

## **TOWN PLANNING BOARD**

**TPB Paper No. 10959**  
**For Consideration by the**  
**Town Planning Board on 23.2.2024**

**Proposed Amendments to the Master Schedule of Notes to Statutory Plans and**  
**Definitions of Terms Used in Statutory Plans**

**Proposed Amendments to the Master Schedule of Notes to Statutory Plans and  
Definitions of Terms Used in Statutory Plans**

**1. Purpose**

This paper is to seek Members' agreement to the proposed amendments to the Master Schedule of Notes to Statutory Plans (MSN) and Definition of Terms used in Statutory Plans (DoTs).

**2. Background**

On 28.2.2003, the first set of revised MSN and DoTs was endorsed by the Town Planning Board (the Board). While MSN serves to set out a general framework for preparing and revising the Notes of Outline Zoning Plans (OZPs), DoTs provide an easy reference for interpreting the various planning terms used in the OZPs. They may be updated and revised from time to time. Since the first endorsement by the Board, MSN and DoTs have been refined several times to meet the changing planning circumstances as well as economic and social needs. The last refinement was made in December 2021. In view of the newly-emerged uses and the need to streamline the planning application process, a review on MSN and DoTs has been undertaken. Based on the review findings, we have proposed some refinements/amendments, which are highlighted in the ensuing paragraphs.

### 3. **Proposed Amendments to MSN**

#### ‘Public Convenience’ and ‘Government Refuse Collection Point’ within “Village Type Development” Zone

- 3.1 The planning intention of the “Village Type Development” (“V”) zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. According to MSN for the “V” zone, some essential government facilities directly serve the needs of the villagers and visitors, including ‘Police Reporting Centre’ and ‘Post Office’ are always permitted within “V” zone. However, ‘Public Convenience’ and ‘Government Refuse Collection Point’ (RCP), which are also essential public facilities constructed and managed by government departments such as the Food and Environmental Hygiene Department (FEHD) to serve the villages, are categorised as Column 2 uses, requiring planning permission from the Board.
- 3.2 In recent years, FEHD has allocated additional resources to address public expectation for environmental hygiene in public places, including provision and/or redevelopment of public toilets and RCPs. Under the Enhanced Public Toilet Refurbishment Programme, FEHD aims to progressively commence full refurbishment or facelifting projects for about 430 public toilets across the territory in 2024-28<sup>1</sup>. The new toilets will be upgraded to comply with the latest standards to better serve the public and the external appearance will be designed to blend in with the neighbourhood for harmony. Green and environmental features will also be adopted as applicable. The improvement works would be carried out in accordance with FEHD’s Handbook on Standard Features for Public Toilets to ensure that no adverse environmental impacts and nuisances will be generated on the surrounding areas.
- 3.3 According to FEHD, there are about 900 village-type RCPs in rural areas, some of which not meeting the prevailing standards are required to be enhanced/redeveloped. Under the prevailing practice, FEHD’s Working Group on Upgrading of RCPs is tasked to monitor the RCP

---

<sup>1</sup> There is a total of about 810 public toilets in Hong Kong and the refurbishment works for about 380 have been completed.

refurbishment projects and the redevelopment of RCPs should not cause undue nuisance to nearby stakeholders.

- 3.4 Considering that ‘Public Convenience’ and ‘Government Refuse Collection Point’ are key public facilities mainly serving the villagers and visitors, and provision of these facilities is subject to the Government’s scrutiny and up to the latest standards, the planning permission from the Board for such uses is considered not necessary. In taking forward these projects, the locals will be consulted as appropriate. In this regard, it is proposed to refine the MSN for “V” zone to put such uses under Column 1 rather than Column 2 to streamline the development process.

‘Field Study/Education/Visitor Centre’ within “V” Zone

- 3.5 ‘Field Study/Education/Visitor Centre’ use is a Column 2 use in the Notes for “Green Belt” (“GB”), “Conservation Area” and “Coastal Protection Area” zones, but there is no provision for “V” zone. Given the popularity of the rural tourism including tour/visit to the villages in recent years, it is considered appropriate to add the provision of ‘Field Study/Education/Visitor Centre’ in the MSN for “V” zone to cater for the demand for such uses where appropriate. On the other hand, to ensure that such uses within “V” zone would not have insurmountable impacts on the surrounding areas, and to minimise the possible nuisance to the village environment, it is proposed to put such use under Column 2, requiring planning permission from the Board prior to taking forward the proposal.
- 3.6 The proposed amendments to the MSN for “V” zone are highlighted in ***bold and italics*** and deletion in ~~‘cross-out’~~ in **Annex A**.

