

METRO PLANNING COMMITTEE
OF THE TOWN PLANNING BOARD

MPC Paper No. 15/11

**For Consideration by the
Metro Planning Committee on 23.9.2011**

**PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/26**

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1. Introduction

This paper is to seek Member's agreement that:

- (a) the proposed amendments to the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/26 (**Attachment I**) and its Notes (**Attachment II**) are suitable for exhibition for public inspection under section 7 of the Town Planning Ordinance (the Ordinance); and
- (b) the Explanatory Statement (ES) of the OZP (**Attachment III**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the OZP, and is suitable for exhibition together with the OZP and its Notes.

2. Status of the Current OZP

- 2.1 On 19.11.2010, the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/26, incorporating amendments mainly to impose Building Height Restrictions (BHRs) on various development zones outside Kowloon Bay Business Area (KBBA); to designate Non-building Areas (NBAs) and building gaps in various zones; and to rezone a number of sites was exhibited for public inspection under section 5 of the Ordinance. Upon expiry of the 2-month exhibition period on 19.1.2011, a total of 1,313 representations were received. On 28.1.2011, the 1,313 representations were published for public comments for 3 weeks until 18.2.2011 and 1 comment was received.
- 2.2 After giving consideration to the representations and comment on 27.5.2011 and 1.6.2011, the Board decided to partially meet some representations in relation to the "Other Specified Uses" ("OU") annotated "Mass Transit Railway Depot with Commercial and Residential Development Above" and the "Residential (Group A)" ("R(A)") zone for the Kai Tak Mansion. The proposed amendments were published on 30.6.2011 for 3 weeks for further representation. Upon expiry of the 3-week exhibition period on 21.7.2011, a total of 286 valid further representations were received. Hearing for the further representations will be arranged in due course.

- 2.3 On 25.7.2011, the Real Estate Developers Association of Hong Kong filed a judicial review (JR) against the TPB's decision of not upholding its representations in respect of 4 OZPs including the Ngau Tau Kok and Kowloon Bay OZP. On 5.8.2011, Oriental Generation Limited (representer No. R6 to the said OZP) filed a JR against the TPB's decision of not upholding its representation in respect of the said OZP. The JR applicants also sought an interim stay of the submission of the OZP to Chief Executive in Council pending the final determination of the JR proceedings. On 27.7.2011 and 8.8.2011, the Court granted leave to the respective JRs.
- 2.4 In the meantime, opportunity is taken to incorporate zoning amendments to reflect as-built conditions and completed developments.

3. Background

Rezoning of three sites along Tai Yip Street and Wai Yip Street shown as 'Road' to "OU" annotated "Business" (Plans 2 to 4)

- 3.1 The three sites, amounting to a site area of 508.3m² (about), are located along Tai Yip Street and Wai Yip Street. The sites are currently shown as 'Road' on the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26 (**Plan 2**) and form small parts of Lots No. NKIL 5591, NKIL 5594 and NKIL 5595 which accommodate the Fortune Industrial Building, the Yeung Yiu Chung (No. 5) Industrial Building and the Ying Lun Godown. The rezoning to "OU" annotated "Business" is to reflect the as-built conditions and site boundary of the private lots.

Rezoning of a site along Choi Hei Road from "R(A)" to "O" (Plans 5 to 7)

- 3.2 The site along Choi Hei Road (1,280.6m²) forms part of the recently completed Choi Hei Road Park adjoining the Choi Ha Estate and the Choi Fook Estate. To tally with the as-built conditions and the allocation boundary of the Choi Hei Road Park, part of the Choi Hei Road Park is rezoned from "R(A)" to "O".

4. Proposed Amendments to Matters shown on the Plan

The proposed amendments are shown on the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26A (**Attachment I**) and detailed below:

Item A – Rezoning of three sites along Tai Yip Street and Wai Yip Street shown as 'Road' to "OU" annotated "Business" (508.3m²) (Plans 2 to 4)

- 4.1 The three sites, located along Tai Yip Street and Wai Yip Street with a total site area of 508.3m², are currently shown as 'Road' on the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26. The sites, which are part of Lots No. NKIL 5591, NKIL 5594 and NKIL 5595, accommodate the Fortune Industrial Building, the Yeung Yiu Chung (No. 5) Industrial Building and the Ying Lun Godown. The rezoning is to reflect the as-built conditions and site boundary of the private lots.

Item B – Rezoning of a site along Choi Hei Road from “R(A)” to “O” (1,280.6m²) (Plans 5 to 7)

- 4.2 The site is at the southern part of the recently completed Choi Hei Road Park adjoining the Choi Ha Estate and the Choi Fook Estate. To tally with the as-built conditions and the allocation boundary of the park, the site along Choi Hei Road is rezoned from “R(A)” to “O”.

5. Notes of the OZP (Attachment II)

While there is no change to the set of Notes, the complete set of Notes is at **Attachment II** for Members’ reference.

6. Revision of the Explanatory Statement of the OZP (Attachment III)

The ES of the OZP has been revised to take account of the proposed amendments as mentioned in paragraph 4. A copy of the revised ES (with the proposed additions highlighted in ***bold and italics*** and deletions in ~~erossed-out~~) is at **Attachment III** for Members’ consideration.

7. Plan Number

Upon exhibition, the Plan will be re-numbered as S/K13/27.

8. Consultation

Departmental Consultation

- 8.1 The proposed amendments have been circulated to relevant Government bureaux/departments for comments. Concerned Government bureaux/departments have no objection to or no adverse comment on the proposed amendments. Their comments have been incorporated, where appropriate. These Government departments include:

- (a) Secretary for Education;
- (b) Commissioner for Transport;
- (c) Director of Environmental Protection;
- (d) Director of Social Welfare;
- (e) Chief Building Surveyor/Kowloon, Buildings Department;
- (f) District Lands Officer/Kowloon East;
- (g) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (h) Chief Engineer/Mainland South, Drainage Services Department;
- (i) Chief Engineer/Development (2), Water Supplies Department;
- (j) Chief Highway Engineer/Kowloon, Highways Department;
- (k) Director of Fire Services;

- (l) Director of Housing;
- (m) Director of Agriculture, Fisheries and Conservation;
- (n) Director of Food and Environmental Hygiene;
- (o) Director of Leisure and Cultural Services (DLCS);
- (p) Antiquities and Monuments Office, DLCS;
- (q) Government Property Agent;
- (r) Commissioner of Police (DVC NTKDIV);
- (s) Commissioner of Police (CSP P&D);
- (t) Project Manager/Kowloon, Civil Engineering & Development Department;
- (u) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (v) District Officer/Kwun Tong; and
- (w) Chief Town Planner/Urban Design and Landscape, Planning Department.

Public Consultation

8.2 As the Kwun Tong District Council (KTDC) has ceased operation on 15.9.2011 due to the upcoming DC Election, KTDC cannot be formally consulted. However, a copy of the proposed amendments will be deposited in the Kwun Tong District Office for public inspection upon gazettal. The amendments to the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/26A (to be renumbered to S/K13/27 upon exhibition) will be exhibited for public inspection under section 7 of the Ordinance. In any event, the proposed amendments to the OZP will be exhibited under section 7 of the Ordinance for representation, which is a statutory channel to solicit public views.

9. Decision Sought

Members are invited to:

- (a) agree to the proposed amendments to the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/26 mentioned in paragraph 4 above and that the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/26A at **Attachment I** (to be renumbered to S/K13/27 upon gazetting) and its Notes at **Attachment II** are suitable for exhibition for public inspection under section 7 of the Ordinance; and
- (b) adopt the revised ES at **Attachment III** as an expression of the planning intentions and objectives of the Board for the various land use zones of the OZP, and is suitable for exhibition together with the OZP and its Notes.

10. Attachments

Attachment I	Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26A
Attachment II	Notes of the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26A
Attachment III	Revised Explanatory Statement of the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26A
Plan 1	Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26 (reduced size)
Plan 2	Location Plan of Amendment Item A
Plan 3	Site Plan of Amendment Item A
Plan 4	Site Photos of Amendment Item A
Plan 5	Location Plan of Amendment Item B
Plan 6	Site Plan of Amendment Item B
Plan 7	Site Photo of Amendment Item B

**PLANNING DEPARTMENT
SEPTEMBER 2011**

圖例
NOTATION

ZONES		地帶
COMMERCIAL	C	商業
RESIDENTIAL (GROUP A)	R(A)	住宅 (甲類)
RESIDENTIAL (GROUP B)	R(B)	住宅 (乙類)
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	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)
RAILWAY AND STATION (ELEVATED)		鐵路及車站 (高架)
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
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 APPROXIMATE AREA & %		用途
	公頃 HECTARES	百分比 %	
COMMERCIAL	2.42	0.71	商業
RESIDENTIAL (GROUP A)	62.22	18.23	住宅 (甲類)
RESIDENTIAL (GROUP B)	4.74	1.38	住宅 (乙類)
GOVERNMENT, INSTITUTION OR COMMUNITY	50.86	14.90	政府、機構或社區
OPEN SPACE	52.28	15.32	休憩用地
OTHER SPECIFIED USES	44.08	12.92	其他指定用途
GREEN BELT	52.84	15.43	綠化地帶
MAJOR ROAD ETC.	72.02	21.10	主要道路等
TOTAL PLANNING SCHEME AREA	341.26	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分，
現經修訂並按照城市規劃條例第 7 條展示。
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
AND HAVE BEEN AMENDED FOR EXHIBITION UNDER
SECTION 7 OF THE TOWN PLANNING ORDINANCE

草圖編號 S/K 13/26 的修訂
AMENDMENTS TO DRAFT PLAN No. S/K13/26

AMENDMENTS EXHIBITED UNDER SECTION 7
OF THE TOWN PLANNING ORDINANCE

按照城市規劃條例第 7 條
展示的修訂

AMENDMENT ITEM A		修訂項目 A 項
AMENDMENT ITEM B		修訂項目 B 項

(參看附表)
(SEE ATTACHED SCHEDULE)

香港城市規劃委員會依據城市規劃條例擬備的牛頭角及九龍灣（九龍規劃區第 13 及 17 區）分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KOWLOON PLANNING AREAS No. 13 & 17 - NGAU TAU KOK & KOWLOON BAY - OUTLINE ZONING PLAN

SCALE 1:5 000 比例尺

* METRES 100 0 200 400 600 800 METRES 米

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/K13/26A

KOWLOON PLANNING AREAS NO. 13 & 17

DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/26A

(Being a Draft 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, alignment of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (c) maintenance or repair of watercourse and grave.
- (8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:
- on-street vehicle park and railway track.
- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, "existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

KOWLOON PLANNING AREAS NO. 13 & 17
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/26A

Schedule of Uses

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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) Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Market 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 Shop and Services Social Welfare Facility (excluding those involving residential care) Training Centre Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Cargo Handling and Forwarding Facility Government Refuse Collection Point Hospital Hotel Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Wholesale Trade

Planning Intention

This zone is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place.

(Please see next page)

COMMERCIAL (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, and the maximum building heights, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (2) On land demarcated for a 16m-wide building gap from Lam Wah Street to Lam Lok Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (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 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.
- (4) 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.
- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (6) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the building gap restriction stated in paragraph (2) above 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 Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution School (not elsewhere specified) Shop and Services Training Centre

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

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

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (1) 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 (8) and/or (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/or (9) hereof.
- (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 building height, 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 demarcated for a 20m-wide building gap traversing a site near the junction of Kwun Tong Road and Choi Shek Lane 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 15mPD.
- (5) 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) stated in paragraph (1) above, or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable -
 - (i) the plot ratio(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
 - (ii) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (6) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2), 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), 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.
- (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 development restrictions as stated in paragraphs (1) to (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (10) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restriction as shown on the Plan and the building gap restriction as stated in paragraph (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Market Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services Social Welfare Facility Training Centre

Planning Intention

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

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 89,800m², and a 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 gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided that 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 development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (4) Under exceptional circumstances, for developments and/or redevelopments, 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.

