

圖例
NOTATION

ZONES		地帶
COMPREHENSIVE DEVELOPMENT AREA	CDA	綜合發展區
RESIDENTIAL (GROUP B)	R(B)	住宅（乙類）
RESIDENTIAL (GROUP C)	R(C)	住宅（丙類）
GOVERNMENT, INSTITUTION OR COMMUNITY	G/C	政府、機構或社區
OPEN SPACE	O	休憩用地
GREEN BELT	GB	綠化地帶
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

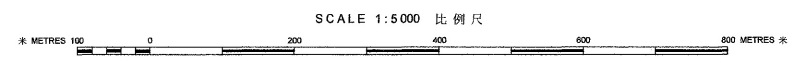
USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
COMPREHENSIVE DEVELOPMENT AREA	1.80	2.53	綜合發展區
RESIDENTIAL (GROUP B)	4.35	6.87	住宅（乙類）
RESIDENTIAL (GROUP C)	6.94	10.96	住宅（丙類）
GOVERNMENT, INSTITUTION OR COMMUNITY	4.76	7.51	政府、機構或社區
OPEN SPACE	0.97	1.53	休憩用地
GREEN BELT	41.52	65.55	綠化地帶
MAJOR ROAD ETC.	3.20	5.05	主要道路等
TOTAL PLANNING SCHEME AREA	63.34	100.00	規劃範圍總面積

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

行政長官會同行政會議於2010年7月6日 根據城市
規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON
6 JULY 2010

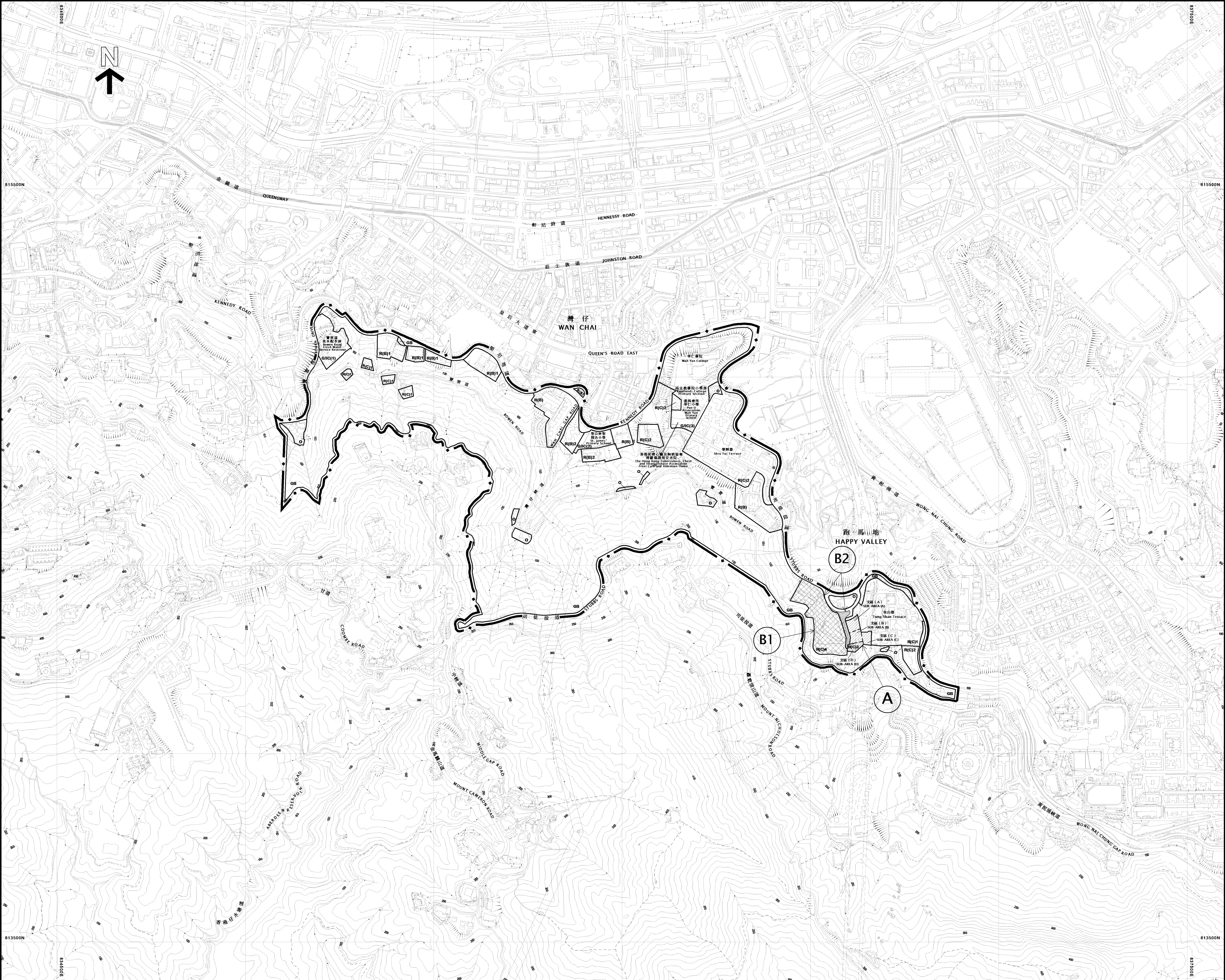
Ms Manda CHAN 陳詠雯女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

香港城市規劃委員會依據城市規劃條例擬備的半山區東部（港島規劃區第12區）分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HONG KONG PLANNING AREA No. 12 - MID-LEVELS EAST - OUTLINE ZONING PLAN



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

圖則編號
PLAN No. S/H12/12



圖例
NOTATION

ZONES		地帶
RESIDENTIAL (GROUP B)	R(B)	住宅（乙類）
RESIDENTIAL (GROUP C)	R(C)	住宅（丙類）
GOVERNMENT, INSTITUTION OR COMMUNITY	G/C	政府、機構或社區
OPEN SPACE	O	休憩用地
GREEN BELT	GB	綠化地帶
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

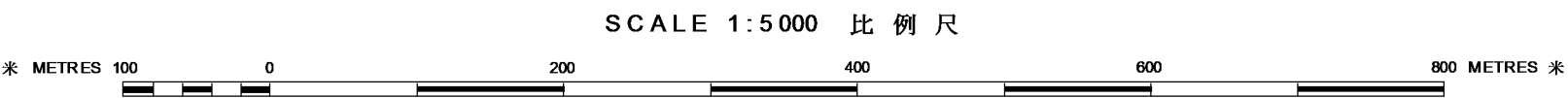
USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
RESIDENTIAL (GROUP B)	4.35	6.87	住宅（乙類）
RESIDENTIAL (GROUP C)	8.55	13.50	住宅（丙類）
GOVERNMENT, INSTITUTION OR COMMUNITY	4.61	7.28	政府、機構或社區
OPEN SPACE	0.97	1.53	休憩用地
GREEN BELT	41.52	65.55	綠化地帶
MAJOR ROAD ETC.	3.34	5.27	主要道路等
TOTAL PLANNING SCHEME AREA	63.34	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 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