**4. Proposed Amendments to DoT**

- (a) *‘Research, Design and Development Centre’*

- 4.1 The Government promulgated the Hong Kong Innovation and Technology (I&T) Development Blueprint in December 2022 and

proposed to develop industries such as advanced manufacturing as one of the measures to support the broad development direction of “to enhance the I&T ecosystem and promote ‘new industrialisation’ in Hong Kong”. To this end, the Government is planning to provide more efficient and versatile space to cater for the increasing growth of advanced manufacturing. According to the Information, Technology and Industry Bureau, advanced manufacturing<sup>2</sup> involves the use of innovative technology to improve products, materials, industrial processes, energy, machinery and digital technology or connectivity, which is akin to ‘Research, Design and Development Centre’ from land use planning point of view. It is proposed to refine DoT for ‘Research, Design and Development Centre’ to cover the new mode of development in the definition, and include advanced manufacturing in the Remarks of DoT.

- 4.2 Opportunity is also taken to delete the obsolete term of ‘Research, Design and Development Centre Related to Industrial, Information Technology and Telecommunications Use’ in the Remarks of DoT and subsumed use terms of Broad Use Term (BUT), as it can be covered by the more general term of ‘Research, Design and Development Centre’.

(b) *‘Laboratory, Inspection and Testing Centre’*

- 4.3 Under the DoT, ‘Laboratory, Inspection and Testing Centre’ means ‘any premises which provides laboratory support or inspection and testing of commercially traded articles en-route for export/re-export’. Confining the use to “commercially trade articles en-route for export/re-export” is considered to be too restrictive. To allow greater flexibility, it is proposed to refine the DoT by replacing the said phrase by “products”

(c) *‘Computer/Data Processing Centre’*

- 4.4 According to DoT, ‘Computer/Data Processing Centre’ means ‘any premises for computing or data processing with a functional relationship

---

<sup>2</sup> ‘Advanced Manufacturing’ is revolutionizing the way, products and processes which are being created and implemented across various industries, including traditional industries and emerging industries.

with business activities’. Since local universities, research institutes and related government departments may also involve the development of ‘Computer/Data Processing Centre’, it is proposed to refine DoT to delete the reference that the use has to be necessarily related to business activities.

(d) *Petrol Filling Station*

4.5 As announced in the 2023 Policy Address (PA), the Government would support green transformation of public land transport, including electric public light buses, electric heavy goods vehicles, electric coaches, hydrogen double-deck buses and hydrogen street washing vehicles. To promote wider use of electric private car and facilitate Hong Kong towards zero vehicular emissions by 2050, the Government would offer incentives for operators of petrol-filling stations to convert the stations into green-energy refuelling stations. In this regard, it is proposed to expand the scope of DoT for ‘Petrol Filling Station’ by renaming the use term as ‘Petrol Filling Station/Green Fuel Station’ and embracing refueling of green energy for vehicles, e.g. hydrogen and other green fuels, which would be supplied and dispensed in existing/new petrol filling stations in the definition.

4.6 Besides, it is common that ancillary convenience stores would be in operation within petrol filling stations to provide small-scale retail services to the customers. Opportunity is also taken to include the reference to ancillary shops and services in the Remarks of DoT to reflect the existing circumstances.

(e) *‘Public Vehicle Park (excluding container vehicle)’*

4.7 As per the Hong Kong Roadmap on Popularisation of Electric Vehicles (EVs) promulgated in 2021, the Government has set out the goal to have at least 150,000 parking spaces in private residential and commercial buildings equipped with EV charging-enabling infrastructure before 2025. Subsequently, the 2023 PA also mentioned that the Government would expedite the expansion of the network of charging facilities, with the goal of increasing the number of public and private parking spaces with charging facilities to 200 000 by mid-2027. As EV charging

facilities as an ancillary facility within vehicle carpark are commonly found, it is proposed to refine DoT for “Public Vehicle Park (excluding container vehicle)” to specify the charging facilities in the Remarks.

