

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance
(Chapter 131)

APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

INTRODUCTION

At the meeting of the Executive Council on 7 February 2023, the Council **ADVISED** and the Chief Executive **ORDERED** that the draft Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/38A, should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The plan is now renumbered as A No. S/K5/39 at **Annex A**.

AMENDMENTS TO THE CHEUNG SHA WAN OZP NO. S/K5/37 SINCE ITS REFERENCE BACK

2. Since the reference back of the approved Cheung Sha Wan OZP No. S/K5/37 on 7 December 2021, the draft Cheung Sha Wan OZP No. S/K5/38 (the draft OZP) incorporating amendments was exhibited on 28 January 2022 for public inspection under section 5 of the Ordinance. The amendments to the matters shown on the draft OZP include:

Planned Residential Development

- (a) rezoning of Wang Cheong Factory Estate (WCFE) and the adjacent section of Tan Lai Street from “Open Space” (“O”) to “Residential (Group A)11” with stipulation of building height (BH) restriction of 152 meters above Principal Datum (mPD) for public housing development (**Amendment Item A**);

Rationalising Zoning Boundaries/Reflecting As-built Conditions

- (b) rezoning of a piece of land at the Sham Shui Po Sports Ground from an area shown as ‘Road’ to “O” and a section of Cheung Sha Wan Road from “Government, Institution or Community” and “O” to an area shown as ‘Road’ (**Amendment Items B1 and B2**);
- (c) rezoning of a strip of land at Cheung Sha Wan Path from “O” and an area shown as ‘Road’ to “Other Specified Uses” annotated “Business (3)” and a strip of land at Cheung Sha Wan Path from “O” to “Other Specified Uses” annotated “Business” (**Amendment Items B3 and B4**);

Reflecting Completed Residential Developments

- (d) incorporation of an area covered by the approved Urban Renewal Authority (URA) Lai Chi Kok Road/Kweilin Street and Yee Kuk Street Development Scheme Plan (DSP) No. S/K5/URA1/2 into the draft OZP and zoning the concerned area as “Residential (Group A)12” with stipulation of BH restrictions of 100mPD and 130mPD (**Amendment Item C**);
- (e) incorporation of an area covered by the approved URA Hai Tan Street/Kweilin Street and Pei Ho Street DSP No. S/K5/URA2/2 into the draft OZP and zoning the concerned area as “Residential (Group A)13” with stipulation of BH restrictions of 110mPD and 120mPD (**Amendment Item D**); and
- (f) rezoning of a site and a strip of land at Tai Po Road from “Comprehensive Development Area” and “Green Belt” (“GB”) to “Residential (Group C)7” and an area shown as ‘Road’ respectively to reflect a completed residential development and road alignment respectively (**Amendment Items E1 and E2**).

3. The draft OZP also indicates the area replaced by the draft URA Cheung Wah Street/Cheung Sha Wan Road DSP No. S/K5/URA3/1.

REPRESENTATIONS AND COMMENTS ON REPRESENTATIONS

4. During the exhibition of the draft OZP, **nine** valid representations and **27** valid comments on the representations (comments) were received. The representations and comments were considered by the Board at its meeting held on 16 September 2022.

Supportive Representations (6)

5. The supportive representations (**R1 to R6**) were submitted by individuals supporting redevelopment in respect of the draft OZP without specifying the amendment item or view.

Adverse Representations and Representation Providing Views (3)

6. Adverse representations and a representation providing views (**R7 to R9**) were submitted by individuals. The major grounds and proposals are summarized below-

Amendment Item A

Site Suitability for Housing Development

- (a) providing public housing at the amendment site should not override other considerations including the adverse air ventilation and visual impacts on the surrounding areas;

Impact on the Tenants of WCFE

- (b) the compensation and relocation arrangements were insufficient;
- (c) the redevelopment of WCFE would lead to closing of small businesses, affect the livelihood of business operators and result in unemployment. The occupancy rate of WCFE indicated a strong demand for affordable industrial units;

Provision of Government, Institution and Community (GIC) Facilities and Open Space

- (d) the WCFE site was originally zoned “O” to compensate the loss of the “O” site which had been developed into a Home Ownership Scheme development. The WCFE site should be maintained as “O” zone for open space development;
- (e) the Government had no intention to implement the planned “O” zone. The district open space provision in Cheung Sha Wan area was in deficit;
- (f) the area was heavily populated with many high-rise residential developments and there were insufficient GIC facilities/open space to support the future population;

Amendment Items B3 and B4

- (g) the proposed GIC complex would further reduce the open space provision and diminish the quality of open space; and

Amendment Items E1 and E2

- (h) the “GB” zone was reduced which was a loss to the public.

Comments on Representations (27)

7. All of the comments were submitted by individuals. 25 comments (**C1 to C25**) opposed Amendment Item A while the remaining two (**C26 and C27** (also **R9**)) provided views on the item. The major grounds and views raised in the comments

are largely similar to the grounds of the adverse representations. Other major comments which were not covered by the representations are summarised below-

Site Suitability

- (a) the WCFE site was small and narrow which was not suitable for housing development and production of limited units could not address the problem of housing shortage;
- (b) the rezoning of the WCFE site for public housing development was against the Government's previous commitment and it was the local residents' legitimate expectation for the site to be developed as open space;

Alternative Options

- (c) the Wang Cheong Building, the Cheung Sha Wan Wholesale Vegetable Market and the Cheung Sha Wan Temporary Wholesale Poultry Market should be considered for public housing development;
- (d) the WCFE site should be retained/preserved for industrial use, or revitalised for GIC uses, restaurants, shops or museum;

Others

- (e) the redevelopment of WCFE for public housing development would cause adverse environmental, air ventilation and visual impacts to the surrounding areas including the adjoining residential development, i.e. The Sparkle;
- (f) all the proposed open space within the public housing development should be opened for public enjoyment; and
- (g) there was inadequate consultation with the WCFE tenants on the compensation and relocation arrangement.

The Board's Decision

8. After giving consideration to the representations and comments, the Board noted the supportive views of **R1 to R6** and decided not to uphold R7 to R9 and considered that the draft OZP should not be amended to meet the representations for the following reasons-

Amendment Item A

- (a) the Government had been adopting a multi-pronged approach to increase housing land supply and to meet the acute housing demand. The site of WCFE was considered suitable for the public housing development to enhance the housing supply. The development was not incompatible with the surrounding context. The technical feasibility and land use compatibility of redeveloping WCFE had been ascertained by relevant technical studies **(R8)**;
- (b) relevant technical assessments confirmed that there were no insurmountable technical impacts arising from the public housing development and the potential visual impact was considered not unacceptable with the implementation of suitable mitigation/improvement measures at the detailed design stage **(R9)**;
- (c) the existing and planned provision of GIC facilities were generally adequate to meet the demand of the planned population in both the Cheung Sha Wan planning area and the Sham Shui Po district in accordance with the Hong Kong Planning Standards and Guidelines and assessments of relevant Government bureaux/departments. As for the elderly and child care facilities, the Social Welfare Department would consider the provision in the planning and development process as appropriate, with a view to meeting the demand and long-term goal **(R8 and R9)**;
- (d) while the proposed development would lead to a loss of planned open space, the development would provide the much needed public housing units to address housing shortage and would also allow early implementation of public open space of not less than 800m². The WCFE site was also surrounded by a number of major existing open space and sports facilities. There were surpluses of both planned district and local open spaces within the Sham Shui Po district. The overall provision of open space was considered not unacceptable **(R8 and R9)**;
- (e) the redevelopment of WCFE for residential use would not affect the supply of industrial floor spaces in the Cheung Sha Wan Industrial/Business Area. There were also additional floor spaces in the Cheung Sha Wan Industrial/Business Area provided through the “Revitalisation Scheme 2.0” in the short-to-medium term, which would bring employment opportunities to the local community **(R7 and R9)**; and
- (f) clearance, compensation and relocation arrangements were outside the scope of the draft OZP and the ambit of the Board **(R7 and R9)**.

IMPLICATIONS OF THE PROPOSAL

9. Approval of the draft OZP 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 the remaining Amendment Items B1 to B4, C, D, E1 and E2 are considered negligible as they are minor/technical amendments mainly to rationalise zoning boundaries or reflect as-built developments and road alignment.

10. On economic implications, the proposed public housing development under Amendment Item A will provide about 1 200 units to help meet the overall housing demand in Hong Kong, though some economic activities may be displaced or lost as a result of the decline in industrial floor space upon redevelopment.