核准圖編號 S/H 12/12 的修訂
AMENDMENTS TO APPROVED PLAN No. S/H12/12

AMENDMENTS EXHIBITED UNDER SECTION 5 OF THE TOWN PLANNING ORDINANCE	按照城市規劃條例第 5 條 展示的修訂
AMENDMENT ITEM A	修訂項目 A 項
AMENDMENT ITEM B1	修訂項目 B 1 項
AMENDMENT ITEM B2	修訂項目 B 2 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半山區東部（港島規劃區第 1 2 區）分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HONG KONG PLANNING AREA No. 12 - MID-LEVELS EAST - OUTLINE ZONING PLAN



圖則編號
PLAN No. S/H12/12A

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



HONG KONG PLANNING AREA NO. 12

APPROVEDDRAFT MID-LEVELS EAST OUTLINE ZONING PLAN NO. S/H12/12A

(Being an ~~Approved~~ **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 sub-paragraph (a) above, “existing use of any land or building” means -
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and
 - (ii) after the publication of the first plan,
 - a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.

- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions, alignments of roads and railway track, 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 buildings 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 planning 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.

HONG KONG PLANNING AREA NO. 12

APPROVED DRAFT MID-LEVELS EAST OUTLINE ZONING PLAN NO. S/H12/12A

Schedule of Uses

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RESIDENTIAL (GROUP C)	6 3
GOVERNMENT, INSTITUTION OR COMMUNITY	8 6
OPEN SPACE	10 8
GREEN BELT	11 9

COMPREHENSIVE DEVELOPMENT AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	<p>Eating Place</p> <p>Educational Institution</p> <p>Flat</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Hotel</p> <p>House</p> <p>Library</p> <p>Market</p> <p>Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances</p> <p>Office</p> <p>Petrol Filling Station</p> <p>Place of Entertainment</p> <p>Place of Recreation, Sports or Culture</p> <p>Private Club</p> <p>Public Clinic</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Recyclable Collection Centre</p> <p>Religious Institution</p> <p>School</p> <p>Shop and Services</p> <p>Social Welfare Facility</p> <p>Utility Installation for Private Project</p>

Planning Intention

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

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks

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

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- ~~(3) — No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum gross floor area and building height specified below:~~
- ~~(i) — a maximum gross floor area of 16,800m² (including not less than 15,300m² domestic gross floor area); and~~
- ~~(ii) — a maximum building height of 120m above Principal Datum (including roof structures) and 7 storeys including carports.~~
- ~~(4) — In determining the maximum gross floor area for the purposes of paragraph (3)(i) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office and caretaker's quarters, or recreational facilities for the use and benefit of all owners or occupiers of the domestic building or domestic part of the building, provided such use and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.~~
- ~~(5) — Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraph (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.~~

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose- designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) 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) On land designated “Residential (Group B)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 5 and, unless otherwise specified in paragraph (2), a maximum building height of 30 storeys including carports, or the plot ratio and height of the existing building, whichever is the greater.
- (2) The maximum height of any building within each sub-area of the zone shall be limited to that stated below, or the height of the existing building, whichever is the greater:

Sub-area

Restriction

R(B)1

A maximum building height of 120m
above Principal Datum (including roof structures)

R(B)2

A maximum building height of 90m
above Principal Datum (including roof structures)

- (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, caretaker’s office and caretaker’s quarters, or 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.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and 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.

RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House <i>Social Welfare Facility (on land designated "R(C)3" only)</i> Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Library Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Residential Institution School Shop and Services Social Welfare Facility (<i>not elsewhere specified</i>) Training Centre

Planning Intention

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

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (1) On land designated “Residential (Group C)”, 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 specified for each sub-area as set out below, or the height of the existing building, whichever is the higher:

Sub-area

Restriction

R(C)1

Maximum building height of 10.67m

R(C)2

Maximum 12 storeys over 1 storey of carports

- (2) ~~For sub-area~~ ***On land designated “R(C)1”, the maximum building height for all building development should be measured from the existing mean site formation level. The overall building height should not exceed 4 storeys including carports.***
- (3) ~~For sub-area~~ ***On land designated “R(C)2”, based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction for the provision of ancillary facilities may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.***
- (4) ***On land designated “Residential (Group C)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 gross floor area of 11,010m², of which a gross floor area of not less than 2,258m² shall be provided for residential care home for the elderly and related elderly facilities, and maximum building heights of 104m above Principal Datum for sub-area (A), 120m above Principal Datum for sub-area (B), 125m above Principal Datum for sub-area (C) and 134m above Principal Datum for sub-area (D), or the gross floor area and height of the existing building, whichever is the greater.***
- (5) ***On land designated “Residential (Group C)4”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 16,800m² and a maximum building height of 120m above Principal Datum (including roof structures), or the gross floor area and height of the existing building, whichever is the higher.***
- (6) ***In determining the maximum gross floor area for the purposes of paragraphs (4) and (5) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker’s office and caretaker’s quarters, or recreational facilities for the use and benefit of all owners or occupiers of the domestic building or domestic part of the building, provided such use and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.***

(Please see next page)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks (Cont'd)

- (7) *Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraphs (4) and (5) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.*

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Animal Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Correctional Institution
Cable Car Route and Terminal Building	Driving School
Eating Place (Canteen, Cooked Food Centre only)	Eating Place (not elsewhere specified)
Educational Institution	Flat
Exhibition or Convention Hall	Funeral Facility
Field Study/Education/Visitor Centre	Holiday Camp
Government Refuse Collection Point	Hotel
Government Use (not elsewhere specified)	House
Hospital	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Institutional Use (not elsewhere specified)	Off-course Betting Centre
Library	Office
Market	Petrol Filling Station
Place of Recreation, Sports or Culture	Place of Entertainment
Public Clinic	Private Club
Public Convenience	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Transport Terminus or Station	Refuse Disposal Installation (Refuse Transfer Station only)
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	Sewage Treatment/Screening Plant
Recyclable Collection Centre	Shop and Services (<i>not elsewhere specified</i>)
Religious Institution	Utility Installation for Private Project
Research, Design and Development Centre	Zoo
School	
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

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 “G/IC”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building height specified for each sub-area as set out below, or the height of the existing building, whichever is the higher:

<u>Sub-area</u>	<u>Restriction</u>
G/IC(1)	A maximum building height of 1 storey
G/IC(2)	A maximum building height of 90m above Principal Datum (including roof structures)
G/IC(3)	A maximum building height of 8 storeys
G/IC(4)	A maximum building height of 120m above Principal Datum (including roof structures)

- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area Zoo	Barbecue Spot 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.