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

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.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Remarks

- (1) On land designated "Government, Institution or Community" ("G/IC") and "G/IC(1)", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storeys or metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) On land designated "G/IC(2)", no addition, alteration and/or modification to an existing building shall result in a total development in excess of the maximum building height, in terms of number of storeys, as stipulated on the Plan, or the height of the existing building, whichever is the greater. Any addition, alteration and/or modification to (except those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) the existing historical buildings requires planning permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (3) In determining the relevant maximum building height in terms of number of storeys for the purposes of paragraphs (1) and (2) above, any basement floor(s) may be disregarded.
- (4) On land designated "G/IC(1)", a minimum of 3m-wide non-building area(s) from the lot boundaries abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided.
- (5) On land designated "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 a maximum domestic gross floor area of 16,500m², a maximum non-domestic gross floor area of 4,125m², and a 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.
- (6) In determining the maximum gross floor area for the purposes of paragraph (5) 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.
- (7) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraphs (1), (2) and (5) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (8) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and stated in paragraph (4) 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 Promenade Public Convenience Sitting Out Area Zoo	Cable Car Route and Terminal Building Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

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

Remarks

- (1) A minimum of 3m-wide non-building area(s) from the lot boundaries abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided.
- (2) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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[@]

Ambulance Depot	Broadcasting, Television and/or Film Studio
Commercial Bathhouse/Massage Establishment	Cargo Handling and Forwarding Facility
Eating Place	Government Refuse Collection Point
Educational Institution	Government Use (not elsewhere specified)
Exhibition or Convention Hall	Hotel
Government Use (Police Reporting Centre, Post Office only)	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Information Technology and Telecommunications Industries	Non-polluting Industrial Use (not elsewhere specified)
Institutional Use (not elsewhere specified)	Petrol Filling Station
Library	School (not elsewhere specified)
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [^])	Social Welfare Facility (excluding those involving residential care)
Off-course Betting Centre	Vehicle Repair Workshop (on land designated "OU(Business 1)" only)
Office	Warehouse (excluding Dangerous Goods Godown)
Place of Entertainment	Wholesale Trade
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	

(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
Bus Depot	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Cargo Handling and Forwarding Facility (not elsewhere specified)	Educational Institution (ground floor only)
Eating Place (Canteen only)	Industrial Use (not elsewhere specified)
Government Refuse Collection Point	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Government Use (not elsewhere specified)	Off-course Betting Centre
Information Technology and Telecommunications Industries	Office (not elsewhere specified)
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods ^Δ)	Petrol Filling Station
Office (excluding those involving direct provision of customer services or goods)	Place of Entertainment (ground floor only)
Public Convenience	Place of Recreation, Sports or Culture
Public Transport Terminus or Station	Private Club
Public Utility Installation	Religious Institution (ground floor only)
Public Vehicle Park (excluding container vehicle)	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom [#] which may be permitted on any floor)
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	Training Centre
Recyclable Collection Centre	Vehicle Repair Workshop (not elsewhere specified)
Research, Design and Development Centre	Wholesale Trade
Shop and Services (Motor Vehicle Showroom on ground floor, Service Trades only)	
Utility Installation for Private Project	
Vehicle Repair Workshop (on land designated "OU(Business 1)" only)	
Warehouse (excluding Dangerous Goods Godown)	

In addition, for building without industrial
undertakings involving offensive trades or the
use/storage of Dangerous Goods ^Δ, 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.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

Planning Intention

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

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, and the maximum building heights, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (2) A minimum of 3m-wide non-building area(s) from the lot boundaries abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided.
- (3) On land demarcated for a 15m-wide building gap from Lam Hing Street to Lam Wah Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (4) On land designated "Other Specified Uses" annotated "Business(2)", a 15m-wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap as shown on the Plan. No new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
Alternatively, an applicant shall submit an application supported by an Air Ventilation Assessment together with a layout plan to the Town Planning Board for approval under section 16 of the Town Planning Ordinance.
- (5) 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.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

Remarks (Cont'd)

- (6) 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.
- (7) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (8) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and stated in paragraph (2) above and the building gap restrictions stated in paragraphs (3) and (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(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 "Railway" Only

Railway Mass Transit Railway 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
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Planning Intention

This zone is intended primarily for the provision of land for the open-air railway, the Kowloon Bay Mass Transit Railway (MTR) Station and the associated facilities.

Remarks

- (1) No new development except one-storey structure ancillary to the railway and MTR Station shall be permitted.
- (2) No addition, alteration and/or modification to or redevelopment of an existing building/structure shall result in a total development and/or redevelopment in excess of the maximum building height, in terms of number of storey(s), as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) 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.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height 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.

(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
<u>For "Mass Transit Railway Depot with Commercial and Residential Development Above" only</u>	
Ambulance Depot Commercial Bathhouse/Massage Establishment Eating Place Educational Institution (in free-standing purpose-designed building, in a commercial building or in the non-domestic part of a commercial/residential building only) Exhibition or Convention Hall Flat Government Use (not elsewhere specified) Library Market Mass Transit Railway Depot 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) Religious Institution Residential Institution School (in free-standing purpose-designed school building, in a commercial building or in the non-domestic part of a commercial/residential building only) Shop and Services (not elsewhere specified) Social Welfare Facility Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Educational Institution (not elsewhere specified) Government Refuse Collection Point Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Recyclable Collection Centre School (not elsewhere specified) Shop and Services (Motor-vehicle Showroom only)

Planning Intention

This zone is intended primarily for the provision of land for Mass Transit Railway depot together with commercial and residential development above.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Mass Transit Railway Depot with Commercial and Residential Development Above" only
(Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 278,703m², a maximum non-domestic gross floor area of 177,031m² and the maximum building height, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) A public transport terminus shall be provided.
- (3) On land demarcated for 15m-wide (north-south) and 22m-wide (east-west) building gaps as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (4) In determining the relevant maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as public transport facilities, as required by the Government, may also be disregarded.
- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (6) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the building gap restrictions 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
<u>For "Commercial Uses with Public Transport Terminus" only</u>	
Ambulance Depot Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (not elsewhere specified) Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Market 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 Shop and Services Social Welfare Facility (excluding those involving residential care) Training Centre Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Cargo Handling and Forwarding Facility Government Refuse Collection Point Hospital Hotel Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Wholesale Trade

Planning Intention

This zone is intended primarily for the provision of a commercial development with a public transport terminus.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Commercial Uses with Public Transport Terminus" only (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, and the maximum building height, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (2) A public transport terminus comprising three bus bays and one green minibus bay shall be provided.
- (3) On land demarcated for a 15m-wide building gap from Lam Lok Street to Sheung Yuet Road as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- (4) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the building gap restriction 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 "Commercial/Residential Development with Public Car Park and Public Transport Interchange" only

Ambulance Depot	Commercial Bathhouse/Massage Establishment
Flat	Eating Place
Government Use (not elsewhere specified)	Education Institution
House	Exhibition or Convention Hall
Library	Government Refuse Collection Point
Market	Hotel
Place of Recreation, Sports or Culture	Institutional Use (not elsewhere specified)
Public Clinic	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Public Transport Terminus or Station (excluding open-air terminus or station)	Office
Public Vehicle Park (excluding container vehicle)	Place of Entertainment
Residential Institution	Private Club
School (in free-standing purpose-designed building only)	Public Convenience
Social Welfare Facility	Public Utility Installation
Utility Installation for Private Project	Religious Institution
	School (not elsewhere specified)
	Shop and Services
	Training Centre

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

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

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Commercial/Residential Development
with Public Car Park and Public Transport Interchange" only (Cont'd)

Planning Intention

This zone is intended primarily for a residential development with commercial uses, public car park and public transport interchange. Commercial uses are always permitted in the purpose-designed non-residential portion of the commercial and residential building.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 19,138m², a maximum non-domestic gross floor area of 13,366m² 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) A public car park with 450 parking spaces and a public transport interchange comprising four bus bays, three public light bus and taxi bays and one general vehicle layby shall be provided.
- (3) In determining the relevant maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park (excluding public car park), loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded. Any floor space that is constructed or intended for use solely as public transport interchange, as required by the Government, may also be disregarded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(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 "Refuse Transfer Station" only

Refuse Transfer Station	Eating Place (Canteen only) Industrial Use Government Use (not elsewhere specified) Utility Installation not Ancillary to the Specified Use Warehouse (excluding Dangerous Goods Godown)
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Planning Intention

This zone is intended primarily for the provision of a refuse transfer 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 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) A minimum of 3m-wide non-building area from the lot boundary abutting Wang Chiu Road shall be provided.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (4) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restriction stated in paragraph (2) 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

Utility Installation not Ancillary to the
Specified Use

Planning Intention

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

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 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) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

For "Landscaped Elevated Walkway" only

Landscaped Elevated Walkway

Government Use

Planning Intention

This zone is intended primarily for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting pedestrian walkway system in Kowloon Bay Business Area with Kai Tak area.

(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 "Open Lorry Park" only

Open Public Vehicle Park (lorry only)

Government Use
Utility Installation not Ancillary to the
Specified Use

Planning Intention

This zone is intended primarily for the provision of an open-air lorry park.

Remarks

No new development except one-storey structure ancillary to the open-air lorry park shall be permitted.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Cable Car Route and Terminal Building Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Flat Golf Course Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution School Service Reservoir Social Welfare Facility Utility Installation for Private Project Zoo

Planning Intention

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

KOWLOON PLANNING AREAS NO. 13 & 17

**DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/26A**

EXPLANATORY STATEMENT

KOWLOON PLANNING AREAS NO. 13 & 17

**DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/26A**

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KOWLOON PLANNING AREAS NO. 13 & 17

DRAFT NGAU TAU KOK AND KOWLOON BAY OUTLINE ZONING PLAN NO. S/K13/26A

(Being a Draft 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 draft Plan.

1. INTRODUCTION

This explanatory statement is intended to assist an understanding of the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/26. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 The first statutory plan No. S/K13/1 covering the Ngau Tau Kok and Kowloon Bay areas was gazetted on 22 August 1986 under section 5 of the Town Planning Ordinance (the Ordinance). Since then, the OZP had been amended twice and exhibited for public inspection under section 7 of the Ordinance.
- 2.2 On 7 March 1989, the then Governor-in-Council considered the draft OZP No. S/K13/4 and agreed to refer the draft OZP to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended seven times and exhibited for public inspection under sections 5 and 7 of the Ordinance.
- 2.3 On 15 December 1998, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K13/12. On 11 May 1999, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.4 On 28 March 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K13/14. On 10 October 2000, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended three times and exhibited for public inspection under sections 5 and 7 of the Ordinance.