11. On financial implications, the proposed public housing development under Amendment Item A has no land revenue implication. The capital cost for the construction of open space at the site will be sought under the Block Allocations of the Capital Works Reserve Fund according to the established mechanism and subject to the funding approval from the Finance Committee of the Legislative Council. Funding for the capital and recurrent costs of the social welfare facilities to be provided in the proposed public housing development under Amendment Item A will also be sought in accordance with the established mechanism. Funding for ex-gratia allowance and maximum cash sum payable to the affected tenants of WCFE will be borne by the Hong Kong Housing Authority (HKHA).

12. On environmental implications, various technical assessments including Environmental Assessment Study (EAS) to assess the potential environmental impacts of the proposed public housing development under Amendment Item A have been conducted. The EAS confirmed that with the implementation of suitable mitigation measures, no insurmountable environmental impact is anticipated.

13. As far as sustainability implications are concerned, the proposed public housing development under Amendment Item A with provision of social welfare facilities will facilitate better utilisation of land resources to meet housing and social needs. The proposed public housing development under Amendment Item A may bring potential environmental impacts on the local area. Suitable mitigation measures should be implemented to alleviate such possible impacts.

14. On family implications, the increase in affordable housing units could help improve the living environment of some families and in turn foster greater family harmony. The provision of social welfare facilities within the proposed public housing development under Amendment Item A would help meet the needs of families for such services and help the disadvantaged to improve their families' ability to build family assets.

15. The redevelopment of WCFE will result in displacement of tenancies of industrial units, which will reduce employment opportunities, and increase the

commuting time for some workers and thus reduce the time spent with their family. HKHA has provided advance notice, allowance and restricted tender opportunities for tenants of WCFE to bid for vacant factory units in HKHA's two remaining factory estates. Besides, the provision of social welfare facilities would likely create new employment opportunities in the area and help enhance the financial ability of some families.

16. On gender implications, the provision of social welfare facilities at the proposed public housing development under Amendment Item A, upon commissioning, will serve people in need whose carers are often women. The proposal should therefore relieve the burden of carers and facilitate their participation in the workforce.

PUBLIC CONSULTATION

17. Prior to submission of the proposed amendments for the consideration by the Metro Planning Committee of the Board, the Sham Shui Po District Council (SSPDC) was consulted on 9 November 2021 on the proposed redevelopment of WCFE and the corresponding amendments to the approved Cheung Sha Wan OZP No. S/K5/37. The SSPDC generally supported the proposals with an individual member raising objection to the proposed public housing development under Amendment Item A from traffic noise, development intensity and loss of open space perspectives. Other concerns expressed by members included air ventilation impact, loss of local industries/jobs, plans for the remaining "O" zone and utilisation of floor area for welfare facilities.

18. The Sham Shui Po West Area Committee (the Committee) was also consulted on 15 November 2021 in respect of the redevelopment of WCFE for public housing development and the Committee generally supported the proposal.

19. During the statutory exhibition period of the draft OZP, SSPDC members were invited to submit views on the amendments. No representation or comment from SSPDC members was received.

PUBLICITY

20. The approved Cheung Sha Wan OZP No. S/K5/39 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.

21. The approved Cheung Sha Wan OZP No. S/K5/39 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 Cheung Sha Wan OZP No. S/K5/39 is at **Enclosure II to Annex A**.

A

A-I
A-II

ENQUIRY

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

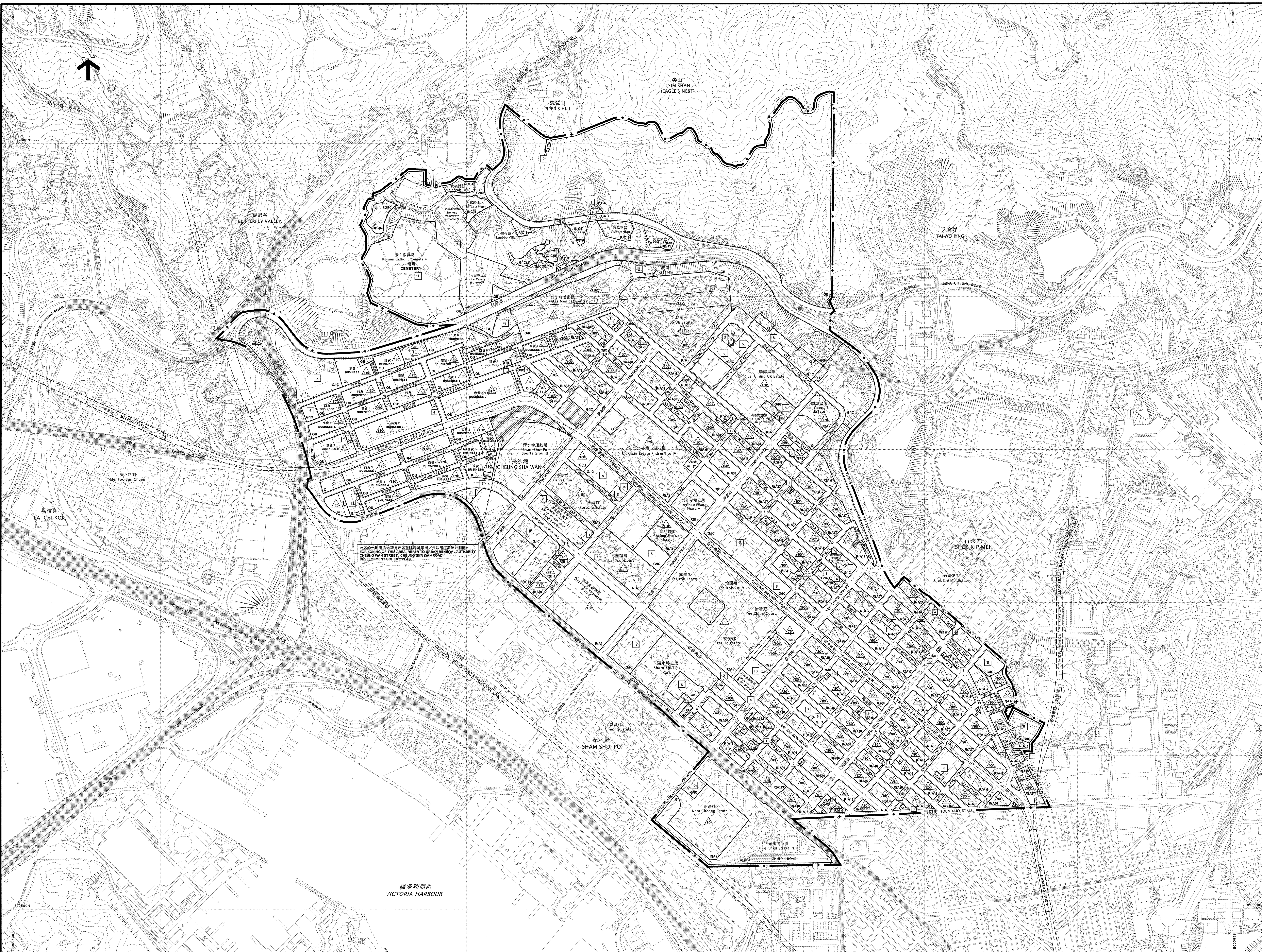
**PLANNING DEPARTMENT
FEBRUARY 2023**

**APPROVED CHEUNG SHA WAN
OUTLINE ZONING PLAN NO. S/K5/39**

Annex A - Approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/39

Enclosure I : Notes of the Approved Cheung Sha Wan OZP No. S/K5/39

Enclosure II : Explanatory Statement of the Approved Cheung Sha Wan OZP No. S/K5/39



圖例
NOTATION

- ZONES** 地帶
- COMMERCIAL C 商業
 - RESIDENTIAL (GROUP A) R(A) 住宅 (甲類)
 - RESIDENTIAL (GROUP C) R(C) 住宅 (丙類)
 - RESIDENTIAL (GROUP E) R(E) 住宅 (戊類)
 - GOVERNMENT, INSTITUTION OR COMMUNITY G(IC) 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
- COMMUNICATIONS** 交通
- 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
- MISCELLANEOUS** 其他
- BOUNDARY OF PLANNING SCHEME 規劃範圍界線
 - URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA 市區重建局發展計劃範圍
 - BUILDING HEIGHT CONTROL ZONE BOUNDARY 建築物高度管制區界線
 - 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)
 - MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS) 最高建築物高度 (樓層數目)
 - PETROL FILLING STATION P F S 加油站
 - NON-BUILDING AREA NBA 非建築用地