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 Field Study/Education/Visitor Centre Flat Government Refuse Collection Point Government Use (not elsewhere specified) 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.

HONG KONG PLANNING AREA NO. 12

APPROVEDDRAFT MID-LEVELS EAST OUTLINE ZONING PLAN NO. S/H12/12A

EXPLANATORY STATEMENT

HONG KONG PLANNING AREA NO. 12

APPROVEDDRAFT MID-LEVELS EAST OUTLINE ZONING PLAN NO. S/H12/12A

EXPLANATORY STATEMENT

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HONG KONG PLANNING AREA NO. 12

APPROVEDDRAFT MID-LEVELS EAST OUTLINE ZONING PLAN NO. S/H12/12A

(Being an Approved*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 Plan.

1. INTRODUCTION

This explanatory statement is intended to assist an understanding of the ~~approved~~*draft* Mid-levels East Outline Zoning Plan (OZP) No. S/H12/12A. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 On 9 May 1984, the then Governor under section 3 of the Town Planning Ordinance (the Ordinance) directed the Board to prepare draft plans for those parts of the main urban areas not then covered by statutory plans, including Mid-levels East.
- 2.2 On 9 August 1985, the draft Mid-levels East OZP No. S/H12/1 was prepared and exhibited under section 5 of the Ordinance.
- 2.3 On 1 December 1987, the then Governor in Council, under section 9(1)(a) of the Ordinance, approved the draft Mid-levels East OZP, which was subsequently renumbered as S/H12/2. On 19 January 1999, the Chief Executive in Council (CE in C) referred the approved OZP No. S/H12/2 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection to reflect the changing circumstances.
- 2.4 On 11 July 2000, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mid-levels East OZP, which was subsequently renumbered as S/H12/4. On 10 October 2000, the CE in C referred the approved OZP No. S/H12/4 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 section 5 or 7 of the Ordinance to reflect the changing circumstances.
- 2.5 On 29 April 2003, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mid-levels East OZP, which was subsequently renumbered as S/H12/8. ~~On 9 May 2003, the approved Mid-levels East OZP No. S/H12/8 was exhibited for public inspection under section 9(5) of the Ordinance.~~ On 9 December 2003, the CE in C referred the approved OZP No. S/H12/8 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection **on 28 May 2004** to reflect the changing circumstances.

- 2.76 On 13 September 2005, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mid-levels East OZP, which was subsequently renumbered as S/H12/10. ~~On 30 September 2005, the approved Mid-levels East OZP No. S/H12/10 was exhibited for public inspection under section 9(5) of the Ordinance.~~ On 30 June 2009, the CE in C referred the approved OZP No. S/H12/10 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 10 July 2009 under section 12(2) of the Ordinance.~~ *The OZP was subsequently amended and exhibited for public inspection on 25 September 2009 under section 5 of the Ordinance.*
- ~~2.9 On 25 September 2009, the draft Mid-levels East OZP No. S/H12/11, incorporating amendments to impose building height restrictions for “Government, Institution or Community” (“G/IC”) zones and to revise the boundary of the “Comprehensive Development Area” (“CDA”) zone, was exhibited for public inspection under section 5 of the Ordinance. During the two-month public exhibition period, a total of 103 representations were received. On 4 December 2009, the representations were published for three weeks for public comments. No comment was received.~~
- ~~2.107 After giving consideration to the representations on 26 March 2010, the Board decided not to uphold the representations. On 6 July 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mid-levels East OZP, which was subsequently renumbered as S/H12/12. On 17 September 2010, the approved Mid-levels East OZP No. S/H12/12 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.~~ *On 14 December 2023, the Secretary for Development referred the approved OZP No. S/H12/12 to the Board for amendment under section 12(1A)(a)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 22 December 2023 under section 12(2) of the Ordinance.*
- 2.8 *On xx January 2024, the draft Mid-levels East OZP No. S/H12/13 (the Plan), incorporating amendments to rezone a site to the west of Tung Shan Terrace from “Residential (Group C) 1”, “Government, Institute or Community (4)” and “Green Belt” to “Residential (Group C) 3”, and a site at 18 Stubbs Road from “Comprehensive Development Area” to “Residential (Group C)4”, was exhibited for public inspection under section 5 of the Ordinance.*

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks for the Mid-levels East area so that development and redevelopment within the Planning Scheme Area (the Area) can be *subject to* ~~put under~~ statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development 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 zoning, there would be situations in which small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted as non-building area or for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculations. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Mid-levels East 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 covers an area of about 63.34 hectares of land in the eastern part of the northern intermediate slopes of Victoria Peak. It is bounded by Kennedy Road in the north, Stubbs Road in the east and Bowen Drive in the west, whilst the 200-230 metres contour forms its southern limit.
- 5.2 Rising from the level of an average 50 metres above Principal Datum (mPD) to 200mPD, the topography of the Area is generally steep. The undeveloped part of the Area is densely covered by trees and shrubs. Several sites in the Area command panoramic view of Victoria Harbour. It is an established high class residential area taking advantage of the good harbour view and pleasant environment.

6. POPULATION

According to the ~~2006~~**2016** Population By-Census, the population of the Area was about ~~7,800~~**7,400**. It is estimated that the planned population of the Area would be about ~~8,700~~**8,000**.