- 4.8 It is also noted that the Remarks of DoT for ‘Public Vehicle Park (excluding container vehicle)’ include, among others, parking of cycles. Considering that by nature, cycles without engine power are different from other vehicles and the provision of cycle park is generally implemented by the Government in connection with the construction of cycle track or road works (i.e. always permitted under the covering Notes of OZPs), it is proposed to delete ‘cycles’ from the Remarks of DoT.

- (f) *‘Public Convenience’, ‘Government Refuse Collection Point’ and ‘Public Utility Installation’*

- 4.9 The provision of public toilets and ‘RCP’ (as mentioned in paragraphs 3.2 and 3.3 above) as well as public utility services under the term of ‘Public Utility Installation’ (‘PUI’) in DoT are regarded as essential public facilities to serve the public. The Government is committed to upgrading such facilities to comply with the latest standards and to bring improvement to the quality of these facilities. In the event that these facilities need to be reprovisioned to the nearby location due to being affected by other projects such as road works, or owing to wear and tear, they are required to be redeveloped, the reprovisioning/redevelopment of these facilities could be considered as public works coordinated or implemented by the Government, which is always permitted under the covering Notes. Under the extant OZPs, such uses would be put under Column 2 depending on the land use zonings, which require the planning permission from the Board. To streamline the planning application process for the reprovisioning/redevelopment of these facilities, it is therefore proposed to refine the Remarks of DoTs for ‘Public Convenience’, ‘Government RCP’ and ‘PUI’ by excluding the reprovisioning/redevelopment of these facilities in similar scale at the same or nearby location, which can be regarded as the public works permitted under the covering Notes. That said, such works still have to conform to any other relevant legislation, the conditions of the Government lease concerned, and other Government requirements, as applicable.

4.10 For the avoidance of doubt, new development of these facilities, reprovisioning/redevelopment of these facilities not coordinated or implemented by the Government or involving substantial change from the original location or scale, planning permission from the Board may be required depending on the schedule of uses in individual land use zones.

4.11 Opportunity is also taken to add ‘drainage facilities’ in the definition of ‘PUI’ to list out all relevant utility installations for the sake of comprehensiveness.

(g) *‘Public Utility Pipeline’*

4.12 According to the DoT, ‘Public Utility Pipeline’ (‘PUP’) means ‘any piping installation and associated underground structure for drainage, sewerage, water, gas, electricity, telephone or other telecommunications lines’. Since it is common that the underground pipeline has some associated small-scale above-ground structures like pillar box and meter box, it is proposed to amend the DoT to cover associated above-ground structures by deleting the word ‘underground’. To align with the type of utilities listed out in definition of ‘PUI’, it is proposed to refine DoT for ‘PUP’ to include broadcasting and television lines.

(h) *‘Agricultural Use’*

4.13 The Government promulgated the Blueprint for the Sustainable Development of Agriculture and Fisheries (the Blueprint) in 2023. As advised by the Agriculture, Fisheries and Conservation Department (AFCD), one of the initiatives is to develop leisure farming to facilitate development of diversified agricultural ancillary activities by farms engaged in commercial agricultural production to increase farmers’ income, market their produce and reach out to potential customers. Nevertheless, leisure farms must retain, first and foremost, farm engaged in commercial crop production, and only small-scale activities, such as sale of fresh produce grown in the farm and simple processed food such as fruit jam and juices made from its fresh produce and provision of catering services of a limited scale etc. as ancillary to agricultural use are



permitted.