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

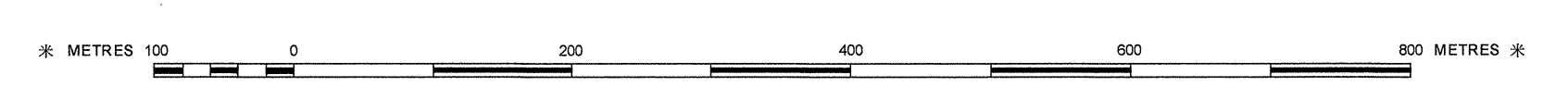
USES	大約面積及百分比		用途
	公頃 HECTARES	% 百分比	
COMMERCIAL	2.78	0.85	商業
RESIDENTIAL (GROUP A)	88.54	26.98	住宅 (甲類)
RESIDENTIAL (GROUP C)	2.98	0.90	住宅 (丙類)
RESIDENTIAL (GROUP E)	2.20	0.67	住宅 (戊類)
GOVERNMENT, INSTITUTION OR COMMUNITY	40.04	12.21	政府、機構或社區
OPEN SPACE	24.61	7.50	休憩用地
OTHER SPECIFIED USES	26.31	8.02	其他指定用途
GREEN BELT	50.70	15.45	綠化地帶
MAJOR ROAD ETC.	88.00	26.83	主要道路等
URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA	1.91	0.58	市區重建局發展計劃範圍
TOTAL PLANNING SCHEME AREA	328.05	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2月7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
7 FEBRUARY 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長沙灣 (九龍規劃區第5區) 分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KOWLOON PLANNING AREA No. 5 - CHEUNG SHA 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/K5/39

KOWLOON PLANNING AREA NO. 5

APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

(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:

toll plaza, 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. 5

APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

Schedule of Uses

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OTHER SPECIFIED USES	21
GREEN BELT	29

COMMERCIAL

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 Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (not elsewhere specified) Hotel Information Technology and Telecommunications Industries 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 Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project Wholesale Trade	Broadcasting, Television and/or Film Studio Flat Government Refuse Collection Point Hospital Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Residential Institution

Planning Intention

This zone is intended primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as a district commercial/shopping centre. The areas under this zoning are major employment nodes.

(Please see next page)

COMMERCIAL (Cont'd)

Remarks

- (1) On land designated “Commercial (1)” (“C(1)”) to “C(6)”, 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 plot ratio or gross floor area (GFA) specified below, or the plot ratio or GFA of the existing building, whichever is the greater:

<u>Sub-area</u>	<u>Plot Ratio/GFA Restriction</u>
C(1)	maximum GFA of 48 418m ²
C(2)	maximum GFA of 77 738m ²
C(3)	maximum plot ratio of 12.0
C(4)	maximum plot ratio of 12.0
C(5)	maximum plot ratio of 12.0
C(6)	maximum plot ratio of 12.0

- (2) On land designated “C(1)”, the total GFA of 48 418m² shall include a public car/ lorry park.
- (3) On land designated “C(2)”, the total GFA of 77 738m² shall include a public transport terminus and a public car/lorry park.
- (4) On land designated “C(3)”, the maximum plot ratio of 12.0 shall include a public car/lorry park.
- (5) On land designated “C(4)”, the maximum plot ratio of 12.0 shall include a public transport terminus and a public car/lorry park.
- (6) On land designated “C(1)” to “C(6)”, 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, or the height of the existing building, whichever is the greater.
- (7) On land designated “C(4)”, a minimum setback of 3.5m from the lot boundary abutting Cheung Shun Street shall be provided.
- (8) On land designated “C(6)”, a total of not less than 85 public car parking spaces and a minimum setback of 4m from the lot boundary abutting Cheung Shun Street shall be provided. For the purposes of plot ratio calculation, any floor space that is constructed or intended for use solely as public car parking spaces shall be included for calculation.

(Please see next page)

COMMERCIAL (Cont'd)

Remarks (Cont'd)

- (9) In determining the relevant maximum plot ratio or GFA 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.
- (10) 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 or GFA 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 or GFA specified in paragraph (1) above may thereby be exceeded.
- (11) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA/building height restrictions stated in paragraphs (1) and (6) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (12) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraphs (7) and (8) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (13) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the non-building area restriction as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 Eating Place (Cooked Food Centre only) (on land designated "R(A)1" only) Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Vehicle Park (excluding container vehicle) (on land designated "R(A)2", "R(A)10" and "R(A)11" only) Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place (not elsewhere specified) Educational Institution Exhibition or Convention Hall Government Refuse Collection Point (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 Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation (not elsewhere specified) Public Vehicle Park (excluding container vehicle) (not elsewhere specified) Religious Institution (not elsewhere specified) School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

(Please see next page)

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
- Government Refuse Collection Point (on land designated “R(A)1”, “R(A)2” and “R(A)10” only)
- Institutional Use (not elsewhere specified)
- Off-course Betting Centre
- Office
- Place of Entertainment
- Private Club
- Public Convenience
- Public Utility Installation (Electricity Substation only) (on land designated “R(A)4” only)
- Religious Institution (on land designated “R(A)5” only)
- 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)”), “R(A)1” to “R(A)8”, “R(A)10” and “R(A)11”, 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 (19) and/or (20) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (2) For a non-domestic building to be erected on land designated “R(A)”, “R(A)1” to “R(A)8”, “R(A)10” and “R(A)11”, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (19) and/or (20) hereof.
- (3) For the purposes of paragraph (1) above, on land designated “R(A)”, “R(A)1” to “R(A)8”, “R(A)10” and “R(A)11”, 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) On land designated “R(A)1”, a maximum gross floor area (GFA) of 19 020m² for Government, institution or community (GIC) uses which include a market, a cooked food centre, a refuse collection point, a library and a games hall shall be provided.
- (5) On land designated “R(A)2”, a minimum of 300 public car parking spaces, a minimum GFA of 700m² for social welfare facilities and a minimum GFA of 520m² for a refuse collection point shall be provided.
- (6) On land designated “R(A)3”, a minimum GFA of 1 564m² for social welfare facilities shall be provided.
- (7) On land designated “R(A)4”, a minimum GFA of 680m² or an electricity sub-station and ancillary customer service centre shall be provided.
- (8) On land designated “R(A)9”, 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 GFA of 24 825m² and a maximum non-domestic GFA of 4 965m².
- (9) On land designated “R(A)10”, a minimum of 70 public car parking spaces and a refuse collection point shall be provided and included in calculating the non-domestic plot ratio.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (10) On land designated "R(A)12", 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 GFA of 24 708m² and a maximum non-domestic GFA of 4 941m². A public open space of not less than 580m² at grade shall be provided.
- (11) On land designated "R(A)13", 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 GFA of 50 025m² and a maximum non-domestic GFA of 7 375m² of which not less than 2 058m² shall be provided for GIC facilities. A public open space of not less than 1 500m² at grade shall be provided.
- (12) On land designated "R(A)" and "R(A)1" to "R(A)13", 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.
- (13) On land designated "R(A)6", a maximum building height restriction of 100mPD would be permitted for sites with an area of 400m² or more.
- (14) On land designated "R(A)3", "R(A)4", "R(A)5", "R(A)7" and "R(A)10", a maximum building height restriction of 110mPD would be permitted for sites with an area of 400m² or more.
- (15) On land designated "R(A)1", "R(A)2" and "R(A)8", a maximum building height restriction of 120mPD would be permitted for sites with an area of 400m² or more.
- (16) 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 GIC facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (17) In determining the relevant maximum plot ratio or GFA for the purposes of paragraphs (1), (2), (8), (10) and (11) 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.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (18) In determining the maximum plot ratio for the purpose of paragraph (1) above, on land designated "R(A)11", any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- (19) 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 or GFA for the building on land to which paragraphs (1), (2), (8), (10) or (11) 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 or GFA specified in paragraphs (1), (2), (8), (10) and (11) above may thereby be exceeded.
- (20) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA/building height restrictions stated in paragraphs (1), (2), (8) and (10) to (15) above, and any reduction in the total GFA provided for GIC facilities stated in paragraphs (4) to (7) and (11) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (21) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the non-building area restriction as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP C)

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 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) Library Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station 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 Residential Institution School Shop and Services Social Welfare Facility Training Centre

Planning Intention

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

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (1) On land designated “Residential (Group C) 1” (“R(C)1”) to “R(C)7”, 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 gross floor area (GFA), building height and site coverage specified below, or the GFA, building height and site coverage of the existing building, whichever is the greater :