7. **BUILDING HEIGHT RESTRICTIONS IN MID-LEVELS EAST PLANNING SCHEME AREA**

- 7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, reviews of the Mid-levels East OZP have been undertaken in 2002 and in 2009 respectively for non-“G/IC” and “G/IC” zones with a view to incorporating appropriate building height restrictions in the Notes for various development zones. In the absence of building height control, 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 for the Area (e.g. preserving the public view from Bowen Road) and to provide better control on building height profile of the Area, appropriate building height restrictions are imposed for the “~~CDA~~”, “Residential (Group B)” (“R(B)”), “Residential (Group C)” (“R(C)”) and “G/IC” zones on the Plan.
- 7.2 The building height restrictions are to preserve the public view from Bowen Road and the general amenity of the Bowen Road area, taking account of the local area context, and the need to maintain visually compatible building masses in the wider setting. Bowen Road has a very unique environment. It generally follows the 120m contour line and has a green backdrop provided by the natural landscape of the southern hillslopes and enjoys seaview to its north. Because of its narrow width, low vehicular traffic and open views, it has become a very popular jogging and walking trail attracting local residents as well as territory-wide visitors. In view of its uniqueness and popularity, views from this road should be preserved for the enjoyment of the general public.
- 7.3 Developments in “R(B)” zones are restricted to 30 storeys, with its sub-area “R(B)1” restricted to a maximum height of 120mPD with a view to protecting public view from Bowen Road and the general amenity of the area. For the “R(B)2” zones located at the Wan Chai Gap, a maximum height of 90mPD is imposed specifically to preserve public view from Bowen Road along the visual corridor of Wan Chai Gap. *The low-rise developments at Tung Shan Terrace and along Bowen Road are zoned “R(C)1” restricted to a height of 10.67m and not exceeding 4 storeys including carports, whilst those at Shiu Fai Terrace which are zoned “R(C)2” are restricted to 12 storeys over 1 storey of carport. The “R(C)3” zone at Stubbs Road is restricted to four building height bands descending from 134mPD at the southern portion to 125mPD, 120mPD and 104mPD at the northern portion. The “~~CDA~~R(C)4” zone at Stubbs Road is also restricted to 120mPD to ensure that future developments would not exceed the existing level of Bowen Road to preserve the public view to the north. The low-rise developments at Shiu Fai Terrace which are zoned “R(C)2” are restricted to 12 storeys over 1 storey of carport; while those at Tung Shan Terrace and along Bowen Road are zoned “R(C)1” restricted to a height of 10.67m and not exceeding 4 storeys including carports.*
- 7.4 Specific building height restrictions for the “G/IC” zones in terms of mPD and/or number of storeys, which mainly reflect the existing and planned

building heights of developments, have been incorporated into the Plan to provide visual and spatial relief to the Mid-levels East Area.

- 7.5 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 design merits/planning gains. Each application for minor relaxation of building height restriction will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
- (a) integrating building design with the natural setting/local context for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air and visual permeability; and
 - (e) other factors, such as site constraints, need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.
- 7.6 However, for existing buildings with building heights already exceeding the building height restrictions in terms of mPD and/or number of storeys as shown on the Notes of the Plan and/or stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8. LAND USE ZONINGS

8.1 — Comprehensive Development Area (“CDA”) : Total Area 1.60 ha

- 8.1.1 ~~This zone is intended for comprehensive redevelopment of the area for residential with supporting commercial uses, open space and other related facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.~~
- 8.1.2 ~~The Lingnan Campus site at Stubbs Road to the west of Tung Shan Terrace is zoned “CDA” to ensure proper planning control over the intensity of building redevelopment on site having regard to environmental, urban design, landscape character, topographical, traffic~~

~~and infrastructural constraints. The “CDA” is intended for high class low density residential development with a maximum gross floor area (GFA) of 16,800m² (including not less than 15,300m² domestic GFA). To preserve public view from Bowen Road and the general amenity of the Bowen Road area, the site is restricted to a maximum building height of 120mPD (including roof structures) and 7 storeys including carports.~~

~~8.1.3 To facilitate preparation of the development scheme, a planning brief has been prepared setting out the uses, development mix and intensity permissible on the site. Any development proposal within this zone will require the approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan should be submitted together with an Environmental Assessment, a Traffic Impact Assessment and other information as specified in the Notes under the “CDA” zone.~~

8.21 Residential (Group B) (“R(B)”) : Total Area 4.35 ha

~~8.21.1~~ 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. The zone covers residential areas along Kennedy Road and the eastern part of Shiu Fai Terrace.

~~8.21.2~~ In view of the limited road capacity and the need to preserve the existing character of the area, developments within the “R(B)” zone are subject to a maximum plot ratio of 5 and a maximum building height of 30 storeys including carports. Some developments along Kennedy Road are designated as sub-areas under the “R(B)” zone with specific restrictions on building height to ensure that public view, particularly from Bowen Road and Wan Chai Gap, can be preserved. The sites (i.e. the Merry Gardens at 88–90 Kennedy Road and the developments at 98, 120, 122 and 124 Kennedy Road) located at Wan Chai Gap are zoned “R(B)2” restricted to a maximum height of 90mPD (including roof structures) as this section of Bowen Road immediately above the sites has been identified by the Island West Development Statement to be a view corridor. Other medium-rise developments along Kennedy Road are zoned “R(B)1” restricted to a maximum height of 120mPD (including roof structures). Depending on the site conditions, there is no guarantee that the developments on individual sites in these sub-areas can attain the maximum plot ratio of 5 permitted in the “R(B)” zone.

~~8.21.3~~ Application for minor relaxation of the stated restrictions may be made to the Board under section 16 of the Ordinance. Consideration of such applications would be on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.

8.32 Residential (Group C) (“R(C)”) : Total Area 6-948.55 ha

- 8.32.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. Like “R(B)” zone, this zone is primarily for residential use. However, this zone is subject to more specific control on building height to ensure that future development is compatible in scale with the existing development and within the capacity of the existing road system.
- 8.32.2 This zone mainly comprises residential developments at Tung Shan Terrace, Shiu Fai Terrace, Bowen Road and Stubbs Road. ~~Maximum building heights are restricted to 10.67 metres for “R(C)1” and twelve storeys over one storey of carports for “R(C)2”.~~
- 8.2.3 For sub-area “R(C)1”, *development is restricted to a maximum building height of 10.67 metres.* The maximum height for all building development should be measured from the existing mean site formation level in order to prevent undesirable raising of site levels and to maintain the character of the area. A maximum building height of 4 storeys including carports is also specified to preserve the existing low-rise and low-density character of the neighbourhood.
- 8.2.4 For sub-area “R(C)2”, *development is restricted to twelve storeys over one storey of carports.* Minor relaxation of the building height restriction to cater for the provision of ancillary facilities in future residential developments may be considered by the Board upon application under section 16 of the Ordinance to allow for greater design flexibility. Consideration of such application for height relaxation would be on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 8.2.5 *For sub-area “R(C)3”, future development is restricted to a maximum gross floor area (GFA) of 11,010m², of which a GFA of not less than 2,258m² shall be provided for residential care home for the elderly (not less than 60 beds) and related elderly facilities. To preserve public view from Bowen Road to the north and the general amenity of the Bowen Road area, taking into account the local topography, stepped building height restrictions descending from 134mPD at the southern portion to 125mPD, 120mPD and 104mPD at the northern portion of this zone are imposed. Since Tung Shan Terrace is currently served by narrow and steep local access road without proper footpath, vehicular access to the future development in this zone would be via a slip road off Stubbs Road instead of from the local access road of Tung Shan Terrace. A barrier-free vertical pedestrian access comprising shuttle lifts and covered walkway with entrances at Stubbs Road and Tung Shan Terrace shall be provided and open to public 24-hour to improve connectivity.*
- 8.2.6 *For sub-area “R(C)4”, development is restricted to a maximum GFA of 16,800m². To preserve public view from Bowen Road to the north and the general amenity of the Bowen Road area, the sub-area is*

restricted to a maximum building height of 120mPD (including roof structures).