- 2.5 On 25 June 2002, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K13/18. On 26 November 2002, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended six times and exhibited for public inspection under sections 5 and 7 of the Ordinance.
- 2.6 On 12 September 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ngau Tau Kok and Kowloon Bay OZP, which was subsequently renumbered as S/K13/25. On 6 July 2010, the CE in C referred the approved Ngau Tau Kok and Kowloon Bay OZP No. S/K13/25 to the Board for amendment under Section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 17 September 2010 under section 12(2) of the Ordinance.
- 2.7 On 19 November 2010, the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/26-(the Plan), incorporating amendments including the imposition of new building height restrictions for the "Residential (Group A)" ("R(A)"), "Residential (Group B)" ("R(B)"), "Government, Institution or Community" ("G/IC") and its sub-zones, and "Other Specified Uses" ("OU") zones; designation of non-building areas (NBAs) and building gaps within various zones; rezoning of two "G/IC" sites to "G/IC(2)" and "G/IC(3)"; rezoning of the "OU(Mass Transit Railway Comprehensive Development Area)" site and area shown as 'Road' to "OU(Railway)" and "OU(Mass Transit Railway Depot with Commercial and Residential Development Above)", and rezoning of a "G/IC" site to "OU(Commercial/Residential Development with Public Car Park and Public Transport Interchange)"; rezoning of a strip of land spanning over Sheung Yee Road and Kai Fuk Road to "OU(Landscaped Elevated Walkway)"; and other rezoning proposals to reflect as-built conditions and completed/planned developments, was exhibited for public inspection under section 5 of the Ordinance.
- 2.8 On _____, the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/27 (the Plan), incorporating the amendment to rezone three sites at Tai Yip Street and Wai Yip Street from area shown as 'Road' to "OU (Business)" zone and a site along Choi Hei Road from "R(A)" to "Open Space" ("O") to reflect as-built conditions of completed developments, was exhibited for public inspection under section 7 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks so that development and redevelopment of land within the Planning Scheme Area (the Area) can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development and to provide guidance for more detailed planning within the Area. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.

- 3.3 Since the Plan is to show broad land use zonings, there would be 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 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 Ngau Tau Kok and Kowloon Bay 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 East Kowloon within the Kwun Tong District. It is bounded by New Clear Water Bay Road and Clear Water Bay Road to the north, Kwun Tong By-pass to the west, Shun Yip Street and Chun Wah Road to the south, and Hong Ning Road, Sau Mau Ping Road and Lee On Road to the east. The boundary of the Area is shown in a heavy broken line on the Plan. It covers about 341 hectares of land.
- 5.2 The Area is divided by Kwun Tong Road into two distinct portions. The land in the west was primarily formed by reclaiming Kowloon Bay and is one of the major employment centres in the main urban area. The area to the east of Kwun Tong Road is hilly and dominated by residential development, particularly public housing estates located at the foothills.

6. POPULATION

According to the 2006 Population By-Census, the population of the Area was about 149,404 persons. If the planned uses on the Plan are developed, the planned population of the area would be about 183,362 persons. The forecast increase in population is mainly due to the implementation of the proposed public housing developments including Lower Ngau Tau Kok Estate Redevelopment, Choi Tak Estate, Choi Fook Estate and Choi Ying Estate.

7 BUILDING HEIGHT RESTRICTIONS IN THE AREA

- 7.1 In taking forward the Study of Urban Design Guidelines for Hong Kong (2003), proposals for building height restrictions for the Kowloon Bay and Kwun Tong Business Areas have been prepared and put forward for public consultation between May and July 2004. The proposals were generally supported by the community as a means to preserve the views to the ridgelines and to enhance the urban environment. In February 2005, subsequent to the study of "Building Height Restrictions for Kwun Tong and Kowloon Bay Business Areas", building height restrictions for various zones in the Kowloon Bay Business Area (KBBA), i.e. the area mainly bounded by major roads of Kwun Tong By-pass, Kwun Tong Road, Kai Cheung Road and Shun Yip Street, were incorporated in the draft OZP No. S/K13/22.
- 7.2 In order to provide better planning control on the development intensity and building height upon development/redevelopment, to address public aspirations for greater certainty and transparency in the statutory planning system and to meet the growing community aspirations for a better living environment, the Kowloon OZPs are subject to revisions to incorporate appropriate building height restrictions to guide future development/ redevelopment. 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. In order to prevent excessively tall or out-of-context buildings, to preserve some key urban design attributes such as the public view to the ridgelines and to provide better control on the building heights of developments in the Area, building height restrictions are imposed for all development zones (outside KBBA) on the Plan.
- 7.3 The Area falls within the view fan of Quarry Bay Park vantage point and partly within the view fan of Hong Kong Convention and Exhibition Centre (HKCEC) New Wing vantage point. In main, the building height restrictions are to preserve the views to the ridgelines of Lion Rock, Tsz Wan Shan and Kowloon Peak, taking into account the Urban Design Guidelines, natural topography, local area context and characteristics, local wind environment, the existing building height profile, the building height of the developments in the adjoining planning areas as well as visual compatibility of building masses in the wider setting. There are ten building height bands including 15 metres above Principal Datum (mPD), 40mPD, 60mPD, 80mPD, 100mPD, 120mPD, 140mPD, 160mPD, 170mPD and 180mPD adopted for the "C", "R(A)", "R(B)", "G/IC(1)", "G/IC(3)" and "OU" zones.
- 7.4 The four height bands of 100mPD, 120mPD, 140mPD and 170mPD for the "C", "OU(Business)" and "OU(Commercial Uses with Public Transport Terminus)" zones in KBBA are to preserve a minimum of 20% building-free zone of Kowloon Ridgelines from Quarry Bay Park vantage point but allowing punctuation effect at the saddle of Sha Tin Pass and to preserve the distinguished backdrop of Kowloon Peak from HKCEC New Wing vantage point. These height limits would also help to create a discernible townscape, to accentuate a high-rise business node in the southern part of KBBA, to reinforce the business image of the area flanking along Kwun Tong Bypass and the future Kai Tak Development, and to avoid extreme height contrast with the adjacent

Telford Garden while allowing greater visual penetration to the Victoria Harbour from the inland area of Ngau Tau Kok. For the southern part of KBBA, a height limit of 100mPD is imposed to conform to the height profile of the Kwun Tong Business Area. The high-rise business cluster of 170mPD in KBBA steps down gradually to the medium-rise residential developments at its fringes including Kai Yip Estate, Richland Gardens and Telford Gardens, which are subject to varying height bands of 60mPD, 80mPD and 100mPD.

- 7.5 There is one local view corridor toward the Lion Rock in the Area from the view point at the pedestrian footbridge at Kwun Tong Road near Choi Ying Place. This view corridor opens up a mountainous vista of the Lion Rock in the far northwest via a belt of various "R(A)", "G/IC" and "Open Space" ("O") uses on both sides of Kwun Tong Road. In order to preserve the local view corridor, medium-rise developments/redevelopments are intended along both sides of the section of Kwun Tong Road from Ping Shek Estate to Choi Wan Road including Kai Yip Estate (maximum height bands of 80mPD and 100mPD), Kai Tai Court (a maximum height band of 100mPD), Ping Shek Estate (maximum height bands of 80mPD and 100mPD) and Kai Tak Mansion (a maximum building height of 110mPD).
- 7.6 The high-rise cluster of residential developments includes the proposed Lower Ngau Tau Kok Estate Redevelopment which is subject to maximum height bands of 100mPD, 120mPD and 140mPD, and the private housing developments along Ngau Tau Kok Road which are subject to a maximum building height of 120mPD. The former Lower Ngau Tau Kok Estate, which is in close proximity to the Mass Transit Railway (MTR) Kowloon Bay Station, will be redeveloped for a high-rise development with a Cross District Cultural Community Centre (CDCCC) and district open space. The proposed redevelopment, together with the Upper Ngau Tau Kok Estate (which falls within Kwun Tong South OZP), will form a high-rise residential cum civic node in the area and optimise the development potential by capitalising the good accessibility of the MTR Kowloon Bay Station.
- 7.7 Another high-rise cluster of residential developments can be found on the western platform of Jordan Valley, which is covered by "Planning and Engineering Feasibility Study for Development near Choi Wan Road and Jordan Valley" conducted by the Civil Engineering and Development Department in 1997 to examine the development potential of the area for residential and GIC purposes. The study recommended preservation of the visual amenity of the Jordan Valley ridgeline and development of high-rise residential buildings (40-storey) on the western platforms at 20mPD, 40mPD and 60mPD, forming a 3-tier height profile against the natural backdrop of the ridgeline. The residential developments on the western platform of Jordan Valley include the completed Choi Ying and Choi Ha Estates, and the proposed Choi Tak and Choi Fook Estates, which are subject to maximum height bands of 140mPD, 160mPD and 170mPD. The building height bands generally follow the gradually slope-up terrain of the cluster.
- 7.8 The eastern platform of Jordan Valley near the foothill of Kowloon Peak is currently occupied by Shun Lee Estate, Shun On Estate, Shun Tin Estate, Shun Chi Court and Shun Lee Disciplined Services Quarters. This area should be

kept as medium-rise developments with height limits at the level of New Clear Water Bay Road so as to maintain an open vista along the southern side of the Clear Water Bay Road, and preserve the public view and amenity of the area as far as possible.

- 7.9 Building height restrictions are also imposed for the “G/IC” and its sub-zones, “OU (Refuse Transfer Station (RTS))” and “OU (Petrol Filling Station (PFS))” zones in terms of mPD or number of storeys, which mainly reflect the existing building heights of the developments. Due regard has also been given to the nature of the existing facilities/uses on the sites, the existing development intensity and their respective as-built conditions, and the need to cater for the wide variety of their operational requirements and uses. Unless there are committed proposals for known developments or a need to meet the minimum height requirement, the existing “G/IC” and its sub-zones, “OU(RTS)” and “OU (PFS)” sites will broadly be kept to their existing heights to serve as spatial and visual relief to the densely built-up area.
- 7.10 In general, low-rise GIC 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 GIC facilities with specific functional requirements. However, for GIC developments falling within KBBA and other visually prominent locations and major breathing spaces where more stringent height controls are warranted, and higher 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.
- 7.11 Within the KBBA, building height restrictions of 15mPD, 40mPD and 60mPD are imposed on sites zoned “G/IC(1)”, so as to provide visual relief within a high-rise and high-density environment, to provide diversity of building heights, to avoid significant adverse visual impact to the adjoining residential developments, and for “G/IC(1)” sites in the south-eastern part of KBBA, to maintain visual access to the harbour from the inland area.
- 7.12 An Expert Evaluation (EE) on air ventilation assessment (AVA) has been undertaken to assess the existing wind environment and the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. The building height restrictions shown on the Plan have taken the findings of the AVA into consideration.
- 7.13 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 application for minor relaxation of building height restriction under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvement;
 - (b) accommodating the bonus plot ratio granted under the Buildings

Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;

- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air ventilation and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan; 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.

7.14 However, for existing buildings where the building height has already exceeded the maximum building height restrictions in terms of mPD and/or number of storeys as stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8. NON-BUILDING AREAS AND BUILDING GAPS

8.1 According to the findings of the AVA, the prevailing wind of the Area comes from the north-easterlies, easterlies and south-easterlies, while the summer winds are mainly easterlies, south-easterlies, southerlies and south-westerlies. The KBBA includes some open spaces and "G/IC" sites whilst the Ngau Tau Kok Valley comprises vast open spaces and green belts, all serve as air ventilation pockets. The Ngau Tau Kok area is adjacent to Kowloon Peak in the north and Tan Shan to the east thus enjoys downhill valley wind towards the lowland adjoining the Victoria Harbour.

8.2 For KBBA, Kai Cheung Road is a main east-west breezeway in the area. Wang Tai Road/Lam Wah Street and Sheung Yuet Road leading from Telford Gardens also form major breezeways bringing wind from the east to the west. The main north-south breezeways in the area include Wang Kwong Road, Wang Chiu Road, Wang Tai Road, Wang Hoi Road, Wai Yip Street, the linear "O" zone extending from Kai Cheung Road in the north to Wang Yuen Street in the south. For Ngau Tau Kok area/Jordan Valley area, the main east-west breezeways are New Clear Water Bay Road and Sau Mau Ping Road whereas the main north-south breezeways are Kwun Tong Road and Ngau Tau Kok Road. There are also southwest-northeast breezeways which include the Jordan Valley, Ngau Tau Kok Road, Lee On Road, Shun Chi Street and Shun Lee Tsuen Road. Southeast-northwest breezeways include Ngau Tau Kok Road, Choi Ha Road and Shun On Road.