<u>Sub-area</u>	<u>Maximum GFA</u>	<u>Maximum Building Height</u>	<u>Maximum Site Coverage</u>
R(C)1	9 000m ²	105.5 metres above Principal Datum (mPD)	40%
R(C)2	17 649m ²	116.1mPD	40%
R(C)3	1 194m ²	136mPD	40%
R(C)4	7 173m ²	159.5mPD	40%
R(C)5	7 743m ²	172.4mPD	40%
R(C)6	13 855m ²	160mPD	40%
R(C)7	6 717m ²	124mPD	50%

- (2) In determining the relevant maximum GFA and site coverage 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 GFA/building height/site coverage restrictions stated in paragraph (1) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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

<p>Ambulance Depot Government Use (not elsewhere specified) Public Transport Terminus or Station (excluding open-air terminus or station) Utility Installation for Private Project</p>	<p>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 (not elsewhere specified) Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution School Shop and Services Social Welfare Facility Training Centre</p>
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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

(Please see next page)

RESIDENTIAL (GROUP E) (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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Schedule II: for existing industrial or industrial-office building[@]

Ambulance Depot	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Art Studio (excluding those involving direct provision of services or goods)	Industrial Use (not elsewhere specified)
Bus Depot	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Eating Place (Canteen only)	Off-course Betting Centre
Government Refuse Collection Point	Office (not elsewhere specified)
Government Use (not elsewhere specified)	Petrol Filling Station
Information Technology and Telecommunications Industries	Place of Recreation, Sports or Culture (not elsewhere specified)
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [^])	Private Club
Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom [#] which may be permitted on any floor)
Public Convenience	Vehicle Repair Workshop
Public Transport Terminus or Station	Wholesale Trade
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)	

(Please see next page)

RESIDENTIAL (GROUP E) (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 respectively 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.

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.

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

Remarks

- (1) On land designated “Residential (Group E)” (“R(E)”), “R(E)1” and “R(E)2”, 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(s) 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 non-industrial building, whichever is the greater. Except where the plot ratio is permitted to be exceeded under paragraphs (8) and (9) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- (2) 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 (8) and (9) hereof.
- (3) On land designated “R(E)”, “R(E)1” and “R(E)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 (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (4) On land designated “R(E)1”, a maximum building height restriction of 100mPD would be permitted for sites with an area of 400m² or more.
- (5) On land designated “R(E)2”, a maximum building height restriction of 120mPD would be permitted for sites with an area of 400m² or more.
- (6) 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 facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (7) 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.

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

Remarks (Cont'd)

- (8) 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) 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.
- (9) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraphs (1) to (5) 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
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**Schedule I : for “Government, Institution or Community”
other than “Government, Institution or Community (1)”
to “Government, Institution or Community (3)”**

Ambulance Depot	Animal Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Columbarium
Eating Place (Canteen, Cooked Food Centre only)	Correctional Institution
Educational Institution	Crematorium
Exhibition or Convention Hall	Driving School
Field Study/Education/Visitor Centre	Eating Place (not elsewhere specified)
Government Refuse Collection Point	Flat
Government Use (not elsewhere specified)	Funeral Facility
Hospital	Helicopter Fuelling Station
Institutional Use (not elsewhere specified)	Helicopter Landing Pad
Library	Holiday Camp
Market	Hotel
Place of Recreation, Sports or Culture	House
Public Clinic	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Public Convenience	Off-course Betting Centre
Public Transport Terminus or Station	Office
Public Utility Installation	Petrol Filling Station
Public Vehicle Park (excluding container vehicle)	Place of Entertainment
Recyclable Collection Centre	Private Club
Religious Institution	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Research, Design and Development Centre	Refuse Disposal Installation (Refuse Transfer Station only)
School	Residential Institution
Service Reservoir	Sewage Treatment/Screening Plant
Social Welfare Facility	Shop and Services (not elsewhere specified)
Training Centre	Utility Installation for Private Project
Wholesale Trade	Zoo

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (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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**Schedule II : for “Government, Institution or Community (1)”
to “Government, Institution or Community (3)”**

Eating Place (Canteen only) Religious Institution	Columbarium (on land designated “G/IC(1)” only) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Refuse Disposal Installation Utility Installation for Private Project
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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. In particular, the sub-areas “Government, Institution or Community (1)” (“G/IC(1)”) to “G/IC(3)” are intended primarily for the provision of religious institutional uses.

Remarks

- (1) On land designated “G/IC(1)” to “G/IC(3)”, 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 gross floor area (GFA), building height and site coverage specified below.

<u>Sub-area</u>	<u>Restriction</u>
G/IC(1)	A maximum GFA of 750m ² , a maximum building height of 100 metres above Principal Datum (mPD) and a maximum site coverage of 20%
G/IC(2)	A maximum GFA of 950m ² , a maximum building height of 88.6mPD and a maximum site coverage of 60%
G/IC(3)	A maximum GFA of 120m ² and 1 storey at a maximum building height of 70mPD

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Remarks (Cont'd)

- (2) On land designated “G/IC” and “G/IC(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 number of storey(s) and/or mPD as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) On land designated “G/IC(4)”, a minimum setback of 3.5m from the lot boundary abutting Castle Peak Road shall be provided.
- (4) In determining the relevant maximum number of storey(s) for the purposes of paragraphs (1) and (2) above, any basement floor(s) may be disregarded.
- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA/building height/site coverage restrictions 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.
- (6) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirement stated in paragraph (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

OPEN SPACE

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 Public Convenience Sitting Out Area Zoo	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

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 “Business” Only

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

<p>Ambulance Depot Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (Police Reporting Centre, Post Office only) Government Refuse Collection Point (on land designated “OU(B)5” 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[△]) 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</p>	<p>Broadcasting, Television and/or Film Studio Cargo Handling and Forwarding Facility Government Refuse Collection Point (not elsewhere specified) 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</p>
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(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 "Business" Only (Cont'd)

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

Ambulance Depot	Broadcasting, Television and/or Film Studio
Art Studio (excluding those involving direct provision of services or goods)	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Bus Depot	Industrial Use (not elsewhere specified)
Cargo Handling and Forwarding Facility (not elsewhere specified)	Mass Transit Railway Vent Shaft and/or Other Structures above Ground Level other than Entrances
Eating Place (Canteen only)	Off-course Betting Centre
Government Refuse Collection Point	Office (not elsewhere specified)
Government Use (not elsewhere specified)	Petrol Filling Station
Information Technology and Telecommunications Industries	Place of Recreation, Sports or Culture (not elsewhere specified)
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [△])	Private Club
Office (excluding those involving direct provision of customer services or goods)	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom [#] which may be permitted on any floor)
Public Convenience	Vehicle Repair Workshop
Public Transport Terminus or Station	Wholesale Trade
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:

Office

(Please see next page)

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 respectively 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.

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.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" Only (Cont'd)

Remarks

- (1) On land designated "Other Specified Uses" annotated "Business" ("OU(B)") and "OU(B)1" to "OU(B)5", 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 existing building(s), whichever is the greater.
- (2) On land designated "OU(B)" and "OU(B)1" to "OU(B)5", 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.
- (3) On land demarcated for a 15m-wide building gap within parts of the sites at 8 and 10 Cheung Yue Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of existing building) or redevelopment of an existing building shall exceed the maximum building height of 20mPD.
- (4) On land designated "OU(B)1", a minimum setback of 2m from the lot boundary abutting Castle Peak Road shall be provided.
- (5) On land designated "OU(B)2", a minimum setback of 3.5m from the lot boundary abutting Castle Peak Road shall be provided.
- (6) On land designated "OU(B)3", a minimum setback of 3.5m from the lot boundary abutting Cheung Shun Street or Cheung Yue Street shall be provided.
- (7) On land designated "OU(B)4", a minimum setback of 5m from the lot boundary abutting Cheung Yee Street or Cheung Yue Street shall be provided.
- (8) On land designated "OU(B)5", a refuse collection point shall be provided and included in calculating the maximum plot ratio.
- (9) In determining the relevant maximum plot ratio for the purpose 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, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" Only (Cont'd)

Remarks (Cont'd)

- (10) 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.
- (11) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height/building gap restrictions 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.
- (12) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraphs (4) to (7) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 "Hotel" only

Hotel

- Commercial Bathhouse/Massage Establishment
- Off-course Betting Centre
- Office
- Place of Entertainment
- Place of Recreation, Sports or Culture
- Public Vehicle Park (excluding container vehicle)
- Religious Institution
- Residential Institution

Planning Intention

This zone is intended primarily for hotel development.

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, and 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.
- (2) 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.
- (3) 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 back-of-house facilities as set out in Regulation 23A(3)(b) of the Building (Planning) Regulations shall be included for calculation.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(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 "Petrol Filling Station" only

Petrol Filling Station

Government Use (not elsewhere specified)
Mass Transit Railway Vent Shaft and/or
Other Structure above Ground Level
other than Entrances
Utility Installation not ancillary to the
Specified Use

Planning Intention

This zone is intended primarily for the provision of petrol filling station.