8.2.7 *For sub-areas “R(C)3” and “R(C)4”, minor relaxation of the GFA and building height restrictions may be considered by the Board on application. Each application would be considered on its own merits. The criteria given in paragraph 7.5 above would be relevant for assessment for minor relaxation of building height restrictions. The GFA control under “R(C)3” and “R(C)4” zones is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area” promulgated on 18 October 2021, and shall be subject to the streamlining arrangements stated therein.*

8.43 Government, Institution or Community (“G/IC”) : Total Area ~~4.76~~**4.61** ha

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

8.43.2 Since the Area is primarily a residential area with a small population, it is not intended to be self-contained in terms of provision of GIC facilities. Residents in the Area have to rely on some of the facilities provided in adjoining areas.

8.43.3 In order to prevent out-of-context developments or redevelopments, building height restrictions have been imposed on the sites under “G/IC” zoning. The Bowen Road Fresh Water Service Reservoir in sub-area “G/IC(1)” is restricted to a maximum building height of 1 storey. The cluster of schools and the care and attention home near Shiu Fai Terrace in sub-area “G/IC(3)” is restricted to a maximum building height of 8 storeys. To provide flexibility for redevelopment, basement floor(s) may be disregarded in determining the relevant maximum number of storeys.

8.43.4 St. James’ Settlement, St. James’ Primary School and St. James’ Church at Kennedy Road in sub-area “G/IC(2)” are restricted to a maximum building height of 90mPD (including roof structures) to preserve the public view from Bowen Road along the visual corridor of Wan Chai Gap. ~~The Lingnan Primary School and Kindergarten at Tung Shan Terrace in sub-area “G/IC(4)” is restricted to a maximum building height of 120mPD (including roof structures) to ensure that future developments would not exceed the existing level of Bowen Road to preserve the public view to the north.~~

8.43.5 Minor relaxation of the building height restrictions based on the merits of individual development proposals may be considered by the Board upon application under section 16 of the Ordinance to allow for greater design flexibility.

8.54 Open Space (“O”) : Total Area 0.97 ha

- 8.54.1 This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.54.2 Existing open spaces are located to the north of Shiu Fai Terrace and to the west of Tung Shan Terrace. Residents living along Kennedy Road are within walking distance of the open space and other recreational facilities provided along Bowen Road, which are also popularly used by the general public. A district open space near the junction of Wan Chai Gap Road and Bowen Road has been completed.
- 8.54.3 Though not included in this zone, the public tennis court provided on the top of the service reservoir at Bowen Drive and other recreational facilities such as fitness trails and a sitting-out area along Bowen Road also serve the recreational needs of the population within the Area.

8.65 Green Belt (“GB”) : Total Area 41.52 ha

- 8.65.1 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.
- 8.65.2 This zone comprises the slopes in the central and southern parts of the Area. The difficult topography and steep terrain prevent the area from being used for urban development or active recreational uses. Urban type development within this zone will be strictly controlled and assessed individually on its merits through the planning permission system.
- 8.65.3 The green belt forms a visually and aesthetically pleasant background of the Area. It also provides additional opportunities for passive informal type of recreational uses.

9. COMMUNICATIONS

9.1 Roads : Total Area 3.2034 ha

- 9.1.1 The road network of the Area comprises a hierarchy of distributor and local roads. Main distributor roads consist of Stubbs Road and Kennedy Road. Stubbs Road serves Tung Shan Terrace and Shiu Fai Terrace, besides being an alternative access to the Peak and to the Southern District. Kennedy Road, which forms the northern boundary of the Area, provides an east-west link for commuters travelling within the Area as well as to other districts.

9.1.2 The above mentioned roads are supported by a network of subsidiary local roads which provide direct access to development at Shiu Fai Terrace and Tung Shan Terrace.

9.2 Public Transport

Due to the high rate of car ownership of local residents, the Area is served only by limited bus services which are supplemented by green minibus and taxis.

10. UTILITY SERVICES

10.1 The Area has an adequate supply of gas and electricity. The provision of telephone service is also sufficient. The Area is well served with piped fresh water supply. Salt water supply is only available at low-level areas at the north-eastern part of the Area. For the remaining areas without salt water supply, temporary mains water for flushing is being used.

10.2 The Area is within the Wan Chai East and Wan Chai West Sewerage Districts and is served by existing sewage screening plant and submarine outfall at Wan Chai East and West.

11. CULTURAL HERITAGE

~~The building at 64 Kennedy Road is a Grade III Historical Building. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development or rezoning proposal may affect the historical building.~~

11.1 The 21-Arch Section of the Bowen Aqueduct (declared monument), the building at 64 Kennedy Road (Grade 3 historic building), and the South Mark of Hong Kong Meridian (Government Historic Site identified by Antiquities and Monuments Office (AMO)) are situated in the Area. The list of declared monuments and graded buildings will be updated from time to time.

11.2 On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 buildings, and accorded grading to some buildings/structures within the Area. The AAB also released a number of new items pending grading assessment by the AAB. Details of the list of 1,444 historic buildings and new items have been uploaded onto the official website of AAB at <https://www.aab.gov.hk/en/historic-buildings/results-of-the-assessment/index.html>.

11.3 Prior consultation with the AMO of Development Bureau should be made, if any works, development, redevelopment or rezoning proposals may affect declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest or Government historic sites identified by AMO; the new items mentioned in paragraph 11.2 above; or any other buildings/structures identified with heritage value, both at grade

and underground, and their immediate environs. Information of the declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest and Government historic sites identified by AMO are available on the website of AMO: <https://www.amo.gov.hk/en/historic-buildings/hia/index.html>.

12. IMPLEMENTATION

- 12.1 Although existing uses non-conforming to the statutory zonings are tolerated, any material change of use and any other development/redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. The Board has published a set of guidelines for the interpretation of existing use in the urban and new town areas. Any person who intends to claim an “existing use right” should refer to the guidelines and will need to provide sufficient evidence to support his claim. The enforcement of the zonings mainly rests with the Buildings Department, the Lands Department and various licensing authorities.
- 12.2 The Plan provides a broad land use framework within which more detailed non-statutory plans for the Area are prepared by the Planning Department. These detailed plans are used as the basis for public works planning and site reservation within 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 department, such as the Highways Department and the Architectural Services Department. In the course of implementation of the Plan, the Wan Chai District Council would also be consulted as appropriate.
- 12.3 Planning applications to the Board will be assessed on individual merits. In general, the Board’s 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 application 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.

