

**SCHEDULE OF PROPOSED AMENDMENTS TO
THE DRAFT NGAU TAU KOK AND KOWLOON BAY
OUTLINE ZONING PLAN NO. S/K13/29
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendment to Matters shown on the Plan

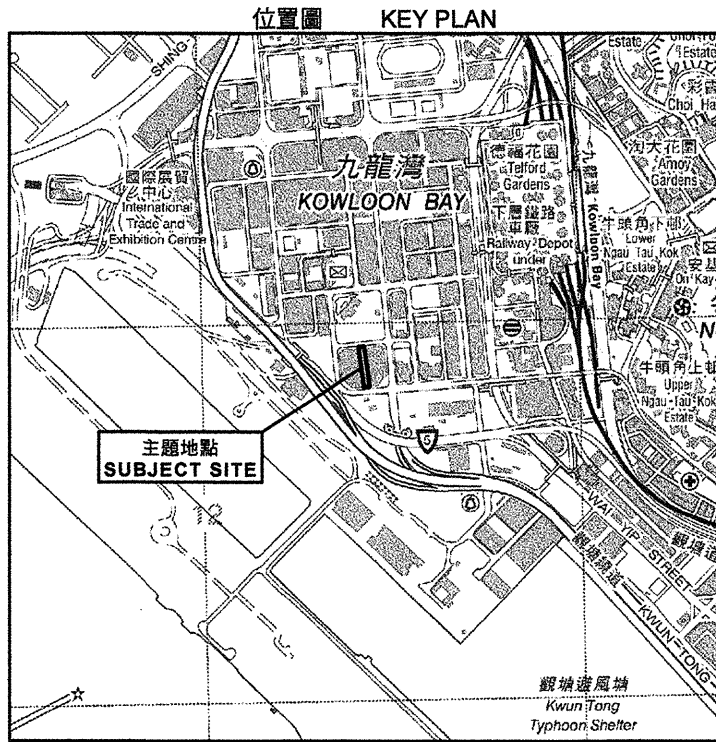
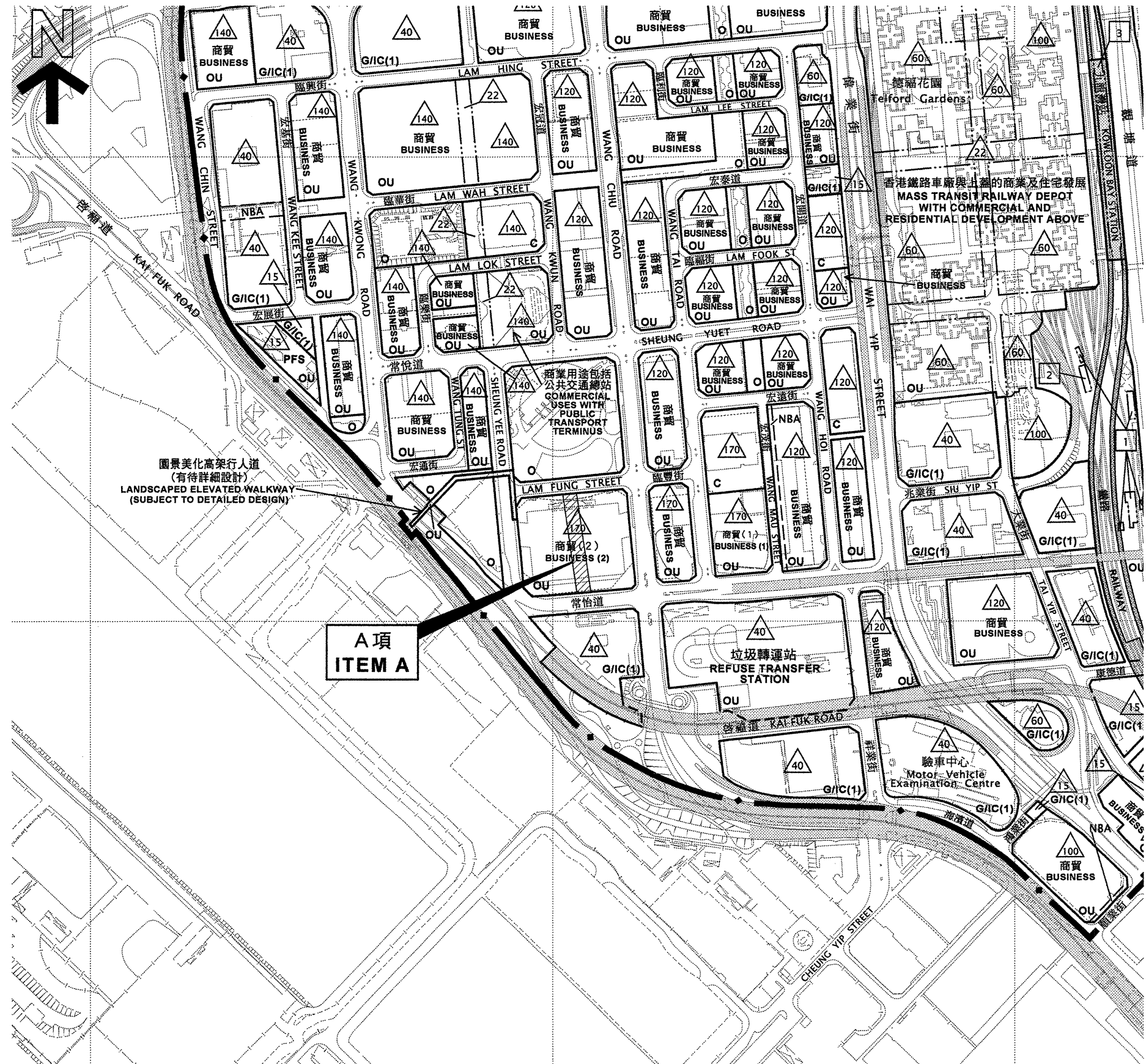
- Item A – Deletion of the building gap requirement from Lam Fung Street to Sheung Yee Road within the “Other Specified Uses” annotated “Business (2)” (“OU(B)2”) zone with revision of the building height restriction from 22mPD to 170mPD for the area concerned.