8.3 The existing open areas in the form of green belts, open space, patches of green slopes and low-rise GIC developments, which are important ventilation pockets in the Area, should be maintained to allow wind penetration. As KBBA is the

gateway to sea breeze, it is essential that the “G/IC” and “OU” sites at the waterfront should be maintained as low-rise, i.e. 40mPD or below, to allow permeability of sea breeze to KBBA.

- 8.4 KBBA is currently occupied by low-rise to medium-rise industrial and industrial-office buildings with narrow roads. The business area is planned for middle-rise to high-rise commercial and industrial buildings (120mPD to 170mPD). Given the maximum building height and the width of the blocks, the negative impact on air ventilation cannot be mitigated unless effective road spacing (measured from building facade-to-facade) is increased from 10m-25m to 30m or beyond. The AVA Study recommends that the urban linear parks and open space should be maintained as well as practical setbacks from the roads and building gaps should be introduced within KBBA, which can improve the permeability of sea breeze towards Kowloon Bay and the overall air ventilation in KBBA.
- 8.5 As for large-scale medium-rise/high-rise residential developments at the fringes of KBBA and within Ngau Tau Kok/Jordan Valley area, which is a hilly area, there are no significant negative air ventilation impacts due to the abundant provision of open space, green belt and/or low-rise GIC developments in the vicinity. Nevertheless, the layout and disposition of building blocks of the existing/proposed residential developments on certain sites may have some negative impacts on the local air ventilation.
- 8.6 Taking into account the findings of the AVA Study, the following mitigation measures including non-building areas (NBAs) and building gaps have been incorporated into the Plan:

NBAs and building gaps in areas within KBBA

- (a) A 5m-wide NBA is designated from the lot boundary of the “OU(Business)” zone abutting the eastern side of Wang Mau Street, i.e. Yip On Factory Estate (which is an old Government factory building) so as to extend the breezeway of the linear open space from Kai Cheung Road southward to Sheung Yee Road upon redevelopment of the lot. This NBA helps to improve the air ventilation in KBBA.
- (b) A minimum of 3m-wide NBA is designated from the lot boundaries within the “G/IC(1)”, “O”, “OU(Business)” and “OU(RTS)” zones abutting both sides of Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road). These NBAs, upon development/redevelopment of the lots, could help improve the effectiveness of the two roads functioning as major breezeways as well as create a pleasant pedestrian environment by allowing street planting on wider pavement in KBBA.
- (c) A 15m-wide strip of NBA is designated at the southern boundary of the “G/IC(1)” site for a proposed International Mail Centre at Wang Chin Street. The site is currently a vacant Government land and the NBA will serve as an extension of Lam Wah Street to funnel easterlies and sea breeze in KBBA.

- (d) Three strips of land within the “C”, “OU(Business)” and “OU(Commercial Uses with Public Transport Terminus)” zones from Lam Hing Street to Sheung Yuet Road with widths of 15m and 16m, taking into account the variation of lot boundaries, are demarcated as building gaps where no building shall exceed a maximum building height of 22mPD (the height of the existing bus depot). This building gap, upon development/redevelopment of the lots, helps to extend the breezeway of Sheung Yee Road and improve wind permeability in KBBA.
- (e) A 15m-wide strip of land within the “OU(Business)2” sub-zone from Lam Fung Street to Sheung Yee Road is demarcated as a building gap where no building shall exceed a maximum building height of 22mPD (which tallies with the building height of other building gaps in KBBA). This building gap, upon redevelopment of the lot, would help to open up the wind corridor for the incoming sea breeze in the south, which permeates to other parts of KBBA.

NBAs and building gaps in areas outside KBBA

- (f) The existing north-eastern vegetated slopes within the “R(A)” zone of Ping Shek Estate is designated as a NBA in order to maintain the existing vegetated slopes, together with the adjacent “Green Belt” (“GB”) zone and Ping Shek Playground, as a green and air ventilation pocket in the area.
- (g) The existing slopes at the eastern periphery of the “R(B)” zone of Shun Chi Court is designated as a NBA to preserve the vegetated slopes as an extension of the “GB” zone and as an air ventilation pocket.
- (h) Two 10m-wide NBAs are designated along the north-eastern and south-eastern lot boundaries of the “R(A)” zone of Kai Tak Mansion, which are currently occupied by retaining wall and vehicular access. A 20m-wide strip of land is also demarcated in the middle part of the site as a building gap where no building shall exceed a maximum building height of 15mPD. These NBAs and building gap help to encourage downdraft to reach the ground level and improve permeability of prevailing winds in the area upon future redevelopment of the site.
- (i) Three strips of lands are demarcated as building gaps within “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)” zone of Telford Gardens. Two 22m-wide building gaps, running in east-west direction where no building shall exceed a maximum building height of 22mPD, could serve as wind corridors connecting air paths of Wang Tai Road and Sheung Yuet Road to Kwun Tong Road. Another 15m-wide building gap runs in north-south direction from Kai Cheung Road to Tai Yip Street where no building shall exceed a maximum building height of 22mPD. The building height of 22mPD is the height of the existing MTR depot. These building gaps are to be provided upon future redevelopment of Telford Gardens.

- 8.7 The above NBAs and building gaps should be incorporated upon development and redevelopment of the sites. As the designation of NBAs is primarily for the purpose of above ground air ventilation, the NBA requirements will not apply to underground developments. Moreover, minor relaxation clause has been incorporated in the Notes of the relevant zones to allow minor relaxation of the NBA and building gap restrictions as shown on the Plan or stipulated in the Notes of the Plan under exceptional circumstances.
- 8.8 In general, future developments/redevelopments where podia are allowed are encouraged to provide setback from site boundary, recess the lower floors from key wind corridors, delineate NBAs, and adopt suitable building design measures to minimize any possible adverse impacts, which include small-scale and permeable podium, wider building gaps, and aligning podium edge to the building edge in order to create downwash to reach pedestrian level.
- 8.9 In addition, the AVA Study recommends layouts for building disposition in major private and public housing and commercial developments of KBBA in the Area for future redevelopment of the sites. The general principles for the building disposition are to reduce obstruction to prevailing winds and maximize open courtyard within the estates as well as open up the wind corridors in KBBA in order to improve air ventilation and permeability in the Area. Reference should be made to the layouts for the building disposition of specific sites recommended in the AVA Study.
- 8.10 For specific sites including the public housing developments of Ping Shek Estate, Choi Tak Estate and Lower Ngau Tau Kok Estate, where large-scale development or redevelopment may be possible, detailed AVAs on a site-by-site basis should be undertaken and addressed in the planning briefs upon redevelopment of these estates.

9. LAND USE ZONINGS

9.1 "Commercial" ("C") - Total Area 2.42 ha

- 9.1.1 This zone is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place.
- 9.1.2 A number of sites at suitable locations in Kowloon Bay have been zoned for this purpose. Within the developments, a range of commercial facilities such as banks, offices, restaurants, fast food shops and retail shops can be provided. Some developments will also incorporate multi-storey car parks for vehicles visiting the Kowloon Bay area.
- 9.1.3 A maximum plot ratio of 12.0 is imposed on the commercial sites so as not to aggravate the existing traffic problems in the Area. In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratio may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.

- 9.1.4 Developments and redevelopments within the "C" zone are subject to maximum building heights from 120mPD to 170mPD as stipulated on the Plan. A 16m-wide building gap, where no building shall exceed a maximum building height of 22mPD, taking into account the lot boundary, is designated on the western boundary of the "C" site to the east of Lam Wah Street Playground to improve air ventilation of the area.
- 9.1.5 To provide design/architectural flexibility, minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.13 and 7.14 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 9.1.6 However, for any existing building with plot ratio already exceeding the plot ratio restriction as stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.1.7 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of building gap restriction may be considered by the Board on application under section 16 of the Ordinance.

9.2 "Residential (Group A)" ("R(A)") - Total Area 62.2235ha

- 9.2.1 This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 9.2.2 Existing public rental housing estates including Kai Yip Estate, Ping Shek Estate, Shun Lee Estate, Shun On Estate, Shun Tin Estate, Choi Ha Estate and Choi Ying Estate are within this zone. They are covered by six height bands of 80mPD, 100mPD, 140mPD, 160mPD, 170mPD and 180mPD. For Ping Shek Estate, a maximum building height of 80mPD is imposed for the western part of the estate, stepping up to 100mPD in the eastern part of the estate. Kai Yip Estate is subject to height bands of 80mPD in the north and 100mPD in the south whereas Choi Ha Estate is subject to a height band of 140mPD. For the housing estates at the foothill of the Kowloon Peak near Clear Water Bay Road, Shun Lee Estate is subject to height limits of 170mPD and 180mPD, whereas Shun Tin Estate is 160mPD and 170mPD and Shun On Estate is 180mPD. The green slopes at the north-eastern portion of Ping Shek Estate are designated as NBA to maintain air ventilation in the area.
- 9.2.3 There are three proposed public housing developments in Ngau Tau Kok area. Two sites along the platforms leading from Choi Wan Road, i.e. Choi Tak and Choi Fook Estates, are under construction. Choi Tak

Estate is subject to building height limits of 160mPD and 170mPD whereas Choi Fook Estate is 170mPD. Another site is Lower Ngau Tau Kok Estate Redevelopment subject to three height bands of 100mPD, 120mPD and 140mPD.

- 9.2.4 Within large housing developments, there is a wide range of low-rise free-standing GIC facilities including schools, community halls, children and youth centres, elderly centres, social and welfare centres as well as ancillary facility buildings such as car park, shopping centres and markets serving the residents of the estates. Such low-rise free-standing GIC and ancillary facility buildings should be kept as breathing spaces and visual relief to the building masses. No new addition, alteration and/or modification to or redevelopment of these existing individual free-standing GIC and ancillary facility buildings shall result in a total development and/or redevelopment in excess of the height of the existing building. All public housing estates are governed by planning briefs. The layout and design of these GIC and ancillary facility buildings should be comprehensively reviewed with the support of relevant impact assessments on air ventilation and visual aspects upon future redevelopment of the estates.
- 9.2.5 Existing Private Sector Participation Scheme development of Richland Gardens and Home Ownership Scheme (HOS) development of Kai Tai Court are subject to a height band of 100mPD. As for existing private residential developments abutting Ngau Tau Kok Road including Amoy Gardens, Tak Bo Garden as well as those in their vicinity, a height band of 120mPD is imposed.
- 9.2.6 In regard to the existing low-rise residential development of Kai Tak Mansion, a maximum building height of 110mPD is imposed for the site. Two 10m-wide NBAs along the north-eastern and south-eastern lot boundaries are designated and a 20m-wide strip of land in the middle of the lot is also demarcated as a building gap where no building shall exceed a maximum building height of 15mPD. These measures are to encourage the prevailing winds to permeate, to minimize adverse air ventilation impact on the surrounding low-rise buildings, to reduce possible wall effect on its neighbourhood in particular the Grade 1 historical building and the nearby school as well as to partially open up the view of the Grade 1 historical building at its back to the public at street level.
- 9.2.7 In the consideration of the overall transport, environmental and infrastructural constraints, as well as the adequacy in the provision of community facilities envisioned in the Kowloon Density Study Review, completed in early 2002, developments or redevelopments within this zone are subject to specific control on plot 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 gross floor areas (GFAs) for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are used solely for

accommodating school or other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.

- 9.2.8 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 9.2.9 For large housing development sites, it is necessary to provide varying building height profile within the same building height band to avoid wall effect of buildings, add variation to the sites and improve the air ventilation at street level.
- 9.2.10 To provide design/architectural flexibility, minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.13 and 7.14 above would be relevant for the assessment of minor relaxation of building height restriction. Each application will be considered on its own merits.
- 9.2.11 However, for any existing building with plot ratio already exceeding the plot ratio restriction as stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.2.12 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA and building gap restrictions may be considered by the Board on application under section 16 of the Ordinance.

