also been reserved for the development of a secondary school. The site to the south of Scenic View at Fung Shing Street has been reserved for development of a primary school.

7.6 “Open Space” (“O”) : Total Area 7.99 ha

7.6.1 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.

7.6.2 Existing open space includes Ngau Chi Wan Park at Fung Shing Street. Additional local open spaces are proposed to be provided on a site in the middle of the proposed residential development in the “R(A)1” zone and two sites near the “R(B)” zone at Wing Ting Road.

7.6.3 Local open spaces are also available within the housing estates.

7.7 “Other Specified Uses” (“OU”) : Total Area 9.60 ha

7.7.1 This zone covers land allocated for specific uses which include Cemetery, Funeral Parlour and Petrol Filling Station.

7.7.2 The zone of “OU” annotated “Cemetery” is intended primarily for the provision of cemetery serving the needs of the general public. The Diamond Hill Crematorium and the Diamond Hill Urn Cemetery at Po Kong Village Road to the north of Fung Shing Street are under this zoning.

7.7.3 The zone of “OU” annotated “Funeral Parlour” is intended for the provision of funeral parlour serving the needs of the general public. The Diamond Hill Funeral Parlour and a proposed funeral parlour at Po Kong Village Road to the north of Fung Shing Street are also under this zoning. To ensure that the development intensity is under statutory planning control, a maximum plot ratio of 3.85 and a maximum building height of 98.0 mPD are specified in the Notes. 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 the site for road widening or public uses.

7.7.4 A site at Fung Shing Street zoned “OU” annotated “Petrol Filling Station” is intended primarily for the provision of petrol filling station(s) serving the needs of local residents as well as the general public.

7.7.5 To provide design/architectural flexibility, minor relaxation of the plot ratio/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its individual merits.

7.8 “Green Belt” (“GB”) : Total Area 91.21 ha

7.8.1 This zone is intended 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 relevant Town Planning Board Guidelines.

7.8.2 This zoning covers mainly the steep hillslopes of Hammer Hill and the lower slopes of Kowloon Peak which are unsuitable for urban-type development. They are to be retained in their natural state with walking trails and park facilities to be provided where appropriate.

## **8. COMMUNICATIONS**

### **8.1 Roads**

8.1.1 Kwun Tong Road, Lung Cheung Road and New Clear Water Bay Road are three primary distributors which pass through the southern part of the Area. They are linked up in a grade-separated intersection near Choi Hung Estate and connect to Kwun Tong, Sai Kung, and the central and western parts of Kowloon.

8.1.2 The Tate’s Cairn Tunnel and its approach roads which pass through the Area serve to link up Shatin and New Territories East with Kowloon East and Hong Kong Island via the Eastern Harbour Crossing.

8.1.3 Apart from Clear Water Bay Road, which is the existing district distributor for east-west traffic within the Area, Ping Ting Road and Fung Shing Street are planned to be extended also to serve as district distributors.

## 8.2 Public Transport

8.2.1 The Area is served by MTR and the MTR Choi Hung Station is within the Area. Interchange facilities for buses and green minibuses are provided near Ping Shek Estate.

8.2.2 Apart from the MTR, the Area is also well served by various modes of public transport including bus and public light bus.

## 9. UTILITY SERVICES

The Area is well served with piped water supply, drainage and sewerage systems as well as electricity, gas and telephone services. No difficulties are anticipated in meeting the future requirements.

## 10. CULTURAL HERITAGE

10.1 The Gate House, Villa and Dormitory A of the former St. Joseph's Home for the Aged at Clear Water Bay Road are Grade 2 historic buildings and the Man Fat Nunnery at Ngau Chi Wan Village is a Grade 3 historic building graded by the Antiquities Advisory Board (AAB) within the Area. On 19 March 2009, the 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>.

10.2 Prior consultation with 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.

## 11. IMPLEMENTATION

11.1 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 various licensing authorities.



- 11.2 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 reservations within the Government. Disposal of sites is undertaken by LandsD. Public works projects are co-ordinated by the Civil Engineering and Development Department 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.
- 11.3 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 departmental outline development plan and the guidelines published by the Board. The outline development plan is available for public inspection at the Planning Department. Guidelines published by the Board are available from the 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**