II. Amendment to the Notes of the Plan

Revision to the Remarks of the Notes for the “OU(B)” zone by deleting the requirement on the provision of building gap from Lam Fung Street to Sheung Yee Road.

Town Planning Board

18 October 2019



SCALE 1 : 20 000 比例尺

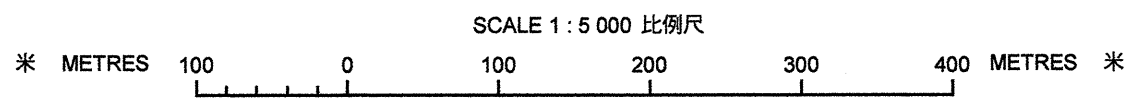
草圖編號 S/K 13/29 的建議修訂
 PROPOSED AMENDMENT TO DRAFT PLAN No. S/K13/29
 根據城市規劃條例第 6C(2) 條公布的建議修訂
 PROPOSED AMENDMENT PUBLISHED UNDER SECTION 6C(2)
 OF THE TOWN PLANNING ORDINANCE

A 項 ITEM A
 刪除位於「其他指定用途」註明「商貿(2)」地帶的建築物間距規定，把該部分土地的建築物高度限制由主水平基準上 22 米修訂為主水平基準上 17.0 米
 DELETION OF THE BUILDING GAP REQUIREMENT WITHIN THE "OTHER SPECIFIED USES" ANNOTATED "BUSINESS (2)" ZONE WITH REVISION OF THE BUILDING HEIGHT RESTRICTION FROM 22mPD TO 17.0mPD FOR THE AREA CONCERNED

夾附的《註釋》屬這份圖則的一部分，
 《註釋》的建議修訂已根據城市規劃條例第 6C(2) 條公布。
 THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
 AND THE PROPOSED AMENDMENT THERETO HAS BEEN PUBLISHED
 UNDER SECTION 6C(2) OF THE TOWN PLANNING ORDINANCE
 (參看附表)
 (SEE ATTACHED SCHEDULE)

2019年10月18日根據城市規劃條例第6C(2)條公布
 對草圖編號 S/K 13/29 作出的建議修訂
 PROPOSED AMENDMENT TO DRAFT PLAN No. S/K13/29
 PUBLISHED UNDER SECTION 6C(2) OF THE TOWN
 PLANNING ORDINANCE ON 18 OCTOBER 2019
 Ms Lily Yam 任雅薇女士
 SECRETARY, TOWN PLANNING BOARD 城市規劃委員會秘書