9.3 "Residential (Group B)" ("R(B)") - Total Area 4.74 ha

- 9.3.1 This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.3.2 Shun Chi Court, a HOS, is the only site zoned for this purpose. This zone is intended for medium-density residential development. Under this zoning, commercial uses are prohibited unless otherwise approved by the Board under the planning permission system. Developments within this zone are subject to a maximum GFA of 89,800m². It is also subject to a maximum building height of 170mPD so as to maintain an open vista along the southern side of New Clear Water Bay Road, and preserve the public view and amenities of the area.
- 9.3.3 The existing green slopes along the eastern boundary of Shun Chi Court are designated as NBA to maintain air ventilation in the area.

9.3.4 To provide design/architectural flexibility, minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.13 and 7.14 above would be relevant for the assessment of minor relaxation of building height restriction. Each application will be considered on its own merits.

9.3.5 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA restriction may be considered by the Board on application under section 16 of the Ordinance.

9.4 "Government, Institution or Community" ("G/IC") - Total Area 50.86ha

9.4.1 This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. These low-rise and low-density GIC developments should serve as spatial and visual relief within the high-rise densely built-up urban area.

9.4.2 Major existing developments in this zone, which are mainly located in Ngau Tau Kok/Jordan Valley area, are subject to maximum building height in terms of number of storeys varying from one storey to nine storeys (excluding basement floor(s)). They include a number of primary and secondary schools, a special school, Jordan Valley Leisure Pool Complex, Shun Lee Tsuen Sports Centre cum Shun Lee Tsuen Park, a fire station, service reservoirs, electricity substations (ESS), and a MTR vent shaft to the northeast of Ping Shek Estate. Sam Shan Kwok Wong Temple to the south of Ping Shek Estate, which is a one-storey Grade 3 historical building, is also zoned "G/IC". In addition, sites are reserved along Choi Wan Road/Choi Hing Road and Jordan Valley for the provision of a number of primary and secondary schools, and a special school to meet educational need of the district, as well as a service reservoir, a salt water pumping station, an ESS, a social welfare facility and an indoor recreation centre to serve both the new developments and the wider district.

9.4.3 "G/IC(1)" sites are mainly located within KBBA subject to three height bands of 15mPD, 40mPD and 60mPD. The existing and planned utility facilities include ESS, PFS, a proposed latrine and refuse collection point at Wang Chin Street are subject to a building height band of 15mPD. Major existing "G/IC(1)" developments, which are subject to a building height band of 40mPD, include educational facilities of four primary schools, one secondary school, one pre-vocational school near Kai Yip Estate and Richland Gardens and three training centres for construction and clothing industries at Tai Yip Street; Government facilities of Hong Kong Auxiliary Police Force Headquarters at the junction of Wang Chiu Road and Kai Cheung Road, Kowloon Bay Fire Station at Kai Cheung Road, Ngau Tau Kok Sub-divisional Police

Station and Ambulance Depot located along Siu Yip Street, the Motor Vehicle Inspection Centres at the junction of Cheung Yip Street and Hoi Bun Road; and utility facilities of an ESS cum pump house along Wang Kwong Road and a telephone exchange at Siu Yip Street.

- 9.4.4 Existing developments of Kowloon Bay Health Centre and Nursing Home at Kai Yan Road, Hong Kong University Space Community College at Wang Hoi Road and Water Supplies Department Kowloon Bay Office at Wai Yip Street, are also zoned "G/IC(1)" subject to a height band of 60mPD.
- 9.4.5 Major planned developments zoned "G/IC(1)" with a building height of 40mPD include the proposed international school at the junction of Wang Kwong Road and Kai Cheung Road, a proposed police vehicle pound at the junction of Wang Chiu Road and Sheung Yee Road, the proposed International Mail Centre at Wang Kee Street, the proposed religious institution at the junction of Wang Kwong Road and Kai Wah Street, and the proposed Cross District Community Cultural Centre at the northern part of the former Lower Ngau Tau Kok Estate site. A 15m-wide NBA is designated at the southern boundary of the proposed International Mail Centre so as to funnel easterlies sea breeze to the KBBA.
- 9.4.6 A minimum of 3m-wide NBA(s) from the lot boundaries zoned "G/IC(1)" abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road to Kai Fuk Road) shall be provided.
- 9.4.7 Two sites are zoned "G/IC(2)". One of the sites is ex-Royal Air Force (RAF) Officers' Quarters Compound located at the southeast of Ping Shek Estate, within which there are two Grade 1 historical buildings, namely RAF Officers Mess and an Annex Block. The site is currently occupied by the Academy of Visual Arts of Hong Kong Baptist University and is subject to height limits of 1 to 2 storeys. Another site is located to the north of Kai Yip Estate along Kwun Tong Road, in which the Grade 1 Headquarters Building of ex-RAF is located within the site. The site is now being occupied by the Caritas Family Crisis Support Centre and is subject to a height limit of 2 storeys. In order to preserve the historical buildings in-situ, any addition, alteration and/or modification to (except those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) the existing historical buildings requires planning permission from the Board. No demolition or redevelopment of the existing historical buildings is allowed.
- 9.4.8 Cheerful Court, which is a senior citizen residence located at Choi Ha Road, is zoned "G/IC(3)". Development/redevelopment within this zone is subject to a maximum GFA of 16,500m² for domestic use and 4,125m² for non-domestic use, and a maximum building height of 100mPD to reflect the completed development.

9.4.9 This zoning also covers some of the existing schools, adjacent ball courts, local open space and refuse collection point within public housing estates, which are common facilities shared by the schools and residents of the estates.

9.4.10 Minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.13 and 7.14 above would be relevant for the assessment of minor relaxation of building height restriction. Each application will be considered on its own merits.

9.4.11 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.

9.5 "Open Space" ("O") - Total Area 52.2815 ha

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

9.5.2 Major existing open space include Ping Shek Recreation Ground, Kowloon Bay Recreation Ground, Kowloon Bay Sports Ground, Jordan Valley Recreation Ground, Jordan Valley Park and various parks and sitting-out areas in Ngau Tak Kok Area and KBBA.

9.5.3 There are a number of sites reserved in KBBA for open spaces. In particular, a large site has been reserved for the development of the proposed Kai Tak Recreation Ground, which is a district open space, at Wang Chiu Road to the north of Richland Gardens. Several sites including two near the junction of Sheung Yee Road and Lam Fung Street, one to the north of Wang Tai Road, and one to the north of Wang Mau Street have also been reserved for local open spaces. In relation to the proposed housing developments near Choi Wan Road and Jordan Valley, two sites to the east and the west of Choi Ha Estate *have been are-being-developed for open space of the Choi Hei Road Park and the Choi Wing Road Park respectively* while a site at the junction of Choi Wan Road and Kwun Tong Road is reserved for open space purpose. A site to the north of Lower Ngau Tau Kok Estate Redevelopment is also reserved for district open space.

9.5.4 Local open spaces are provided within the public housing estates, HOS developments, private comprehensive residential developments and Kowloon Bay area to serve the residents and working population in the Area.

9.5.5 A minimum of 3m-wide NBA(s) from the lot boundaries abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided.

- 9.5.6 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.

9.6 "Other Specified Uses" ("OU") - Total Area 44.083 ha

- 9.6.1 This zoning covers land allocated for specific uses which include Business, Railway, Mass Transit Railway Depot with Commercial and Residential Development Above, Commercial Uses with Public Transport Terminus, Commercial/Residential Development with Car Park and Public Transport Interchange, Refuse Transfer Station, Petrol Filling Station and Open Lorry Park.
- 9.6.2 About 22.06 ha of land is zoned "OU(Business)". 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 (I-O) buildings. To allow provision of vehicle repair workshop at a site at Sheung Yee Road and Wang Tai Road, the site is zoned "OU(Business)1", with 'Vehicle Repair Workshop' as a use always permitted for industrial or industrial-office building, and as a use that requires planning permission for open-air development or for building other than industrial or industrial-office building.
- 9.6.3 As it is not possible to phase out existing polluting and hazardous industrial uses all at once on lands zoned "OU(Business)", it is necessary to ensure compatibility of the uses within the same industrial or I-O building and in the Kowloon Bay area until the whole 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 may also be required. Development within the "OU(Business)", "OU(Business)1" and "OU(Business)2" zones are subject to a maximum plot ratio of 12.0 and maximum building heights ranging from 100mPD to 170mPD. Reference should also be made to the relevant Town Planning Board Guidelines. To improve air ventilation of KBBA, a minimum of 3m-wide NBA(s) from the lot boundaries of the "OU(Business)" zones abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided. A 5m-wide NBA from the lot boundary of the "OU(Business)" zone abutting the eastern side of Wang Mau Street is designated. In addition, a 15m-wide building gap (where no building shall exceed the maximum building height of 22mPD) is demarcated within the "OU(Business)" zone from Lam Hing Street to Lam Wah Street. Another 15m-wide building gap (where no building shall exceed the maximum building height of 22mPD) within the "OU(Business)2" zone from Lam Fung Street to Sheung Yee Road is demarcated.

- 9.6.4 The “OU(Business)2” site is currently situated on the waterfront and the existing development presents an obstacle to the air permeability to KBBA. As such, a 15m-wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap where no building shall exceed the maximum building height of 22mPD in order to open up the wind corridor for the oncoming sea breeze in the south, which permeates to other parts of KBBA upon redevelopment of the site. Alternatively, an applicant shall submit an application to the Board supported by an AVA together with a layout plan for approval under section 16 of the Ordinance. The application shall be supported by the findings and recommendations of the AVA which demonstrates that the alternative measures provide comparable or better wind performance to the Area than the 15m-wide building gap.
- 9.6.5 A site at the junction of Sheung Yuet Road and Wang Kwun Road is zoned “OU(Commercial Uses with Public Transport Terminus)”. The site has been developed as a public transport terminus with commercial uses above. In order to restrain traffic growth which will otherwise overload the existing and planned transport network, developments within this zone are subject to a maximum plot ratio of 12.0 and a maximum building height of 140mPD. A public transport terminus comprising three bus bays and one green minibus bay shall be provided within the zone. A 15m-wide building gap, where no building shall exceed the maximum building height of 22mPD, is demarcated on the western boundary of the zone from Lam Lok Street to Sheung Yuet Road to improve air ventilation of the area.
- 9.6.6 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 9.6.7 A site bounded by Wang Chiu Road, Sheung Yee Road, Cheung Yip Street and Kai Fuk Road Flyover is zoned “OU(RTS)”. This zone is intended primarily to provide land for the development of a refuse transfer station to facilitate transfer of refuse to the landfill sites in the New Territories, as there is a shortage of landfill sites in the main urban area. The site is subject to a maximum building height of 40mPD and a minimum of 3m-wide NBA from the lot boundary abutting Wang Chiu Road shall be provided.
- 9.6.8 Two sites zoned “OU(PFS)” at Kai Fuk Road are intended primarily for the provision of petrol filling stations serving the needs of the local residents as well as the general public. Both sites are subject to a maximum building height of 15mPD.
- 9.6.9 The open-air railway, MTR Kowloon Bay Station and associated facilities are zoned “OU(Railway)”. Within this zone, a building height restriction of 3 storeys is imposed for the Kowloon Bay MTR Station along Kwun Tong Road, and 1 to 2 storeys as shown on the Plan for the

associated facilities such as warehouses, a control tower and a pumping house. No new development except one-storey structure ancillary to the railway and the MTR Station shall be permitted.