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 the maximum building heights in terms of number of storey(s) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storey(s) for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) A minimum setback of 3.5m from the northern lot boundary abutting Castle Peak Road and a minimum setback of 2m from the southern lot boundary abutting Castle Peak Road shall be provided.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (5) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(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 "Cemetery" Only

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

Planning Intention

This zone is intended primarily to provide/reserve land for cemetery use.

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 the maximum building heights in terms of number of storey(s) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storey(s) for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions 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 Burial Ground 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 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

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. 5

APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

EXPLANATORY STATEMENT

KOWLOON PLANNING AREA NO. 5

APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

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KOWLOON PLANNING AREA NO. 5
APPROVED CHEUNG SHA WAN OUTLINE ZONING PLAN NO. S/K5/39

(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 Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/39. 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 On 21 May 1971, the draft Cheung Sha Wan OZP No. LK5/25, being the first statutory plan covering the Cheung Sha Wan area, was gazetted under section 5 of the Town Planning Ordinance (the Ordinance).
- 2.2 On 14 November 1972, the then Governor in Council (G in C), under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as Plan No. LK5/26. On 23 September 1975, the then G in C referred the approved OZP No. LK5/26 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended seven times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.3 On 25 April 1989, the then G in C referred the draft Cheung Sha Wan OZP No. S/K5/5 to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended seven times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.4 On 21 October 1997, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as S/K5/13. On 31 March 1998, the CE in C referred the approved OZP No. S/K5/13 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.5 On 5 October 1999, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as S/K5/16. On 2 May 2000, the CE in C referred the approved OZP No. S/K5/16 to the Board

for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended ten times and exhibited for public inspection under section 5 or 7 of the Ordinance.

- 2.6 On 14 September 2004, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as S/K5/27. On 1 February 2005, the CE in C referred the approved OZP No. S/K5/27 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended three times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.7 On 3 June 2008, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as S/K5/31. On 6 July 2010, the CE in C referred the approved OZP No. S/K5/31 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.8 On 8 November 2011, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently re-numbered as S/K5/33. On 17 April 2012, the CE in C referred the approved OZP No. S/K5/33 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.9 On 17 December 2013, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently renumbered as S/K5/35. On 2 June 2015, the CE in C referred the approved OZP No. S/K5/35 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.10 On 6 December 2016, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently renumbered as S/K5/37. On 7 December 2021, the CE in C referred the approved Cheung Sha Wan OZP No. S/K5/37 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 17 December 2021 under section 12(2) of the Ordinance.
- 2.11 On 28 January 2022, the draft Cheung Sha Wan OZP No. S/K5/38, incorporating amendments mainly related to the rezoning of the site of Wang Cheong Factory Estate from “Open Space” to “Residential (Group A)11” for public housing development and other amendments to rationalise the zoning boundaries and to reflect the as-built conditions and completed developments, was exhibited for public inspection under section 5 of the Ordinance. An area of the OZP replaced by the draft Urban Renewal Authority (URA) Cheung Wah Street/Cheung Sha Wan Road Development Scheme Plan (DSP) No. S/K5/URA3/1 was also indicated on the OZP. During the two-month exhibition period, a total of nine representations were received. On 29 April 2022, the Board published the representations for three weeks for public comments and a total of 27 comments were received. After giving consideration to the representations and comments

on 16 September 2022, the Board decided not to uphold the representations and that no amendment should be made to the OZP to meet the representations.

- 2.12 On 7 February 2023, the CE in C, under Section 9(1)(a) of the Ordinance, approved the draft Cheung Sha Wan OZP, which was subsequently renumbered as S/K5/39. On 17 February 2023, the approved Cheung Sha Wan OZP No. S/K5/39 (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 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 situations in which small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted as non-building areas or 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 and site coverage calculations. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Cheung Sha 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 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 West Kowloon within the Sham Shui Po Administration District. It is bounded by the hill slopes of Eagle's Nest and Piper's Hill to the north; Tai Po Road and Berwick Street to the east; Boundary Street and Tung Chau Street Park to the south; West Kowloon Corridor and Lai Chi Kok Road to the south-west; and Butterfly Valley Road to the west. The boundary of the Area is shown in a heavy broken line on the Plan. It covers about 328 hectares of land.
- 5.2 The Area has mostly been developed. In the central, southern and eastern parts are residential uses including private residential developments and public housing estates, while in the western end is the Cheung Sha Wan Industrial/Business Area where developments are mainly in the form of high-rise industrial and industrial-office (I-O) buildings. To the north of Ching Cheung Road, apart from the sites occupied by a few low-to-medium density private residential developments along Tai Po Road and some waterworks facilities at Caldecott Road, the topography is steep and is unsuitable for development.

6. POPULATION

According to the 2016 Population By-census, the population of the Area was estimated by the Planning Department to be about 214 600. It is estimated that the planned population of the Area would be about 255 900.

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, a review of the Cheung Sha Wan OZP has been undertaken with a view to incorporating appropriate building height restrictions for various development zones. In the absence of building height control, excessively tall buildings may proliferate at random locations and the scale may be out-of-context in the locality, resulting in negative impacts on the visual quality of the Area. The presence of protruding buildings could create an unpleasant townscape, jeopardize the existing character and may sometimes obstruct air circulation. In order to prevent excessively tall or out-of-context buildings, to preserve the views to the ridgelines and to provide better control on the building heights of developments in the Area, building height restrictions are imposed on various development zones on the Plan.
- 7.2 The review has taken into account urban design considerations, including preservation of public views from important viewpoints, stepped height concept as recommended in the Urban Design Guidelines Study (with building heights increasing progressively from the area near the waterfront to the more inland areas), compatibility of building masses in the wider setting, local topography and characteristics, as well as the local wind environment and measures suggested for ventilation improvements; and the need to strike a balance between the public interests and private development rights. Owing to the topography of the Area,

there are different height bands increasing progressively uphill with a stepped height profile ranging from 80 metres above Principal Datum (mPD) at Nam Cheong Estate in the southern part to about 173mPD along Caldecott Road. The building height bands help preserve views to the ridgelines and achieve a stepped height profile for visual permeability and wind penetration and circulation.

- 7.3 Specific building height restrictions for the “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) zones in terms of mPD or number of storey(s), which mainly reflect the existing and planned building heights of developments, have been incorporated into the Plan. In general, low-rise developments, normally with a height of not more than 13 storeys, will be subject to building height restrictions in terms of number of storey(s) (excluding basement floor(s)) so as to allow more design flexibility, in particular for Government, institution or community (GIC) facilities with specific functional requirements, unless such developments fall within visually prominent locations where more stringent height controls are warranted. For taller developments, usually more than 13 storeys, the building height restrictions are specified in terms of mPD to provide certainty and clarity of the planning intention.
- 7.4 An Expert Evaluation on Air Ventilation Assessment (AVA) has been undertaken to assess the existing wind environment and the likely impact of the building heights of the development sites within the Area on the pedestrian wind environment. The building height, building gap and non-building area (NBA) restrictions as well as the setback requirements incorporated into the Plan have taken the findings of the AVA into consideration.
- 7.5 To facilitate better air ventilation in the Area, the AVA has recommended introducing NBA and building setback along major air paths. Furthermore, future developments are encouraged to adopt suitable design measures to minimize any possible adverse air ventilation impacts. These include greater permeability of podium, perforated building towers and podium design, wider gap between buildings to create air path for better ventilation and minimizing the blocking of air flow through positioning of building towers/podiums to align with the prevailing wind directions, as appropriate.
- 7.6 In general, a minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide incentive for developments/redevelopments with planning and design merits. Each planning application for minor relaxation of building height restrictions will be considered on its own merits and the relevant criteria for consideration of such application 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 a 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; and
 - (f) 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.
- 7.7 However, for existing buildings where the building heights have already exceeded the maximum building height restrictions in terms of mPD and/or number of storeys as shown on the Plan or stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

Non-Building Area

- 7.8 Taking account of the findings of the AVA, site constraints and impacts on development/redevelopment potential, a 10m-wide strip of land along the eastern boundary of Lai On Estate and Yee Ching Court is designated as a NBA. The NBA serves as the entrance of the prevailing south-westerly wind. A 15m-wide NBA is designated at the eastern boundary of the “Commercial (6)” (“C(6)”) sub-area at Cheung Shun Street near Lai Chi Kok Road to improve local air ventilation performance. As the designation of the NBAs is primarily for the purpose of above-ground air ventilation, the NBA restrictions will not apply to underground developments. Provision has also been included in the Notes for the “R(A)” and “C” zones to allow minor relaxation of the NBA restriction under exceptional circumstances.