牛頭角及九龍灣分區計劃大綱草圖編號 S/K 13/29 的建議修訂
 PROPOSED AMENDMENT TO DRAFT NGAU TAU KOK & KOWLOON BAY
 OUTLINE ZONING PLAN No. S/K13/29



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. R/S/K13/26 - B1

**Proposed Amendments to the Notes of the
Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29
in relation to Amendment Plan No. R/S/K13/26-B1**

The Remarks of the Notes for the “Other Specified Uses” annotated “Business” zone are proposed to be amended :

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0 and the maximum building height, in terms of metres above Principal Datum (mPD), as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (2) A minimum of 3m-wide non-building area(s) from the lot boundaries abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided.
- (3) On land demarcated for a 15m-wide building gap from Lam Hing Street to Lam Wah Street as shown on the Plan, no new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD.
- ~~(4) On land designated “Other Specified Uses” annotated “Business(2)”, a 15m-wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap as shown on the Plan. No new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building shall exceed the maximum building height restriction of 22mPD. Alternatively, an applicant shall submit an application supported by an Air Ventilation Assessment together with a layout plan to the Town Planning Board for approval under section 16 of the Town Planning Ordinance.~~
- (5)(4) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker’s office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" only (Cont'd)

Remarks (Cont'd)

- ~~(6)~~(5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- ~~(7)~~(6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- ~~(8)~~(7) Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the non-building area restrictions as shown on the Plan and stated in paragraph (2) above and the building gap restrictions stated in paragraphs (3) and ~~(4)~~ above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

**Proposed Amendments to the Explanatory Statement of
the Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29
in relation to Amendment Plan No. R/S/K13/26-B1**

(This does not form part of the proposed amendments to
the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29)

Paragraphs 7.11, 8.6(f) to 8.6(i) and 9.6.3 to 9.6.16 of the Explanatory Statement are proposed to be amended :

7.11 ~~An~~ **Two** Expert Evaluation (EE) on air ventilation assessments (AVA) ~~has~~ **have** been undertaken **in 2010 and 2019** to assess the existing wind environment and the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. The building height restrictions shown on the Plan have taken the findings of the AVA into consideration.

8.6 Taking into account the findings of the AVA Study and other site-specific AVA, the following mitigation measures including NBAs and building gaps have been incorporated into the Plan:

NBAs and building gaps in areas within KBBA

~~(f) A 15m wide strip of land within the “OU(Business)2” sub-zone from Lam Fung Street to Sheung Yee Road is demarcated as a building gap where no building shall exceed a maximum building height of 22mPD (which tallies with the building height of other building gaps in KBBA). This building gap, upon redevelopment of the lot, would help to open up the wind corridor for the incoming sea breeze in the south, which permeates to other parts of KBBA.~~

NBAs and building gaps in areas outside KBBA

~~(gf)~~ The existing north-eastern vegetated slopes within the “R(A)” zone of Ping Shek Estate is designated as a NBA in order to maintain the existing vegetated slopes, together with the adjacent “GB” zone and Ping Shek Playground, as a green and air ventilation pocket in the area.

~~(hg)~~ The existing slopes at the eastern periphery of the “R(B)” zone of Shun Chi Court is designated as a NBA to preserve the vegetated slopes as an extension of the “GB” zone and as an air ventilation pocket.

~~(ih)~~ Three strips of lands are demarcated as building gaps within “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)” zone of Telford Gardens. Two 22m-wide building gaps, running in east-west direction where no building shall exceed a maximum building height of 22mPD, could serve as wind corridors connecting air paths of Wang Tai Road and Sheung Yuet Road to Kwun Tong Road. Another 15m-wide building gap runs in north-south direction from Kai Cheung Road to Tai Yip Street where no building shall exceed a maximum building height of 22mPD. The building height of

22mPD is the height of the existing MTR depot. These building gaps are to be provided upon future redevelopment of Telford Gardens.