- 9.6.10 The comprehensive development at the Kowloon Bay MTR Depot is zoned "OU(Mass Transit Railway Depot with Commercial and Residential Development Above)". This zone is intended primarily for the provision of land for MTR depot together with commercial and residential development above. The development comprises the MTR depot, the MTR administration offices and a large commercial/residential development known as Telford Gardens. Apart from office and shopping facilities, a wide range of community facilities including a recreational club and a cinema are provided to cater for the needs of the residents. The Telford Annex of the City University of Hong Kong is also accommodated within the development. Developments and redevelopments within this zone are subject to a maximum GFA of 278,703m² for domestic use and 177,031m² for non-domestic use, and maximum building heights of 60mPD and 100mPD. A public transport terminus shall be provided within this zone. Three building gaps shall be provided within the zone upon redevelopment in order to improve air ventilation in the area. Two 22m-wide building gaps run parallel to Wang Tai Road and Sheung Yuet Road in east-west direction, and one 15m-wide building gap runs parallel to Tai Yip Street in north-south direction are demarcated, on which no building shall exceed a maximum building height of 22mPD.
- 9.6.11 A site located to the northeast of Ping Shek Estate along New Clear Water Bay is zoned "OU(Commercial/Residential Development with Public Car Park and Public Transport Interchange)". The site is occupied by a residential development with commercial uses, public transport interchange and 'park-and-ride' facility in the podium serving the wider district. It is subject to a maximum GFA of 19,138m² for domestic use and 13,366m² for non-domestic use, and a maximum building height of 180mPD. A public car park with 450 parking spaces and a public transport interchange comprising four bus bays, three public light bus and taxi bays and one general vehicle layby shall be provided within the zone. Minor relaxation of the number of parking spaces may be considered by the Board on application under section 16 of the Ordinance.
- 9.6.12 A strip of land spanning over Sheung Yee Road and Kai Fuk Road is zoned "OU(Landscaped Elevated Walkway)". This zone is primarily intended for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting the pedestrian walkway system in KBBA with Kai Tak area.
- 9.6.13 The open lorry park at Lee On Road is zoned "OU(Open Lorry Park)", intended primarily to provide land for the development of an open-air lorry park. No building structure except one-storey structure ancillary to the open-air lorry park shall be erected within the site.

9.6.14 Minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.13 and 7.14 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.

9.6.15 However, for any existing building with plot ratio/GFA already exceeding the relevant restrictions as stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

9.6.16 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA and building gap restrictions may be considered by the Board on application under section 16 of the Ordinance.

9.7 "Green Belt" ("GB") - Total Area 52.64 ha

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

9.7.2 This zoning covers mainly steep hillslopes at the eastern periphery, the slopes created in connection with the formation of development platforms for the proposed housing development near Choi Wan Road and Jordan Valley as well as the hillslopes in the eastern part of Jordan Valley. It includes strips of land near Tak Bo Garden and Ping Shek Playground and they are densely vegetated. Hillslopes near Choi Wing Road are also within this zone. These slopes are not suitable for urban type development and will be retained in their natural state. Passive recreational uses may however be possible at certain locations. Development within this zone will be carefully controlled and development proposals will be assessed on individual merits taking into account the relevant Town Planning Board Guidelines.

10. COMMUNICATIONS

10.1 Roads

10.1.1 The Area is linked with other districts mainly by Kwun Tong Road, which is a primary distributor road connecting the Area with Kwun Tong and Cha Kwo Ling to the south and Wong Tai Sin to the north. New Clear Water Bay Road and Clear Water Bay Road run along the northern boundary, connecting the Area with Sai Kung to the east and other parts of Kowloon to the west.

10.1.2 Kwun Tong By-pass runs along the Kowloon Bay area connecting to the Tate's Cairn Tunnel in Diamond Hill, the Eastern Harbour Crossing in

Cha Kwo Ling and Tseung Kwan O Tunnel near Lam Tin.

10.1.3 The district distributor road network in the Area consists of Lee On Road, Ngau Tau Kok Road, Wai Yip Street, Wang Chiu Road and Wang Kwong Road. There are many local roads within the Kowloon Bay area. In connection with the proposed development near Choi Wan Road and Jordan Valley, both the existing Choi Wan Road and Choi Shek Lane are required to be extended to serve the new development while the elevated portion of Choi Ha Road linking the new development to the northbound of Kwun Tong Road provides an alternative link to the existing primary distributor.

10.2 Mass Transit Railway

The Area is well served by the MTR system. Kowloon Bay MTR Station is located at the centre of the Area.

10.3 Public Transport

Apart from the MTR, the Area is served by various modes of public transport including bus and public light bus. A number of existing and planned bus termini are conveniently located to serve the residential and working population in the Area.

11. UTILITY SERVICES

The Area is well served with water supply, drainage, and sewerage systems as well as electricity, gas and telephone services. New water supply facilities namely the Choi Wan Road Fresh Water Service Reservoir and Salt Water Service Reservoir are being implemented to serve the proposed development near Choi Wan Road and Jordan Valley. Some sewerage upgrading works are required in the Area in order to cope with the future development.

12. CULTURAL HERITAGE

The Grade 1 historical buildings of ex-RAF Headquarters Building to the north of Kai Yip Estate, and the ex-RAF Officers' Quarters Compound to the southeast of Ping Shek Estate, which are zoned "G/IC(2)", should be preserved in-situ. Moreover, the Grade 3 historical building of Sam Shan Kwok Wong Temple adjoining Ping Shek Estate, is also worthwhile to be preserved. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department is required for any development, redevelopment or rezoning proposals which may affect these historical buildings and their surrounding 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 Government departments. 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 the client departments and the works departments, such as the Architectural Services Department and the Highways Department. In the course of implementation of the Plan, the Kwun Tong 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 consideration of the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans and guidelines published by the Board. The outline development plans and layout 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.

TOWN PLANNING BOARD

~~NOVEMBER 2010~~ OCTOBER 2011



圖例
NOTATION

ZONES

COMMERCIAL	C	商業
RESIDENTIAL (GROUP A)	RA(A)	住宅 (甲類)
RESIDENTIAL (GROUP B)	RB(B)	住宅 (乙類)
GOVERNMENT, INSTITUTION OR COMMUNITY	GC(C)	政府、機構或社區
OPEN SPACE	O	休憩用地
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶

COMMUNICATIONS

RAILWAY AND STATION (UNDERGROUND)		鐵路及車站 (地下)
RAILWAY AND STATION (ELEVATED)		鐵路及車站 (高架)
MAJOR ROAD AND JUNCTION		主要道路及路口
ELEVATED ROAD		高架道路

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME		規劃區界線
BUILDING HEIGHT CONTROL ZONE BOUNDARY		建築物高度管制區界線
MAXIMUM BUILDING HEIGHT (IN METRES ABOVE PRINCIPAL DATUM)		最高樓宇高度 (在主水平基準上之高度)
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)		最高樓宇高度 (層數)
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 公頃 HECTARES	%	百分比	用途
COMMERCIAL	2.42	0.71		商業
RESIDENTIAL (GROUP A)	12.25	18.27		住宅 (甲類)
RESIDENTIAL (GROUP B)	4.74	1.39		住宅 (乙類)
GOVERNMENT, INSTITUTION OR COMMUNITY	50.00	14.50		政府、機構或社區
OPEN SPACE	52.19	16.28		休憩用地
OTHER SPECIFIED USES	44.23	12.90		其他指定用途
GREEN BELT	52.84	15.43		綠化地帶
MAJOR ROAD ETC.	72.07	21.12		主要道路等
TOTAL PLANNING SCHEME AREA	341.26	100.00		規劃區總面積

夾附的《註釋》屬這份圖則的一部分，
現經修訂並按《城市規劃條例》第5條展示。
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
AND HAVE BEEN AMENDED FOR EXHIBITION UNDER
SECTION 5 OF THE TOWN PLANNING ORDINANCE

核准圖則號 S/K 13/2/5 的修訂
AMENDMENTS TO APPROVED PLAN No. S/K13/2/5

按《城市規劃條例》第5條展示的修訂
AMENDMENTS EXHIBITED UNDER SECTION 5 OF THE TOWN PLANNING ORDINANCE

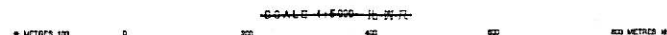
修訂項目 A AMENDMENT ITEM A	修訂項目 E 1, E 3 項 AMENDMENT ITEMS E1, E3	修訂項目 F 1, F 2, F 3 項 AMENDMENT ITEMS F1, F2, F3
修訂項目 B 1, D 2, B 3, B 4, D 5 項 AMENDMENT ITEMS B1, D2, B3, B4, D5	修訂項目 E 2, E 5 項 AMENDMENT ITEMS E2, E5	修訂項目 G 1, G 2 項 AMENDMENT ITEMS G1, G2
修訂項目 C 1, C 2, C 3, C 4 項 AMENDMENT ITEMS C1, C2, C3, C4	修訂項目 E 4 項 AMENDMENT ITEM E4	
修訂項目 D 1, D 2, D 3, D 4, D 5, D 6 項 AMENDMENT ITEMS D1, D2, D3, D4, D5, D6	修訂項目 F 1, F 2, F 3 項 AMENDMENT ITEMS F1, F2, F3	

(參看附表)
(SEE ATTACHED SCHEDULE)

2010年11月19日 按照《城市規劃條例》第5條展示的修訂圖則號 S/K13/2/5 的修訂
AMENDMENTS TO APPROVED PLAN No. S/K13/2/5 EXHIBITED UNDER SECTION 5 OF THE TOWN PLANNING ORDINANCE ON 19 NOVEMBER 2010

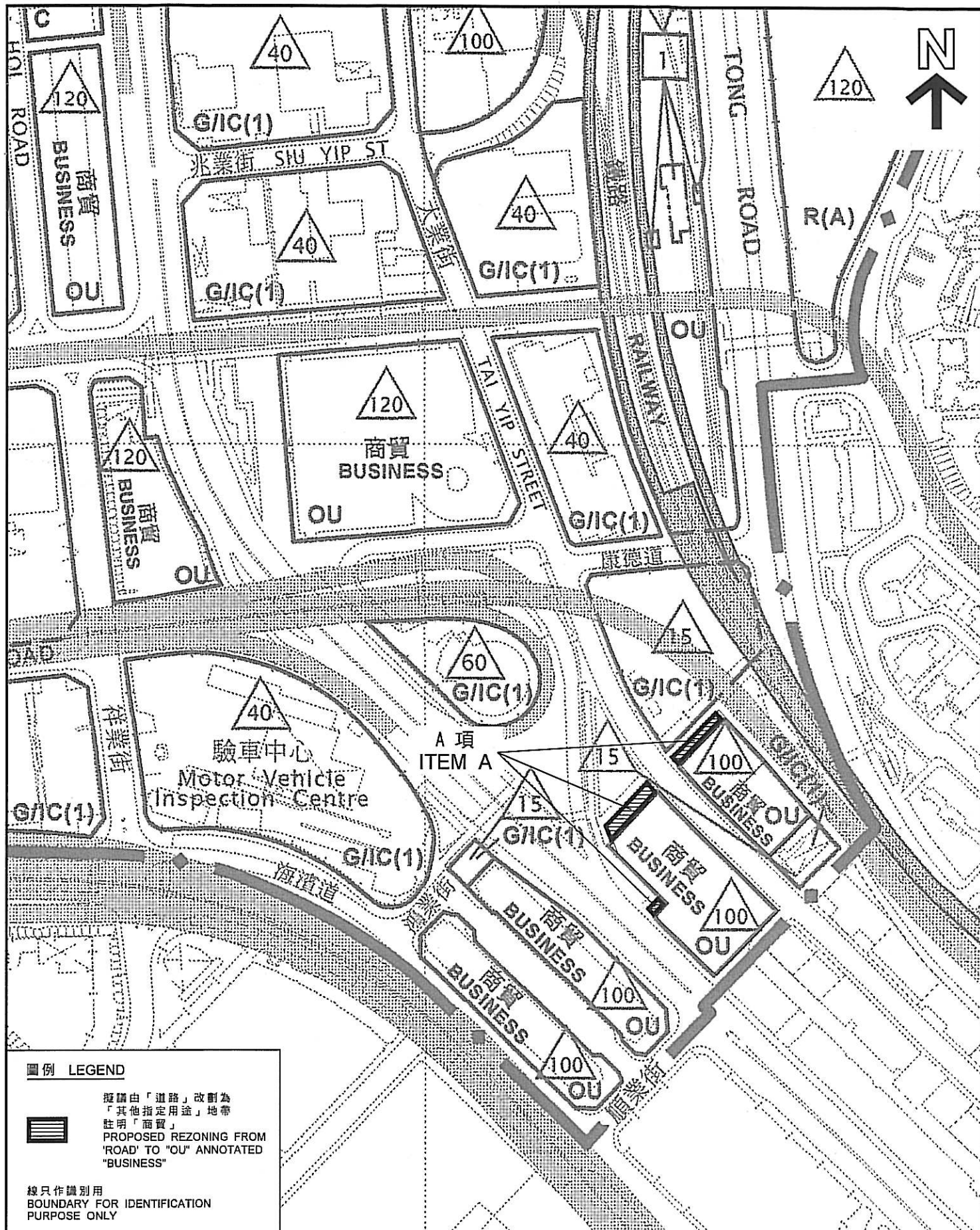
S. LAU 劉卓 秘書
SECRETARY 城市規劃委員會秘書
TOWN PLANNING BOARD