Hong Kong District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/H12/2 Application for Amendment to the Approved Mid-levels East Outline Zoning Plan No. S/H12/12, To rezone the application site from "Residential (Group C) 1", "Government, Institution or Community (4)" and "Green Belt" to "Residential (Group C) 3", and to amend the Notes of the zone applicable to the site, Nos. 15 and 24 Stubbs Road, No. 7 Tung Shan Terrace and adjoining Government land, Mid-levels East, Hong Kong
(MPC Paper No. Y/H12/2A)

14. The Secretary reported that the application site (the Site) was located in Mid-levels East. The following Members had declared interests on the item:

Mr Ivan M.K. Chung (<i>the Chairman</i>) (<i>as Director of Planning</i>)	-	co-owning with spouse a property in Happy Valley;
Mr Franklin Yu	-	owning a property in Mid-levels East; and
Ms Lilian S.K. Law	-	co-owning with spouse a property in Happy Valley.

15. As the properties owned/co-owned by Messrs Ivan M.K. Chung and Franklin Yu and Ms Lilian S.K. Law had partial/direct view of the Site, the Committee agreed that they should be invited to leave the meeting temporarily for the item. Mr Wilson Y.W. Fung, the Vice-chairman, took over the Chairmanship of the meeting temporarily.

[Messrs Ivan M.K. Chung and Franklin Yu and Ms Lilian S.K. Law left the meeting temporarily at this point.]

Presentation and Question Sessions

16. The following representatives from Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

PlanD

- | | |
|--------------------|--|
| Mr Mann M.H. Chow | - District Planning Officer/Hong Kong (DPO/HK) |
| Ms Erica S.M. Wong | - Senior Town Planner/Hong Kong (STP/HK) |
| Mr Ronald Chan | - Town Planner/Hong Kong (TP/HK) |

Applicant

Sustaina Limited

Ms Elina Jiang
Mr Colin Cheng
Ms Winnie Lam

Applicant's Representatives

KTA Planning Limited

Mr Kenneth To
Ms Pauline Lam
Ms Kitty Wong
Mr Faith Lai

GYU Limited

Mr Gabriel Yu
Mr Eric Ko
Ms Grace Chen

Ben Tse and Associates

Limited

Mr Ben Tse

CKM Asia Limited

Mr Kim Chin

Lanbase Surveyors Limited

Mr Rock Tsang

SMEC Asia Limited

Mr Antony Wong

Mr Fred Ng

17. The Vice-Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

18. With the aid of a PowerPoint presentation, Ms Erica S.M. Wong, STP/HK, briefed Members on the background of the application, the proposed rezoning to facilitate a private residential development with a privately initiated residential care home for the elderly (RCHE), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application and recommended the Committee to partially agree to the application to rezone the Site to "Residential (Group C)3" ("R(C)3") with appropriate restrictions to control the overall intensity of the development.

19. The Vice-Chairman then invited the applicant's representatives to make a presentation. Ms Kitty Wong, the applicant's representative, made the following main points:

The Site and the Indicative Development Scheme

- (a) the Site was previously occupied by Goodview Garden (a residential development zoned "Residential (Group C)1" ("R(C)1"), and the Lingnan Primary School (LPS) and Lingnan Kindergarten and Day Nursery (LKDN) (both zoned "Government, Institution or Community" ("G/IC(4)"). The LPS and LKDN had been relocated and were vacated for more than 10 years. The proposed rezoning of the Site to "R(C)3" would be a more

efficient use of land resources;

- (b) the indicative scheme comprised three 3-storey houses and three residential towers not exceeding 12 storeys, on top of a 4-storey podium for carpark and a RCHE. Vehicular access would be via a slip road off Stubbs Road;
- (c) the applicant proposed building setback from Stubbs Road ranging from 10m to 18m, building separations ranging from 10m to 16m to improve the permeability of views and ventilation; and ample landscape design treatment so that the proposed development would be in harmony with the surrounding area;
- (d) the proposed RCHE would provide about 60 bed spaces with recreational and medical facilities. The RCHE would be privately-operated by the applicant;
- (e) the technical assessments submitted demonstrated that the proposed development had no adverse traffic, environmental, drainage, sewerage, visual, landscape and geotechnical impacts;

Proposed building height and visual analysis

- (f) a stepped building height (BH) profile was proposed, with the main roofs of the three houses not exceeding 104mPD and that of the three residential blocks not exceeding 120mPD, 125mPD and 134mPD. The proposed BHs would be compatible with the surrounding developments such as Central Peak and Tung Shan Terrace and would not block the first residential floor of the adjacent residential developments i.e. 11 Tung Shan Terrace and Bowen Verde
- (g) the visual impact analysis demonstrated that the views from various public viewpoints, including King Yin Lei, hiking trail along Bowen Road, Happy Valley Race Course and Black's Link could generally be maintained;

Planning Gains

- (h) the applicant proposed to retain and refurbish the existing public staircase

from Tung Shan Terrace to Stubbs Road (partly within the Site), which was currently sub-standard and ill maintained. Improvement to the public staircase would enhance the safety for public users;

- (i) the applicant would provide shuttle lifts within the Site which would be opened to public 24-hours, thus improving pedestrian connectivity and providing universal access between Stubbs Road and Tung Shan Terrace;
- (j) signage directing the public to the shuttle lifts and exhibits showing the history of the former Lingnan schools would be erected;

Proposed Amendments to the Outline Zoning Plan

- (k) for provision of the RCHE, the applicant proposed to include ‘Social Welfare Facility (on land designated “R(C)3” only under Column 1) and stipulate the requirement for provision of minimum gross floor area (GFA) of 2,258 sq.m. of social welfare facilities;
- (l) BH restrictions for various sub-areas within the proposed “R(C)3” zone reflecting the indicative scheme were proposed to be stipulated in the Notes;
- (m) GFA for car parking was proposed to be exempted from PR calculation (the OZPs in the Peak area had similar provisions); and
- (n) a short video of the indicative development scheme was shown.

20. As the presentations of PlanD’s representative and the applicant’s representative were completed, the Vice-Chairman invited questions from Members.

21. Two Members raised the following questions to the applicant’s representatives:

- (a) whether the proposed RCHE would be operated by the applicant or would be handed over to the Social Welfare Department (SWD) to invite operators;
- (b) whether the applicant had relevant experience in operating RCHEs; and

- (c) whether the applicant was the owner of the Site.

22. In response, Ms Pauline P.Y. Lam, the applicant's representative, made the following main points:

- (a) the RCHE would be privately operated by the developer;
- (b) the developer did not have experience in operating RCHEs, but would engage a private operator with relevant experience to run the proposed RCHE; and
- (c) the applicant represented and had obtained consent from all the current land owners to submit the subject application

23. Mr Mann M.H. Chow, DPO/HK, supplemented that, the registered owners of the Site were overseas companies, including a mother company and some subsidiaries.