9.6 “Other Specified Uses” (“OU”) - Total Area 44.28 ha

9.6.3 As it is not possible to phase out existing polluting and hazardous industrial uses all at once on lands zoned “OU(Business)”, it is necessary to ensure compatibility of the uses within the same industrial or I-O building and in the Kowloon Bay area until the whole area is transformed to cater for the new non-polluting business uses. The setting back of buildings to cater for the future increase in traffic demand may also be required. Development within the “OU(Business)”, “OU(Business)1” and “OU(Business)2” zones are subject to a maximum plot ratio of 12.0 and maximum building heights ranging from 100mPD to 170mPD. Reference should also be made to the relevant Town Planning Board Guidelines. To improve air ventilation of KBBA, a minimum of 3m-wide NBA(s) from the lot boundaries of the “OU(Business)” zones abutting Wang Kwong Road and Wang Chiu Road (between Kai Cheung Road and Kai Fuk Road) shall be provided. A 5m-wide NBA from the lot boundary of the “OU(Business)” zone abutting the eastern side of Wang Mau Street is designated. Moreover, a strip of land along the south-eastern boundary of the “OU(Business)” zone at the junction of Wai Yip Street and Shun Yip Street is designated as NBA to enhance the wind performance at pedestrian level. In addition, a 15m-wide building gap (where no building shall exceed the maximum building height of 22mPD) is demarcated within the “OU(Business)” zone from Lam Hing Street to Lam Wah Street. ~~Another 15m wide building gap (where no building shall exceed the maximum building height of 22mPD) within the “OU(Business)2” zone from Lam Fung Street to Sheung Yee Road is demarcated.~~

~~9.6.4 The “OU(Business)2” site, occupied by Enterprise Square Five, is situated on the waterfront and the existing development presents an obstacle to the air permeability to KBBA. As such, a 15m wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap where no building shall exceed the maximum building height of 22mPD in order to open up the wind corridor for the oncoming sea breeze in the south, which permeates to other parts of KBBA upon redevelopment of the site. Alternatively, an applicant shall submit an application to the Board supported by an AVA together with a layout plan for approval under section 16 of the Ordinance. The application shall be supported by the findings and recommendations of the AVA which demonstrates that the alternative measures provide comparable or better wind performance to the Area than the 15m wide building gap.~~

9.6.54 A site at the junction of Sheung Yuet Road and Wang Kwun Road is zoned “OU(Commercial Uses with Public Transport Terminus)”, known as Enterprise Square. The site has been developed as a public transport terminus with commercial uses above. In order to restrain traffic growth which will otherwise overload the existing and planned transport network, developments within this zone are subject to a maximum plot

ratio of 12.0 and a maximum building height of 140mPD. A public transport terminus comprising three bus bays and one green minibus bay shall be provided within the zone. A 15m-wide building gap, where no building shall exceed the maximum building height of 22mPD, is demarcated on the western boundary of the zone from Lam Lok Street to Sheung Yuet Road to improve air ventilation of the Area.

- 9.6.65 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 9.6.76 A site bounded by Wang Chiu Road, Sheung Yee Road, Cheung Yip Street and Kai Fuk Road Flyover is zoned “OU(RTS)”. This zone is intended primarily to provide land for the development of a refuse transfer station to facilitate transfer of refuse to the landfill sites in the New Territories, as there is a shortage of landfill sites in the main urban area. The site is subject to a maximum building height of 40mPD and a minimum of 3m-wide NBA from the lot boundary abutting Wang Chiu Road shall be provided.
- 9.6.87 Two sites zoned “OU(PFS)” at Kai Fuk Road are intended primarily for the provision of petrol filling stations serving the needs of the local residents as well as the general public. Both sites are subject to a maximum building height of 15mPD.
- 9.6.98 The open-air railway, MTR Kowloon Bay Station and associated facilities are zoned “OU(Railway)”. Within this zone, a building height restriction of 3 storeys is imposed for the MTR Kowloon Bay Station along Kwun Tong Road, and 1 to 2 storeys as shown on the Plan for the associated facilities such as warehouses, a control tower and a pumping house. No new development except one-storey structure ancillary to the railway and the MTR Station shall be permitted.
- 9.6.109 The comprehensive development at the MTR Kowloon Bay Depot is zoned “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)”. This zone is intended primarily for the provision of land for MTR depot together with commercial and residential development above. The development comprises the MTR depot, two commercial towers including MTR Headquarters Building and a large commercial/residential development known as Telford Gardens and Telford Plaza. Apart from office and shopping facilities, a wide range of community facilities including a recreational club and a cinema are provided to cater for the needs of the residents. The Telford Annex of the Community College of City University of Hong Kong is also accommodated within the development. Developments and redevelopments within this zone are subject to a maximum GFA of 278,703m² for domestic use and 177,031m² for non-domestic use, and maximum building heights of 60mPD and 100mPD. A public transport terminus shall be provided within this zone. Three building gaps shall