香港城市規劃委員會依據城市規劃條例擬備的牛頭角及九龍灣（九龍規劃區第13及17區）分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KOWLOON PLANNING AREAS No. 13 & 17 - NGAU TAU KOK & KOWLOON BAY - OUTLINE ZONING PLAN



按《城市規劃條例》第5條展示的修訂圖則號 S/K13/2/5 的修訂
PREPARED BY THE PLANNING DEPARTMENT UNDER THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/K13/2/5



位置圖 LOCATION PLAN

本摘要圖於2011年8月31日擬備，
所根據的資料為於2010年11月19日
展示的分區計劃大綱圖編號 S/K13/26
EXTRACT PLAN PREPARED ON 31.8.2011
BASED ON OUTLINE ZONING PLAN No.
S/K13/26 EXHIBITED ON 19.11.2010

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

米 METRES 50 0 50 100 METRES
SCALE 1:2 500 比例尺

規劃署
PLANNING
DEPARTMENT

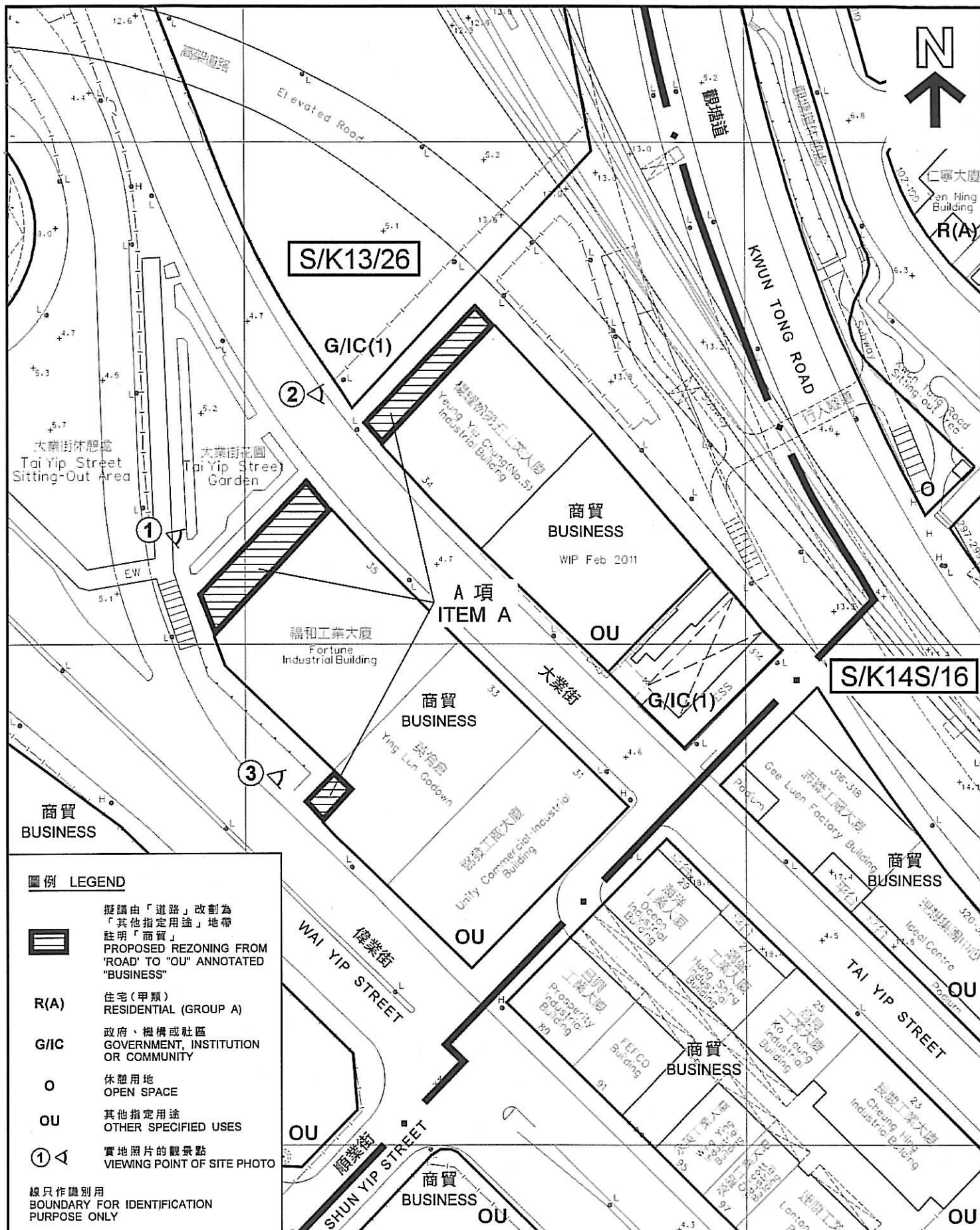


參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

2



平面圖 SITE PLAN

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

米 METRES 20 0 20 40 METRES
SCALE 1:1 000 比例尺

規劃署
PLANNING
DEPARTMENT



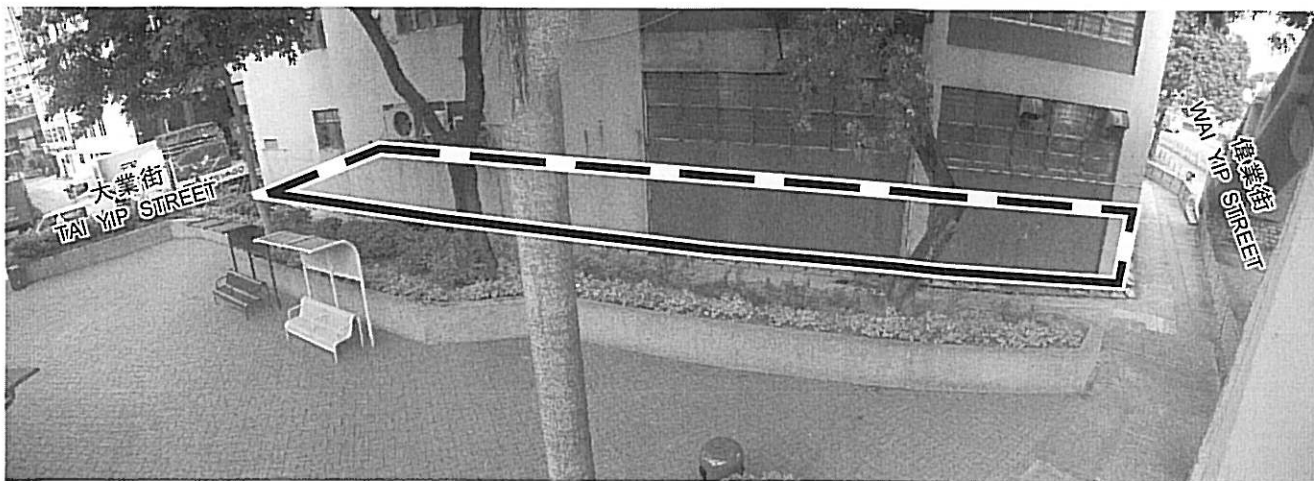
參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

3

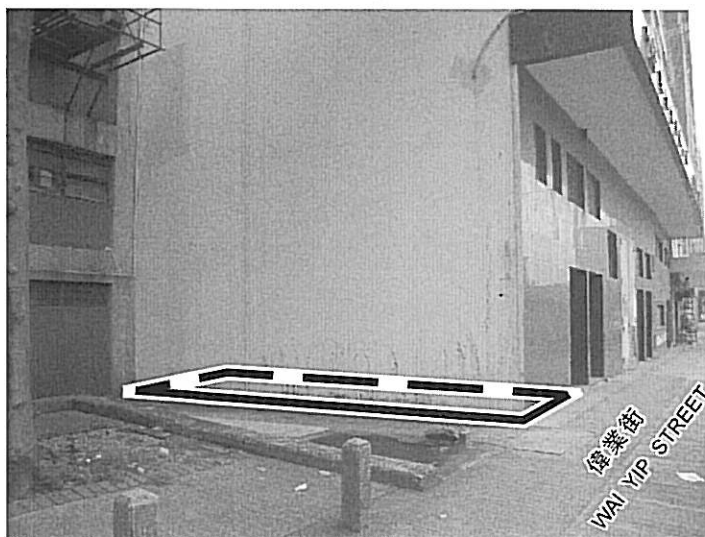
本摘要圖於2011年9月8日擬備，
所根據的資料為測量圖編號
11-NE-17B 和 D
EXTRACT PLAN PREPARED ON 8.9.2011
BASED ON SURVEY SHEETS No.
11-NE-17B & D



照片1 - A項
PHOTO 1 - ITEM A



照片2 - A項
PHOTO 2 - ITEM A



照片3 - A項
PHOTO 3 - ITEM A

界線只作識別用
BOUNDARY FOR IDENTIFICATION
PURPOSES ONLY

本圖於2011年9月5日擬備，
所根據的資料為攝於2011年8月29日
和2011年9月5日的實地照片
PLAN PREPARED ON 5.9.2011
BASED ON SITE PHOTOS TAKEN ON
29.8.2011 & 5.9.2011