Building Gap / Building Setback

- 7.9 Gaps between buildings play a key role in creating air paths by appropriate design and disposition of building blocks. A 15m-wide building gap above 20mPD at an area covering the footpath between Sham Shui Po Sports Ground and Cheung Yue Street and adjoining parts of 8 and 10 Cheung Yue Street is demarcated on the Plan to create a new air path to facilitate the penetration of south-westerly wind.
- 7.10 Within the Cheung Sha Wan Industrial/Business Area, the AVA also recommends setback of buildings along Castle Peak Road, Cheung Shun Street, Cheung Yue Street and Cheung Yee Street to improve the air ventilation of the local area. A minimum of 2m to 5m-wide building setbacks from the lot boundaries are stipulated in the Notes for the “C(4)”, “C(6)”, “G/IC(4)”, “OU(B)1” to “OU(B)4” and “OU(Petrol Filling Station)” zones to improve the air ventilation.

- 7.11 Besides, air paths should be preserved within large sites including the following:
- (a) northeast-southwest aligned air paths within So Uk Estate to facilitate the penetration of downhill wind from Eagle's Nest;
 - (b) air path(s) in northeast-southwest direction across Lai Kok Estate and Yee Kok Court should be incorporated upon their future redevelopment to facilitate the penetration of wind into the inner Cheung Sha Wan Area; and
 - (c) air paths should be incorporated in the two planned residential sites respectively to the north and south of Lai Chi Kok Road between Fat Tseung Street and Tonkin Street. The two sites are located at the gateway of summer breeze into the Cheung Sha Wan Area.
- 7.12 The above air paths should be taken into account upon future development/redevelopment of the sites. The exact alignment, disposition and width of the air paths across these residential sites should be considered under the detailed AVAs to be prepared for the future development/redevelopment of these sites.
- 7.13 The streets in the Area generally follow a northeast-southwest and northwest-southeast grid pattern. The street orientation is in parallel with the prevailing annual wind coming from the east, northeast and southwest, and prevailing summer wind from the northeast, east and southwest directions. The grid street pattern of the Area serves as an important wind path system and should be preserved as far as possible.

8. LAND USE ZONINGS

8.1 Commercial ("C") - Total Area 2.78 ha

- 8.1.1 This zone is intended primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as a district commercial/shopping centre. The areas under this zoning are major employment nodes.
- 8.1.2 Developments in this zone are subject to a maximum plot ratio of 12.0, except for the "C(1)" and "C(2)" sub-areas which are subject to a maximum gross floor area (GFA) of 48 418m² and 77 738m² respectively. In the circumstances set out in Regulation 22 of the Building (Planning) Regulations (B(P)R), the above specified maximum plot ratio/GFA 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 use.

- 8.1.3 Trade Square at Cheung Sha Wan Road, Dragon Centre at Yen Chow Street, Lai Sun Commercial Centre, Cheung Sha Wan Plaza and China Shipbuilding Tower at Cheung Sha Wan Road and 888 Lai Chi Kok Road at Lai Chi Kok Road are zoned “C(1)” to “C(6)” respectively. Apart from the provision of public car/lorry parks within the existing developments, public transport termini are also provided within Dragon Centre and Cheung Sha Wan Plaza, a post office has been included at China Shipbuilding Tower.
- 8.1.4 Within the “C(6)” sub-area, a public car park with minimum 85 car parking spaces has been provided and included in plot ratio calculation. In order to enhance the local air ventilation performance, a 15m-wide strip of land along the eastern boundary of the “C(6)” sub-area is designated as a NBA. In addition, a building setback of 4m from the lot boundary abutting Cheung Shun Street within the “C(6)” sub-area has been provided.
- 8.1.5 Taking into account the building height restrictions of the surrounding areas, developments within this zone are subject to maximum building heights of 100mPD or 120mPD.
- 8.1.6 Minor relaxation of the plot ratio/GFA/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.1.7 However, for any existing building with plot ratio/GFA/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 8.1.8 To facilitate air ventilation, road widening and streetscape improvement of the Cheung Sha Wan Industrial/Business Area, a minimum building setback of 3.5m from the lot boundary abutting Cheung Shun Street shall be provided within the “C(4)” sub-area to improve east-west air/wind path. Under exceptional circumstances, minor relaxation of the setback requirement may be considered by the Board on application under section 16 of the Ordinance.
- 8.1.9 Under exceptional circumstances, minor relaxation of the NBA restriction may be considered by the Board on application under section 16 of the Ordinance.
- 8.2 Residential (Group A) (“R(A)”) - Total Area 88.54 ha
- 8.2.1 This zone is intended primarily for high-density residential developments. Commercial uses such as bank, fast food shop and retail shop are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. The areas under this zoning are intended for private residential and public

housing developments.

- 8.2.2 Existing private residential developments within this zoning are mainly located to the east of Yen Chow Street, between Po On Road and Un Chau Street, and along Hing Wah Street and Cheung Wah Street.
- 8.2.3 Existing public rental housing estates within this zoning include Lei Cheng Uk Estate, Lai Kok Estate, Nam Cheong Estate, Lai On Estate, Fortune Estate, Un Chau Estate, Cheung Sha Wan Estate and So Uk Estate. Existing Home Ownership Schemes include Yee Kok Court, Po Lai Court, Yee Ching Court, Po Hei Court, Hang Chun Court and Lai Tsui Court. North West Kowloon Reclamation Site 1 (East) at the junction of Lai Chi Kok Road and Tonkin Street is under construction for public housing.
- 8.2.4 In 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 zoning are subject to specific control on plot ratios 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 GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used 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.
- 8.2.5 In the circumstances set out in Regulation 22 of the B(P)R, 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.
- 8.2.6 For public housing developments, in accordance with the established administrative procedure, the future development/redevelopment would be guided by a planning brief. The layout of the public housing developments, including free-standing GIC and ancillary facility building should be comprehensively reviewed. To demonstrate that the development/redevelopment is acceptable, the Housing Department would be required to undertake relevant assessments, including traffic impact assessment, visual impact assessment and AVA, etc., as appropriate. In view of the larger site area of public housing development sites, caution should be exercised to ensure that building blocks do not obstruct the wind flow and air paths should be reserved subject to AVA studies at building design stage.
- 8.2.7 On land designated “R(A)1” to “R(A)4” and “R(A)10”, the requirements of GIC facilities are stipulated in the Notes. The stipulation of such requirements in the Notes is to ensure that the reprovisioning of these facilities, currently provided in these sites, is to the satisfaction of the

Government upon redevelopment. Any reduction in the total GFA provided for GIC facilities may be considered by the Board on application under section 16 of the Town Planning Ordinance.

- 8.2.8 The residential and commercial development known as the Sparkle, is zoned “R(A)9” and subject to a maximum domestic and non-domestic GFA of 24 825m² and 4 965m² respectively.
- 8.2.9 The area designated “R(A)11” is intended for redevelopment of Hong Kong Housing Authority’s Wang Cheong Factory Estate into public housing development with GIC facilities. The provision of the GIC facilities should be provided to the satisfaction of relevant Government departments. In order to facilitate provision of GIC facilities, in determining the maximum plot ratio of the development/redevelopment in the “R(A)11” zone, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded.
- 8.2.10 In support of the proposed public housing development in the “R(A)11” zone, an Air Ventilation Assessment-Expert Evaluation (AVA-EE) has been carried out which suggested design measures, including building gap, building setback and permeable podium to alleviate the potential air ventilation impacts on the surrounding wind environment. A quantitative AVA shall be carried out at the detailed design stage to recommend the mitigation measures. Such requirements shall be incorporated in the planning brief for implementation as appropriate.
- 8.2.11 The two linked sites at Lai Chi Kok Road and Kweilin Street were previously covered by the approved URA Lai Chi Kok Road/Kweilin Street and Yee Kuk Street DSP No. S/K5/URA1/2. The “R(A)12” zone is to reflect the completed residential and commercial development with public open space, namely Trinity Towers. It is subject to a maximum domestic GFA of 24 708m² and a maximum non-domestic GFA of 4 941m² of which 390m² shall be provided for social enterprise/social capital projects. A public open space of not less than 580m² at grade shall be provided.
- 8.2.12 The three linked sites at Hai Tan Street and Kweilin Street were previously covered by the approved URA Hai Tan Street/Kweilin Street and Pei Ho Street DSP No. S/K5/URA2/2. The “R(A)13” zone is to reflect the completed residential and commercial development with GIC facilities and public open space, namely Seaside Sonata. It is subject to a maximum domestic GFA of 50 025m² and a maximum non-domestic GFA of 7 375m² of which not less than 2 058m² shall be provided for GIC facilities. A public open space of not less than 1 500m² at grade shall be provided.
- 8.2.13 Developments and redevelopments on sites zoned “R(A)” are subject to maximum building height restrictions ranging from 80mPD to 152mPD. Besides, there are some low-rise older buildings on small sites in the Area. Developments within the “R(A)6” sub-area are subject to a