- 4.14 Farm operators who intend to provide ancillary activities at the site are required to apply to AFCD for approval. AFCD will assess the application including whether the establishments are primarily focusing on crop production, and whether the proposed ancillary activities are in line with their policy.
- 4.15 To take forward the initiative as promulgated in the Blueprint, it is proposed to refine the Remarks of DoT for 'Agricultural Use' to include commercial crop farming and aquaculture ancillary activities, such as the sale of simple cooked food made from crops grown and aquatic products reared on the farms, and provision of guided tours or workshops aiming at promoting agricultural education. It should be noted that for establishments not primarily focusing on crop production without endorsement/approval from AFCD, such as hobby farms set up largely for recreational purpose, should continue to be regarded as 'Place of Recreation, Sports or Culture', which may require planning permission from the Board depending on the schedule of uses in individual land use zones.
- (i) *'Open Space'*
- 4.16 Urban farming is one of the development directions of the agriculture industries as proposed in the Blueprint. As advised by AFCD, urban farming refers to commercial technology-based crop production through incorporation in parks, public open space or on podiums/rooftops of government buildings, commercial or residential developments. It is also intended to provide community urbanities with a variety of benefits, including farming leisure and educational activities, as well as quality, fresh agricultural products at reduced carbon footprint. Noting that urban farming would put in place on the open space areas, it is proposed to refine the Remarks of DoT for 'Open Space' to include urban farm for use of general public, if the urban farm is coordinated or implemented by the Government. Taking into account the nature and mode of operation, other urban farming activities undertaken in commercial or residential developments, but not coordinated or implemented by the Government, would be regarded as 'Shop and Services' or 'Agricultural Use'.

4.17 Opportunity is also taken to delete the obsolete terms of ‘Ancillary Beach Use’ and ‘Pedestrian Circulation and Sitting Out Area’ in the Remarks of DoT and subsumed use term of BUT.

(j) *‘Mine and Quarry’*

4.18 According to DoT, ‘Mine and Quarry’ means “any place where works or system of works for the extraction of minerals or stones from the earth are carried out” as adapted from the Factories and Industrial Undertakings Ordinance (Cap. 59). As advised by the Civil Engineering and Development Department (CEDD), there are currently no mining activities in Hong Kong, while Lam Tei Quarry at Tuen Mun is the only active local quarry, for which the existing quarry contract is scheduled for completion in 2026. Recognising the importance of local quarries in minimizing the risk of irregularities in rock import, the Government has been searching for suitable sites to set up new quarries to maintain local rock supply with a view to dovetailing with the closure of Lam Tei Quarry.

4.19 In 2017, CEDD commissioned the Underground Quarry Study, which recommended to put forward the pilot scheme of underground quarry-cum-cavern development at Lam Tei with operations involving concrete batching, asphalt production and crushing of rocks. Given that such operations in relation to quarrying activities were commonly found in other quarries such as ex-Anderson Quarry and ex-Shek O Quarry, it is proposed to refine DoT for ‘Mine and Quarry’ by deleting ‘Mine’ and including related facilities such as concrete batching, asphalt production and crushing of rocks in the Remarks. These supporting facilities should be related to the operation of the quarry and coordinated or implemented by the Government. In addition, their provision should also conform to any other relevant legislation such as Air Pollution Control Ordinance and other Government requirements.

4.20 Upon amendments to DoT for ‘Mine and Quarry’, corresponding amendments would be made to DoT for ‘Industrial Use’ to delete the mining activities in the definition and BUT would also be updated to amend the term of ‘Mine and Quarry’ as ‘Quarry’.

- 4.21 The proposed amendments to DoTs as recommended in paragraphs 4.1 to 4.20 above are highlighted in ***bold and italics*** and deletion in ‘~~cross-out~~’ in **Annex B**, and the proposed deletion in ‘~~cross-out~~’ in BUT as recommended in paragraphs 4.2, 4.17 and 4.20 above is in **Annex C**.

## 5. Review of ‘Zoo’ use in MSN and DoT

- 5.1 According to DoT, ‘Zoo’ means ‘any place where animals and birds are kept for conservation purposes or display to the general public with or without payment of an entrance fee’. In MSN, ‘Zoo’ is a Column 2 use under “Government, Institution or Community” (“G/IC”), “Recreation” (“REC”) and “GB” zones on the OZPs, requiring planning permission from the Board, while it is a Column 1 use within “Open Space” (“O”) zone. There is no provision for zoo use in other land use zones. The MSN for “O” and “GB” zones specifies that it is optional to add ‘Zoo’ use in the concerned schedule of uses.
- 5.2 During consideration of representations on the draft Siu Ho Wan OZP No. S/I-SHW/1 and draft South Lantau Coast OZP No. S/SLC/22 in 2018 and 2024 respectively, some representers raised concerns that the concept and operation of ‘Zoo’ would no longer be necessary nowadays out of concern for cruelty to animals as well as from conservation and animal management points of view. At the relevant hearing meeting, the Board deliberated that the representers’ concerns generally applied to all statutory plans and would warrant a review of the provision of ‘Zoo’ use in MSN and DoT.
- 5.3 Except for “O” zone, zoo development in the aforesaid zonings is subject to the Board’s scrutiny by way of s.16 planning application. Although zoo use is always permitted in “O” zone, most of the areas falling within “O” zone would be government land and zoo development would be required to comply with relevant legislation or requirements. In addition to the government-owned zoo namely Hong Kong Zoological and Botanical Garden currently in operation, there are other related facilities owned and managed by the Government such as the aviaries in the Hong Kong Park and Kowloon Park, which are regarded as ‘Aviary’