實地照片 SITE PHOTO

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

規劃署
PLANNING
DEPARTMENT

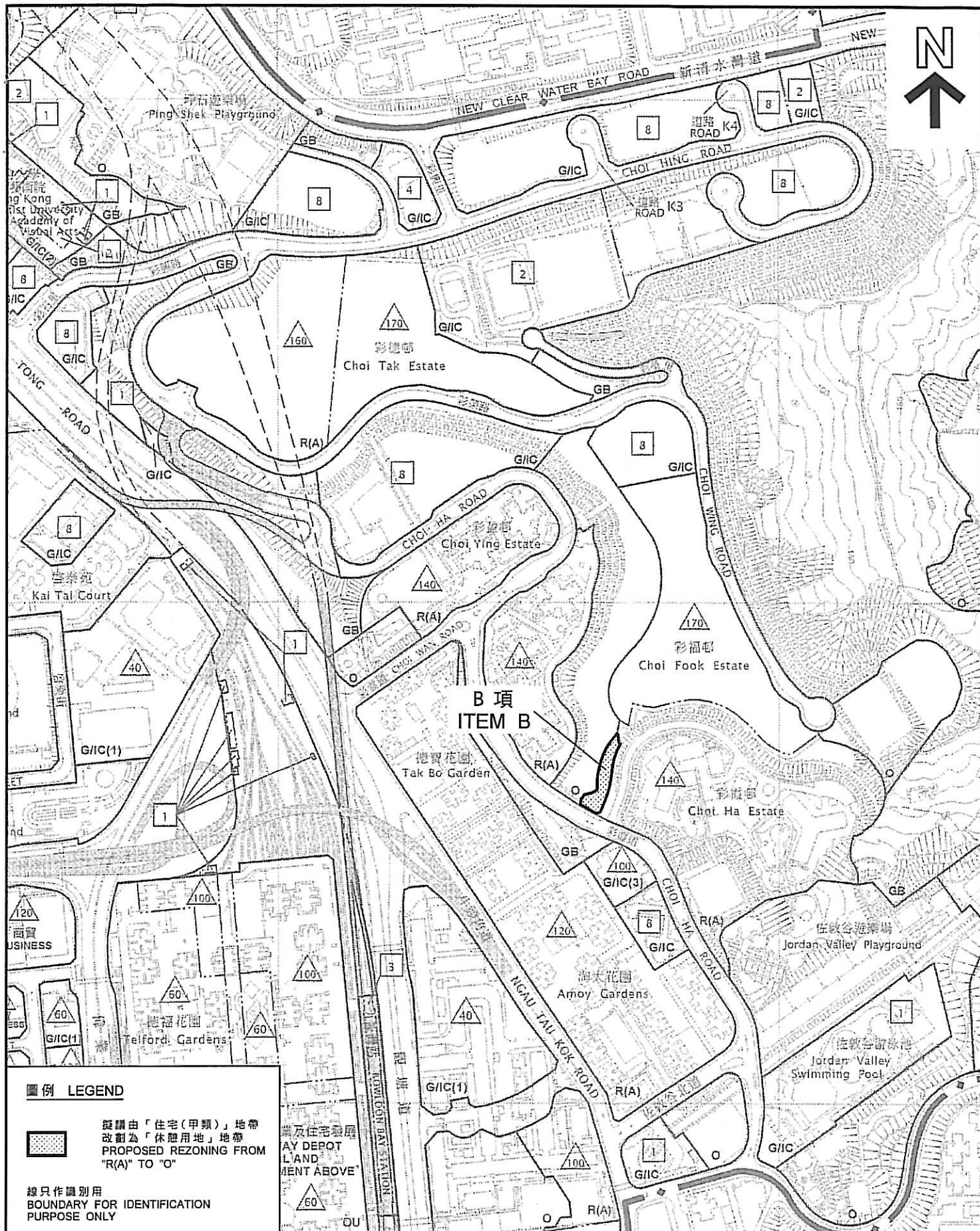


參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

4



位置圖 LOCATION PLAN

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

米 METRES 100 0 100 200 METRES
SCALE 1:5 000 比例尺

規劃署
PLANNING
DEPARTMENT



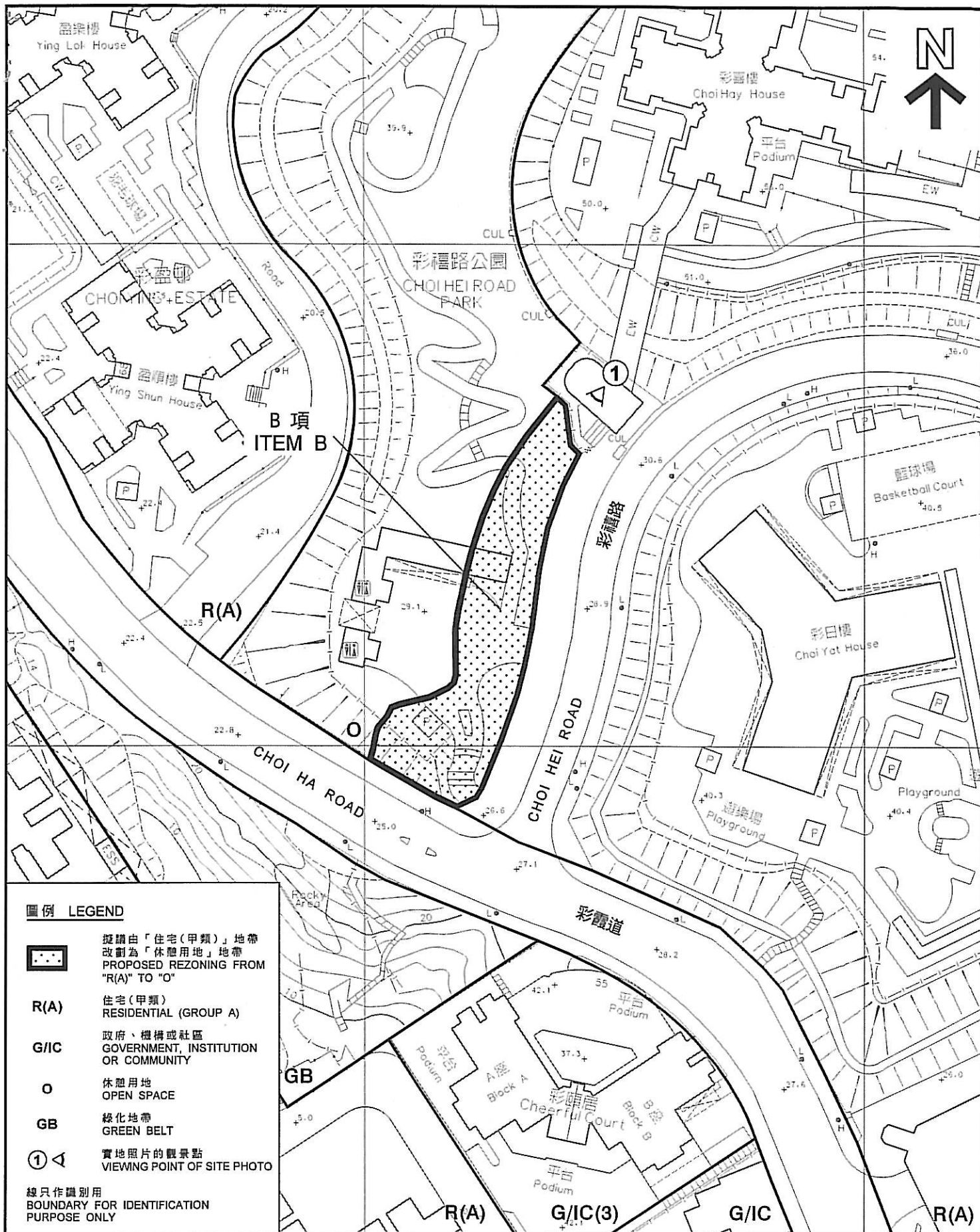
參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

5

本摘要圖於2011年9月7日擬備，
所根據的資料為於2010年11月19日
展示的分區計劃大綱圖編號 S/K13/26
EXTRACT PLAN PREPARED ON 7.9.2011
BASED ON OUTLINE ZONING PLAN No.
S/K13/26 EXHIBITED ON 19.11.2010



平面圖 SITE PLAN

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

米 METRES 20 0 20 40 METRES
SCALE 1:1 000 比例尺

**規劃署
PLANNING
DEPARTMENT**



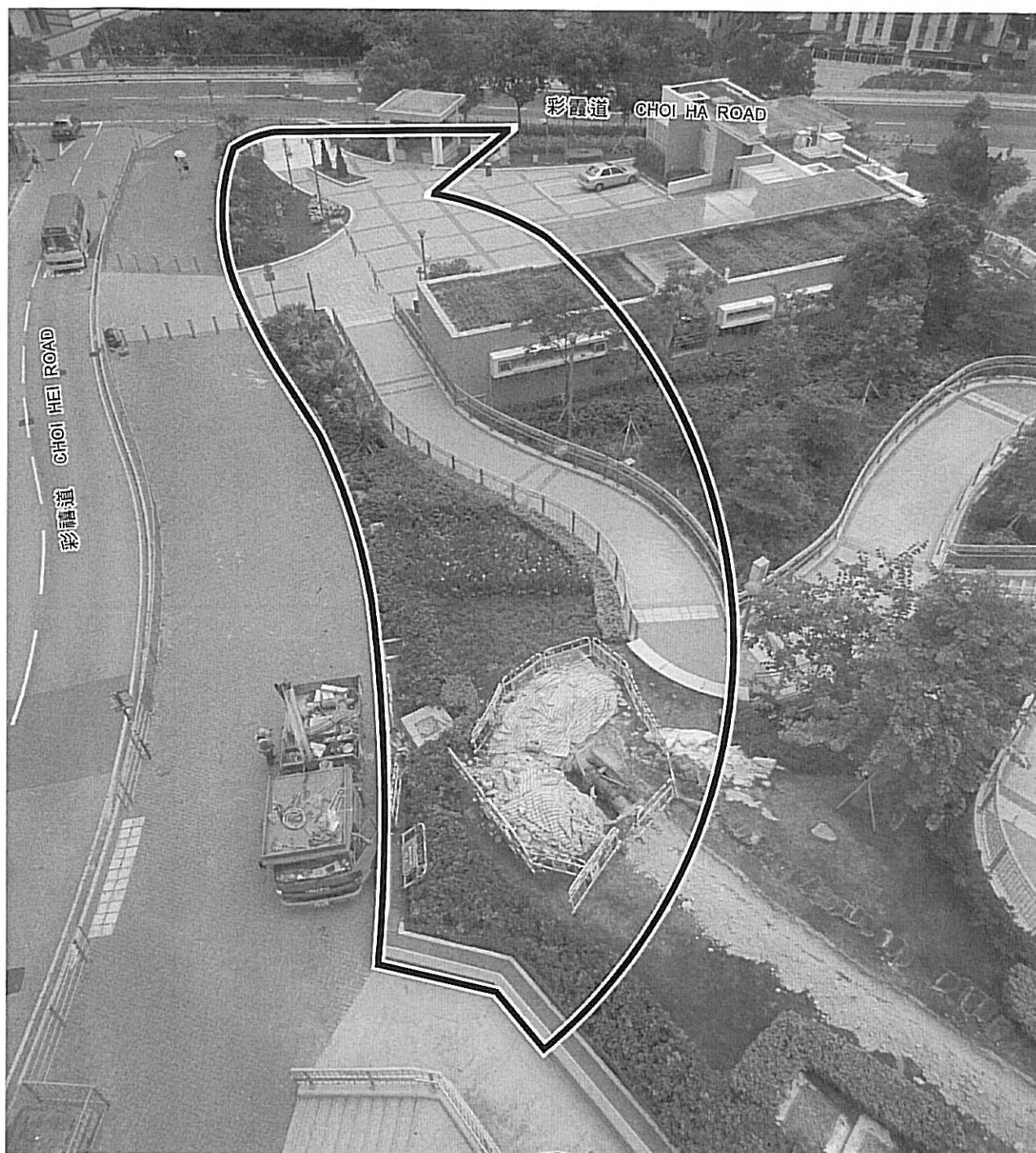
參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

6

本摘要圖於2011年9月8日擬備，
所根據的資料為測量圖編號
11-NE-12D
EXTRACT PLAN PREPARED ON 8.9.2011
BASED ON SURVEY SHEET No.
11-NE-12D



照片 - B項
PHOTO - ITEM B

界線只作識別用
BOUNDARY FOR IDENTIFICATION
PURPOSES ONLY

本圖於2011年9月7日擬備，
所根據的資料為攝於
2011年8月29日的實地照片
PLAN PREPARED ON 7.9.2011
BASED ON SITE PHOTO
TAKEN ON 29.8.2011

實地照片 SITE PHOTO

牛頭角及九龍灣
分區計劃大綱圖編號S/K13/26的擬議修訂
PROPOSED AMENDMENTS TO THE
DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN No. S/K13/26

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

M/K13/11/66

圖 PLAN

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