building height restriction of 80mPD; developments within the “R(A)3”, “R(A)4”, “R(A)5”, “R(A)7” and “R(A)10” sub-areas are subject to a building height restriction of 90mPD; developments within the “R(A)1”, “R(A)2” and “R(A)8” sub-areas are subject to a building height restriction of 100mPD. To cater for amalgamation of smaller sites and inclusion of on-site parking and loading/unloading and other supporting facilities for larger sites, an additional allowance of 20m will be permitted for residential sites with areas of 400m² or more on land zoned “R(A)1” to “R(A)8” and “R(A)10”. Developments within the “R(A)12” sub-area are subject to building height restrictions of 100mPD and 130mPD; developments within the “R(A)13” sub-area are subject to building height restrictions of 110mPD and 120mPD; and developments within the “R(A)9” and “R(A)11” sub-areas are subject to a building height restriction of 152mPD.

- 8.2.14 Minor relaxation of plot ratio/GFA/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.2.15 However, for any existing building with plot ratio/GFA/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation except under exceptional circumstances.
- 8.2.16 In order to enhance the local air ventilation performance, a 10m-wide strip of land along the eastern boundary of Lai On Estate and Yee Ching Court is designated as a NBA. Under exceptional circumstances, minor relaxation of the NBA restriction may be considered by the Board on application under section 16 of the Ordinance.
- 8.2.17 The plot ratio control under “R(A)11” 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 C) (“R(C)”) - Total Area 2.96 ha

- 8.3.1 This zone is intended primarily for low-to-medium density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. This zoning is sub-divided into seven sub-areas and the development intensity and building height restrictions are stipulated in the Notes. These restrictions are intended to reflect the general character of the residential neighbourhood, and to prevent dense ribbon type development along Tai Po Road as there is a planning intention to secure public view along the road.
- 8.3.2 The seven sub-areas comprise six existing residential developments

along Tai Po Road, i.e. Monte Carlton, Villa Carlton, Bamboo Villa, Caldecott Hill, The Caldecott and Triazza (sub-areas “R(C)1” to “R(C)5” and “R(C)7”), and one residential site along Caldecott Road (sub-area “R(C)6”). These sites are subject to maximum building height restrictions ranging from 105.5mPD to 172.4mPD.

- 8.3.3 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the GFA/site coverage/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.3.4 However, for any existing building with GFA/site coverage/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8.4 Residential (Group E) (“R(E)”) - Total Area 2.20 ha

- 8.4.1 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 (I/R) interface problem. The developers will be required to submit adequate information to demonstrate that the new residential development will be environmentally acceptable, and suitable mitigation measure, if required, will be implemented to address the potential I/R interface problems.
- 8.4.2 Under this zoning, existing industrial uses will be tolerated but new industrial development will not be permitted upon redevelopment of existing industrial buildings in order to avoid the perpetuation or aggravation of the I/R interface problems with the new residential development during the redevelopment process. In existing industrial buildings, new developments involving offensive trades will not be permitted. Any modification of use from non-industrial to industrial uses within existing industrial buildings will also require the permission of the Board.
- 8.4.3 Two sites at the junction of Un Chau Street and Wing Lung Street are zoned “R(E)2”; and two sites at the junction of Yee Kuk Street and Fat Tseung Street are zoned “R(E)1” with a view to phasing out the obsolete industrial uses. A site at the junction of Tonkin Street and Cheung Sha Wan Road, previously occupied by the Cheung Sha Wan Factory Estate, is also zoned “R(E)” and has been developed into a public rental housing estate, i.e. Un Chau Estate Phase 5. The eastern portion of the “R(E)2” site at Tonkin Street and Un Chau Street is under construction for a private residential development.

- 8.4.4 Developments within this zone are subject to specific control on plot ratios similar to that for the “R(A)” zone as stipulated in the Notes. In calculating the GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used 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.
- 8.4.5 In the circumstances set out in Regulation 22 of the B(P)R, 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.
- 8.4.6 Developments and redevelopments within this zone are subject to maximum building height restrictions ranging from 80mPD to 120mPD. To cater for amalgamation of smaller sites for achieving better urban design and local area improvements, on land designated “R(E)1” and “R(E)2”, an additional allowance of 20m will be allowed for sites with areas of 400m² or more.
- 8.4.7 Minor relaxation of the plot ratio/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.4.8 However, for any existing building with plot ratio/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation except under exceptional circumstances.
- 8.5 Government, Institution or Community (“G/IC”) - Total Area 40.04 ha
- 8.5.1 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.
- 8.5.2 Major existing developments include Sham Shui Po Police Station at the junction of Lai Chi Kok Road and Yen Chow Street, Lei Cheng Uk Han Tomb Museum (a declared monument) at Tonkin Street, Sham Shui Po District Headquarters and Cheung Sha Wan Police Station at the junction of Lai Chi Kok Road and Cheung Mou Street, a fire station and an ambulance depot at the junction of Cheung Sha Wan Road and Fat Tseung Street, Caritas Medical Centre at Wing Hong Street, Haking Wong Technical Institute at Lai Chi Kok Road, Cheung Sha Wan Government Offices at the junction of Cheung Sha Wan Road and Yen Chow Street, a Government data complex at King Lam Street, a number

of recreational facilities, primary and secondary schools, and Christian Alliance International School of Hong Kong at King Lam Street.

- 8.5.3 There are three sub-areas, covering three existing religious institutions (i.e. Fuk Tak Buddhist Association (“G/IC(1)”), Wong Tai Sin Yuen Ching Kwok (“G/IC(2)”) and Tze Yeung Tung Temple (“G/IC(3)”), under this zoning. The development intensity and building height restrictions are stipulated in the Notes of the Plan. These restrictions are intended to contain the three religious institutions to their existing/approved uses and intensity within the existing premises, and to control the building intensity/land uses of any further development/redevelopment.
- 8.5.4 Developments and redevelopments within this zone are subject to building height restrictions in terms of number of storeys (excluding basement floors(s)) or mPD as stipulated on the Plan or in the Notes of the Plan, or the height of the existing building, whichever is the greater. Building height restrictions for most of the “G/IC” sites are stipulated in terms of number of storeys except the relatively high-rise GIC uses, such as Cheung Sha Wan Government Offices, Caritas Medical Centre and Sunrise House, so as to reflect the existing building height and/or to provide a more clear control over the building height profile.
- 8.5.5 Minor relaxation of the GFA/site coverage/building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.5.6 However, for any existing building with GFA/site coverage/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 8.5.7 In order to enhance the local air ventilation performance and to facilitate road widening and streetscape improvement of the Cheung Sha Wan Industrial/Business Area, a minimum building setback of 3.5m from the lot boundary abutting Castle Peak Road shall be provided within the “G/IC(4)” sub-area. Under exceptional circumstances, minor relaxation of the setback requirement may be considered by the Board on application under section 16 of the Ordinance.

8.6 Open Space (“O”) - Total Area 24.61 ha

- 8.6.1 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.
- 8.6.2 Existing major open spaces include Tung Chau Street Park to the east of Nam Cheong Estate, Sham Shui Po Park at Lai Chi Kok Road, Sham

Shui Po Park Stage 2 to the east of Lai Kok Estate, Cheung Sha Wan Playground at the junction of Cheung Sha Wan Road and Fat Tseung Street, Sham Shui Po Sports Ground at Hing Wah Street, Maple Street Playground at Wong Chuk Street, Po On Road Playground and Hing Wah Street Playground to the west of Un Chau Estate.

- 8.6.3 Additional sites have been reserved for the development of open spaces, including two sites at Lai Chi Kok Road and Hing Wah Street which are currently occupied by Cheung Sha Wan Temporary Wholesale Poultry Market, and a site at Cheung Shun Street.

8.7 Other Specified Uses (“OU”) - Total Area 26.31 ha

- 8.7.1 This zone is intended primarily to provide/reserve land for specified purposes/uses.