24. A Member raised the following questions to PlanD's representatives:

- (a) the provision of Government, Institution and Community (GIC) facilities in the Mid-levels East District;
- (b) to explain the access arrangement to the Site as the existing local access road at Tung Shan Terrace was very narrow; and
- (c) noting that about 38% of the Site was zoned "G/IC(4)" (and previously occupied by the LPS and LKDN), whether the GIC facilities provision in the proposed development was adequate and proportional to justify the rezoning.

25. In response, Mr Mann M.H. Chow, DPO/HK, made the following main points:

- (a) for the planned GIC provision in the Mid-levels East District in 2036, there would be a surplus in RCHE (+143 beds), and some shortfalls in pre-school

rehabilitation services, residential care services for persons with disabilities, child care centres and community care facilities. The Government would continue to provide sufficient social welfare facilities to make up for the deficit in the long term;

- (b) the ingress/egress and emergency vehicle access of the proposed development would be via a slip road from Stubbs Road. An ambulance parking space was reserved in the carpark of the proposed development. There would be no vehicular access from Tung Shan Terrace. The applicant proposed shuttle lifts connecting Stubbs Road to Tung Shan Terrace that would be opened 24-hours for public access; and
- (c) according to the information provided by the applicant, the proposed development comprised three houses and 41 flats with a domestic GFA of 8,749 m². The GFA of the proposed RCHE of 2,258m² was comparable to the GFA of about 2,500m² of the former LPS and LKDN.

26. In response to the Vice-Chairman's query on whether the applicant could change the RCHE to other uses should the RCHE had to cease operation in future, Mr Mann M.H. Chow, DPO/HK, responded that the applicant had proposed to include 'Social Welfare Facilities' as a Column 1 use for the "R(C)3" zone, hence, the applicant could convert the RCHE floor space for other social welfare facilities if needed.

27. As there was no further question from Members, the Vice-Chairman informed the applicant's representatives that the hearing procedure of the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Vice-Chairman thanked the representatives from PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

28. Members in general had no objection to rezone the Site for residential use at the development intensities proposed under the application. Members also supported the

applicant's proposal to provide a RCHE that would meet the territorial demand, despite there was a surplus of RCHE beds in the Mid-levels East District and the RCHE would be up-market and might not be affordable for the general public.

29. A Member opined that the GFA of the proposed GIC facilities (i.e. the RCHE) was slightly less than the GFA of the former LPS and LKDN. However, should the GIC provision be gauged in terms of the proportion of the site area zoned "G/IC(4)" or the maximum permissible GFA under the "G/IC(4)" zone, the GIC provision might be considered low. It was queried whether more GFA for the RCHE could be provided.

30. In response, the Secretary made the following main points:

- (a) about 1,520m² of the Site was within "G/IC(4)" zone (i.e. 38% of the site area). Instead of using the proportion of site area within "G/IC(4)" as a reference, the applicant used the GFA of the former LPS and LKDN as a reference for the proposed RCHE GFA; and
- (b) regarding the maximum permissible GFA under a hypothetical scenario of redevelopment in the "G/IC(4)" zone, the former LPS and LKDN were 6 storeys (114mPD) and 4 storeys (120mPD) respectively. As the "G/IC(4)" zone was subject to maximum BH of 120mPD, the former LPS site might have an additional BH of 6m (i.e. 1 to 2 additional storeys), while the former LKDN site was already built to the maximum BH. As such, even for a redevelopment scenario, the permissible GFA within the "G/IC(4)" zone would only result in minor additional GFA as compared to the GFA of the former LPS and LKDN.

31. A Member said that RCHEs were regulated by SWD under the Residential Care Homes (Elderly Persons) Ordinance (The Ordinance). The Ordinance provided for the control of RCHEs through a licensing system administered by the Director of Social Welfare, to ensure that the residents of RCHEs received services of acceptable standards. The Government would allow the developers to lease, sell or operate the premises and they were free to set fees having regard to market trend. The current sales and purchase market of RCHE was very active with very high prices sought. The Member enquired if the Committee/Government could restrict the applicant to operate the RCHE to prevent the

applicant from selling off the RCHE for profits.

32. The Secretary remarked that the requirement for provision of a RCHE on the Site could be added to lease conditions with details to be determined at land exchange stage. When Members considered the application, the main consideration would be whether the proposed uses and development parameters were considered acceptable from land use planning perspective. The Committee could suggest appropriate restrictions that struck a balance between controlling the overall development intensity and allowing enough design flexibility. The details including design, facilities to be provided and operation of the RCHE would be regulated by the licensing regime administered by SWD.

33. Some Members opined that the floor space per bed under the proposed RCHE was very high and there was room to provide more beds or other elderly facilities. In response to Members' concern and suggestions about the mechanisms to ensure implementation of the RCHE (with a minimum of 60 beds) with flexibility for allowing other related elderly facilities, e.g. day care centre for the elderly which was also in shortage in many districts, the Secretary said that in addition to controls under the lease, various development requirements could be stipulated under the Notes of the OZP and/or specified in the Explanatory Statement (ES). After some discussion, Members were of the view that when deciding on the proposed amendments to the OZP in the later stage, consideration might be given (i) to restrict the 'Social Welfare Facilities' use under Column 1 for RCHE and related elderly facilities rather than the general 'Social Welfare Facilities' use as proposed by the applicant; (ii) to specify the minimum non-domestic GFA (i.e. 2,258m² as proposed by the applicant) for RCHE and related elderly facilities in the Notes; and (iii) to state the minimum number of 60 beds for the RCHE in the ES. A Member remarked that the PlanD might further liaise with the applicant to see if the GFA for the RCHE or elderly facilities could be further increased. The Secretary remarked that, as mentioned in the Paper, other development restrictions, e.g. maximum GFA, might also need to be stipulated.

34. After deliberation, the Committee decided to partially agree to the application. The Chief Executive in Council would be requested to refer the approved Mid-Levels East OZP No. S/H12/12 to the Board for amendment. Details of the amendments to the approved OZP would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance.

[The Vice-Chairman thanked Mr Mann M.H. Chow, DPO/HK, Ms Erica S.H. Wong, STP/HK and Mr Ronald Chan, TP/HK for their attendance to answer Members' enquiries. They left the meeting at this point.]

Kowloon District

[Mr Ivan M.K. Chung, Mr Franklin Yu and Ms Lilian S.K. Law re-joined the meeting at this point]

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/K15/6

Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/27, To rezone the application site from "Comprehensive Development Area" to "Commercial (1)" and to amend the Notes of the "Commercial" zone, Yau Tong Marine Lots 73 and 74 in Yau Tong Bay, Yau Tong, Kowloon

(MPC Paper No. Y/K15/6)

35. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP) was one of the consultants of the applicant. Mr Franklin Yu had declared interest on this item for his firm having current business dealings with ARUP.

36. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

37. The Committee noted that the applicant's representative requested on 21.4.2023 deferment of consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the

**Provision of Major Government, Institution and Community Facilities and Open Space
in Mid-Levels East District (H12)**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG) Requirements	Requirement based on OZP planned population	OZP Provision		Surplus/ Shortfall against OZP planned provision
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons [#]	0.8ha	0.89ha	0.89ha	+0.09ha
Local Open Space	10 ha per 100,000 persons [#]	0.8ha	0.8ha	0.84ha	+0.04ha
Sports Centre	1 per 50,000 to 65,000 persons [#] (assessed on a district basis)	0	0	0	0
Sports Ground/ Sport Complex	1 per 200,000 to 250,000 persons [#] (assessed on a district basis)	0	0	0	0
Swimming Pool Complex – standard	1 complex per 287,000 persons [#] (assessed on a district basis)	0	0	0	0
District Police Station	1 per 200,000 to 500,000 persons (assessed on a regional basis)	0	0	0	0
Divisional Police Station	1 per 100,000 to 200,000 persons (assessed on a regional basis)	0	0	0	0
Magistracy (with 8 courtrooms)	1 per 660,000 persons (assessed on a regional basis)	0	0	0	0
Community Hall	No set standard	N.A.	0	0	N.A.

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG) Requirements	Requirement based on OZP planned population	OZP Provision		Surplus/ Shortfall against OZP planned provision
			Existing Provision	Planned Provision (including Existing Provision)	
Library	1 district library for every 200,000 persons (assessed on a district basis)	0	0	0	0
Kindergarten/ Nursery	34 classrooms for 1,000 children aged 3 to under 6 [#]	1 classrooms	9 classrooms	21 classrooms	+20 classroom
Primary School	1 whole-day classroom for 25.5 persons aged 6-11 [#] (assessed by EDB on a district/school network basis)	4 classrooms	57 classrooms	69 classrooms	+65 classrooms
Secondary School	1 whole-day classroom for 40 persons aged 12-17 [#] (assessed by EDB on a territorial-wide basis)	3 classrooms	29 classrooms	29 classrooms	+26 classrooms
Hospital	5.5 beds per 1,000 persons (assessed by Hospital Authority on a regional/cluster basis)	45 beds	0 beds	0 beds	-45 beds [@]
Clinic/Health Centre	1 per 100,000 persons (assessed on a district basis)	0	0	0	0

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG) Requirements	Requirement based on OZP planned population	OZP Provision		Surplus/ Shortfall against OZP planned provision
			Existing Provision	Planned Provision (including Existing Provision)	
Child Care Centre	100 aided places per 25,000 persons [#] (assessed by SWD on a local basis)	32 places	19 places	19 places	-13 places* (A long-term target assessed on a wider spatial context by SWD*)
Integrated Children and Youth Services Centre	1 for 12,000 persons aged 6-24 [#] (assessed by SWD on a local basis)	0	0	0	0
Integrated Family Services Centre	1 for 100,000 to 150,000 persons [#] (assessed by SWD on a service boundary basis)	0	0	0	0
District Elderly Community Centres	One in each new development area with a population of around 170,000 or above [#] (assessed by SWD)	N.A.	0	0	N.A.
Neighbourhood Elderly Centres	One in a cluster of new and redeveloped housing areas with a population of 15,000 to 20,000 persons, including both public and private housing [#] (assessed by SWD)	N.A.	0	0	N.A.
Community Care Services (CCS) Facilities	17.2 subsidised places per 1,000 elderly persons aged 65 or above [#] (assessed by SWD on a district basis)	46 places	42 places	42 places	-4 places* (A long-term target assessed on a wider spatial context by SWD*)

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG) Requirements	Requirement based on OZP planned population	OZP Provision		Surplus/ Shortfall against OZP planned provision
			Existing Provision	Planned Provision (including Existing Provision)	
Residential Care Homes for the Elderly	21.3 subsidised beds per 1,000 elderly persons aged 65 or above [#] (assessed by SWD on a cluster basis)	57 beds	200 beds	200 beds	+143 beds
Pre-school Rehabilitation Services	23 subvented places per 1,000 children aged 0 – 6 [#] (assessed by SWD on a district basis)	1 places	0 places	0 places	-1 places* (A long-term target assessed on a wider spatial context by SWD*)
Day Rehabilitation Services	23 subvented places per 10,000 persons aged 15 or above [#] (assessed by SWD on a district basis)	12 places	220 places	220 places	+208 places
Residential Care Services	36 subvented places per 10,000 persons aged 15 or above [#] (assessed by SWD on a cluster basis)	18 places	0 places	0 places	-18 places* (A long-term target assessed on a wider spatial context by SWD*)
Community Rehabilitation Day Centre	1 centre per 420,000 persons [#] (assessed by SWD on a district basis)	0	0	0	0
District Support Centre for Persons with Disabilities	1 centre per 280,000 persons [#] (assessed by SWD on a district basis)	0	0	0	0

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG) Requirements	Requirement based on OZP planned population	OZP Provision		Surplus/ Shortfall against OZP planned provision
			Existing Provision	Planned Provision (including Existing Provision)	
Integrated Community Centre for Mental Wellness	1 standard scale centre per 310,000 persons [#] (assessed by SWD on a district basis)	0	0	0	0

Note:

The planned resident population is about 8,000. If including transients, the overall planned population is about 8,200. All population figures have been adjusted to the nearest hundred.

Remark:

[#] The requirements exclude planned population of transients.

[@] The deficit in provision is based on OZP planned population while the Hospital Authority (HA) plans its services on a cluster basis and takes into account a number of factors in planning and developing various public healthcare services. The Hong Kong East Cluster (HKEC) provides services for residents in Eastern and Wan Chai Districts and outlying Islands (excluding Lantau Island). There is hospital redevelopment project planned in the Second Ten-year Hospital Development Plan (HDP), which will provide additional beds for serving the population in HKEC. The Second Ten-year HDP is currently under review in view of the Government's latest development strategies. HA will continue to review its service provisions to address the public healthcare needs on a cluster basis.

^{*} The deficit in provision is based on OZP planned population while the Social Welfare Department (SWD) adopts a wider spatial context/cluster in the assessment of provision for such facility. In applying the population-based planning standards, the distribution of welfare facilities, supply in different districts, service demand as a result of the population growth and demographic changes as well as the provision of different welfare facilities have to be considered. As the HKPSG requirements for these facilities are a long-term goal, the actual provision will be subject to consideration of the SWD in the planning and development process as appropriate. The Government has been adopting a multi-pronged approach with long-, medium- and short-term strategies to identify suitable sites or premises for the provision of more welfare services which are in acute demand.

JANUARY 2024