always permitted within “O” zone; and the Reptile House at Tuen Mun Park and the Insect House at Tai Po Waterfront Park, which are considered as ancillary uses to the parks. In general, there is a genuine need to make provision in suitable zonings to cater for the provision of zoo use.

5.4 As advised by AFCD, all animals within the zoo are protected against cruelty by the Prevention of Cruelty to Animals Ordinance (Cap 169)<sup>3</sup> and there is licencing requirement for exhibiting animals or birds under the Public Health (Animals and Birds) (Exhibitions) Regulations (Cap. 139F)<sup>4</sup>. While nowadays zoo development is not prohibited in Hong Kong, any zoo proposals are regulated through the need to obtain the planning permission (for “G/IC”, “GB” and “REC” zones) and/or licence prior to its implementation. The welfare of animals is also protected under the current legislation (i.e. Cap 169 and 139F).

5.5 In view of the above, it is considered appropriate to maintain the current provision of ‘Zoo’ use in MSN and DoT.

## 6. **Technical Amendments to MSN and DoT**

Opportunity is taken to rectify the Chinese translation in the Remarks of “Residential (Group D)” zone in MSN to tally with the English version. For the sake of presentation consistency, the examples as quoted for ‘Local Public Works’ in the definition of DoT would be moved to the Remarks and the examples would be further substantiated to include the installation of village lights co-ordinated by the Home Affairs Department and implemented by the Highways Department under the Village Light Programme for better illustration. The proposed amendments to MSN and DoT are highlighted in ***bold and italics*** and deletion in ~~‘cross-out’~~ in **Annex D**.

---

<sup>3</sup> Pursuant to Cap 169, acts of animal cruelty are outlawed with a maximum penalty of three years’ imprisonment and a fine of \$200,000. The definition of “animal” in that ordinance included “any mammal, bird, reptile, amphibian, fish or any other vertebrate or invertebrate whether wild or tame”.

<sup>4</sup> Any person who exhibits animals or birds in return for a fee paid by the public admitted to enter the venue for the exhibition must apply for an Exhibition Licence from the AFCD under the Public Health (Animals and Birds) (Exhibitions) Regulations (Cap. 139F).

## **7. Consultation**

Concerned government bureaux/departments have been consulted on the proposed amendments to MSN and DoTs including the review of ‘Zoo’ use and their comments have been duly incorporated in the proposed amendments, where appropriate.

## **8. Promulgation**

Upon Members’ agreement to the proposed amendments and the review findings of ‘Zoo’ use as mentioned in paragraphs 4 to 6 above, the revised MSN, DoTs and BUT shall take effect upon promulgation and uploading to the Board’s website.

## **9. Decision Sought**

Members are invited to consider and agree to:

- (a) the proposed amendments to MSN in **Annexes A and D**;
- (b) the proposed amendments to DoTs and BUTs in **Annexes B, C and D**; and
- (c) the proposed arrangement for promulgation as set out in paragraph 8 above.

## **Annexes**

- |                |                                                                                                                                  |
|----------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Annex A</b> | Proposed Amendments to Master Schedule of Notes to Statutory Plans in relation to “Village Type Development” zone                |
| <b>Annex B</b> | Proposed Amendments to Definition of Terms used in Statutory Plans                                                               |
| <b>Annex C</b> | Proposed Amendments to Broad Use Terms                                                                                           |
| <b>Annex D</b> | Proposed Technical Amendments to the Master Schedule of Notes to Statutory Plans and Definition of Terms used in Statutory Plans |