- 8.7.2 The existing Roman Catholic Cemetery to the north of Ching Cheung Road and the petrol filling stations at Un Chau Street, Castle Peak Road, Ching Cheung Road, Tai Po Road and Lai Chi Kok Road are within this zoning.

- 8.7.3 The entire Cheung Sha Wan Industrial/Business Area, bounded by Ching Cheung Road to the north, Yu Chau West Street and Wing Ming Street to the east, Lai Chi Kok Road to the south and Kom Tsun Street to the west, is zoned “OU(B)”. Developments are restricted to a maximum plot ratio of 12.0. 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 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 Cheung Sha Wan Industrial/Business area until the area is transformed to cater for the new non-polluting business uses. The setting back of buildings to cater for the future increase in traffic demand is also required. Development within this zone should make reference to the relevant Town Planning Board Guidelines. In the circumstances set out in Regulation 22 of the B(P)R, 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.

- 8.7.4 To enhance air ventilation of the Cheung Sha Wan Industrial/Business Area, Castle Peak Road, Cheung Shun Street, Cheung Yue Street and Cheung Yee Street shall be widened. Since 2002, for street widening and streetscape improvement, building setback requirements of 2 to 5m along these streets have been incorporated in the Cheung Sha Wan and Sham Shui Po Outline Development Plan according to the comments of the Transport Department. To improve east-west air path as well as to

facilitate street widening and streetscape improvement, a building setback of 2m from the lot boundary abutting Castle Peak Road within the “OU(B)1” sub-area; a 3.5m setback from the lot boundary abutting Castle Peak Road within the “OU(B)2” sub-area; a 3.5m setback from the lot boundary abutting Cheung Shun Street/Cheung Yue Street within the “OU(B)3” sub-area; and a 5m setback from the lot boundary abutting Cheung Yee Street/Cheung Yue Street within the “OU(B)4” sub-area shall be provided. Within the “OU(Petrol Filling Station)” zone, a minimum setback of 3.5m from the northern lot boundary abutting Castle Peak Road and a minimum setback of 2m from the southern lot boundary abutting Castle Peak Road shall also be provided.

- 8.7.5 Within the “OU(B)” zone, developments and redevelopments to the south of Cheung Sha Wan Road are subject to a maximum building height of 120mPD, whereas those to the north of Cheung Sha Wan Road are subject to a maximum building height of 130mPD.
- 8.7.6 Within the “OU(B)5” sub-area at the junction of Yu Chau West Street and Wing Hong Street, a Government Refuse Collection Point shall be provided. For the purposes of plot ratio calculation, any floor space that is constructed or intended for use solely as refuse collection point shall be included.
- 8.7.7 Taking into account the recommendations of the AVA, a 15m-wide building gap above 20mPD at an area covering the footpath between Sham Shui Po Sports Ground and Cheung Yue Street and adjoining parts of 8 and 10 Cheung Yue Street is demarcated on the Plan to create a new air path to facilitate the penetration of south-westerly wind.
- 8.7.8 A site at Castle Peak Road is zoned “OU(Hotel)” to facilitate the in-situ conversion of an existing commercial/office building to hotel use. Developments and redevelopments within this zone are subject to a maximum non-domestic plot ratio of 12.0 (including the GFA of back-of-house facilities) and a maximum building height of 84mPD.
- 8.7.9 Minor relaxation of the plot ratio/building height/building gap restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.6 and 7.7 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 8.7.10 However, for any existing building with plot ratio/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 8.7.11 Under exceptional circumstances, minor relaxation of the setback requirements may be considered by the Board on application under section 16 of the Ordinance.

8.8 Green Belt (“GB”) - Total Area 50.70 ha

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. This zoning mainly covers the foothills to the north of Ching Cheung Road and Tai Po Road where the steep topography renders development impossible. The foothills are well-wooded slopes providing a green backdrop to the Area. Development within this zone will be carefully controlled and development proposals will be assessed on individual merits taking into account relevant Town Planning Board Guidelines.

9. URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA

- Total Area 1.91 ha

- 9.1 An area has been designated as URA DSP Area for redevelopment by the URA. The land use zonings of the area are depicted on the relevant URA DSP.
- 9.2 The DSP for Cheung Wah Street/Cheung Sha Wan Road covers an area of 1.91 ha. It comprises two sites, i.e. Sites A and B at the north and south of Cheung Sha Wan Road respectively. Site A is intended for a high-density residential development with commercial and GIC uses on the podium floors. Site B is intended for public open space and GIC uses, including a sports complex reprovisioned from Site A.

10. COMMUNICATIONS

10.1 Roads

10.1.1 The Area is well served by major roads. Ching Cheung Road and Tai Po Road, which pass through the northern part of the Area, are primary distributors linking the Area with Kwai Chung and East Kowloon. Lai Chi Kok Road and Cheung Sha Wan Road are also primary distributors linking the area with Mei Foo and Mong Kok. West Kowloon Corridor is an urban trunk road that runs along the south-western edge of the Area and provides quick access to Tsuen Wan and Yau Tsim Mong district.

10.1.2 Tsing Sha Highway is a trunk road that runs along the western edge of the Area linking Lantau and Sha Tin comprising Sha Tin Height Tunnel, Eagle’s Nest Tunnel, Lai Chi Kok Viaduct, Stonecutters Bridge and their connecting roadways.

10.2 Parking Facilities

To alleviate the problem of off-street car/lorry parking facilities in the Area, car-parking, loading and unloading facilities have been incorporated in several

commercial developments. These commercial developments include Trade Square, Lai Sun Commercial Centre, Cheung Sha Wan Plaza and China Shipbuilding Tower at Cheung Sha Wan Road, Dragon Centre at Yen Chow Street, and the commercial development at 888 Lai Chi Kok Road.

10.3 Mass Transit Railway

10.3.1 The Mass Transit Railway Tsuen Wan Line runs through the Area beneath Cheung Sha Wan Road with three stations, namely Sham Shui Po Station, Cheung Sha Wan Station and Lai Chi Kok Station.

10.3.2 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. As the Hong Kong section of the Guangzhou–Shenzhen–Hong Kong Express Rail Link (XRL) has been authorized by CE in C on 20 October 2009, the alignment of the XRL is shown on the Plan for information only.

11. UTILITY SERVICES

The Area has piped water supply as well as drainage and sewerage systems. Electricity, gas and telephone services are also available and no difficulties are anticipated in meeting the future requirements.

12. CULTURAL HERITAGE

12.1 A declared monument (the Lei Cheng Uk Han Tomb) and a number of graded historic buildings, namely the Sam Tai Tsz Temple (Grade 2) and Pak Tai Temple (Grade 3) at Yu Chau Street, Tin Hau Temple (Grade 3) and Sham Shui Po Public Dispensary (Grade 2) at Yee Kuk Street, Mo Tai Temple (Grade 2) near Hai Tan Street, Sham Shui Po Police Station (Grade 2) at Yen Chow Street, Precious Blood Convent (Grade 2) at Un Chau Street, Precious Blood Hospital (Caritas) (Grade 3) and Building of the Garden Company Limited (Sham Shui Po) (Grade 2) at Castle Peak Road as well as the shophouses at 51 Yen Chow Street (Grade 1), 53 Yen Chow Street (Grade 1), 301 and 303 Castle Peak Road (Grade 2), 189 Apliu Street (Grade 2), 96 Apliu Street (Grade 2), 58 Pei Ho Street (Grade 2), 170 Yee Kuk Street (Grade 2), 75 Un Chau Street (Grade 3), 269 Yu Chau Street (Grade 3), 271 Yu Chau Street (Grade 3), 117 Nam Cheong Street (Grade 3), 119 Nam Cheong Street (Grade 3), 121 Nam Cheong Street (Grade 3), 123 Nam Cheong Street (Grade 3), 125 Nam Cheong Street (Grade 3), 130 Ki Lung Street (Grade 3), 132 Ki Lung Street (Grade 3) and 62 Fuk Wing Street (Grade 3) are located within the Area.

12.2 On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 historic buildings, in which some buildings 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 onto the official website of the AAB at <http://www.aab.gov.hk>.

- 12.3 Prior consultation with the Antiquities and Monuments Office should be made if any development, redevelopment or rezoning proposals might affect the above declared monument, graded historic buildings, new items pending grading assessment and their immediate environs.

13. IMPLEMENTATION

- 13.1 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 and the various licensing authorities.
- 13.2 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 the Lands Department. Public works projects are co-ordinated by the Civil Engineering and Development Department in conjunction with relevant 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 Sham Shui Po District Council would also be consulted as appropriate.
- 13.3 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 and the guidelines published by the Board. The outline development plans are available for public inspection at the Planning Department. Guidelines 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.