be provided within the zone upon redevelopment in order to improve air ventilation in the area. Two 22m-wide building gaps run parallel to Wang Tai Road and Sheung Yuet Road in east-west direction, and one 15m-wide building gap runs parallel to Tai Yip Street in north-south direction are demarcated, on which no building shall exceed a maximum building height of 22mPD.

- ~~9.6.41~~**10** A site located to the northeast of Ping Shek Estate along New Clear Water Bay Road is zoned “OU(Commercial/Residential Development with Public Car Park and Public Transport Interchange)”. The site is occupied by a residential development with commercial uses known as 8 Clear Water Bay Road, public transport interchange and ‘park-and-ride’ facility in the podium serving the wider district. It is subject to a maximum GFA of 19,138m² for domestic use and 13,366m² for non-domestic use, and a maximum building height of 180mPD. A public car park with 450 parking spaces and a public transport interchange comprising four bus bays, three public light bus and taxi bays and one general vehicle layby shall be provided within the zone. Minor relaxation of the number of parking spaces may be considered by the Board on application under section 16 of the Ordinance.
- ~~9.6.42~~**11** A strip of land spanning over Sheung Yee Road and Kai Fuk Road is zoned “OU(Landscaped Elevated Walkway)”. This zone is primarily intended for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting the pedestrian walkway system in KBBA with Kai Tak area.
- ~~9.6.43~~**12** The open lorry park at Lee On Road is zoned “OU(Open Lorry Park)”, intended primarily to provide land for the development of an open-air lorry park. No building structure except one-storey structure ancillary to the open-air lorry park shall be erected within the site.
- ~~9.6.44~~**13** Minor relaxation of the development restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 7.12 and 7.13 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- ~~9.6.45~~**14** However, for any existing building with plot ratio/GFA already exceeding the relevant restrictions as stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- ~~9.6.46~~**15** Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of NBA and building gap restrictions may be considered by the Board on application under section 16 of the Ordinance.

tpbpd

寄件者: [REDACTED]
寄件日期: 10日11月2019年星期日 2:11
收件者: tpbpd
主旨: Re: AMENDMENTS TO THE DRAFT NGAU TAU KOK AND KOWLOON BAY OUTLINE ZONING PLAN NO. S/K13/29

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Friday, November 8, 2019 11:55:51 PM
Subject: AMENDMENTS TO THE DRAFT NGAU TAU KOK AND KOWLOON BAY OUTLINE ZONING PLAN NO. S/K13/29

SCHEDULE OF PROPOSED AMENDMENTS TO THE DRAFT NGAU TAU KOK AND KOWLOON BAY OUTLINE ZONING PLAN NO. S/K13/29

1. Amendment to Matters shown on the Plan Item A – **Deletion of the building gap requirement from Lam Fung Street to Sheung Yee Road** within the "Other Specified Uses" annotated "Business (2)" ("OU(B)2") zone with revision of the building height restriction from 22mPD to 170mPD for the area concerned.
2. II. Amendment to the Notes of the Plan Revision to the Remarks of the Notes for the "OU(B)" zone by deleting the requirement on the provision of building gap from Lam Fung Street to Sheung Yee Road
Dear TPB Members,

REDA has objected that there was not proper consultation with regard to Building Gaps, Set Backs, etc.

That organization has deep pockets and can engage consultants to follow up on the issues.

What about members of the public? In this instance the above is the only information provided with regard to the OZP amendment. There is no Paper provided, the most recent is that of 17 March 2017.

There is no information provide with regard to why there is an amendment being considered. Folk familiar with the process can deduce that it was probably discussed at some point, and spend time clicking onto the minutes of recent meetings. Bingo, Item 2 on 27 September.

But what about those members of the public with little or no experience of the system? Links should be provided to relevant documents to provide members of the public with sufficient information to make an intelligent and informed submission.

There was no objection on the part of the community to the original proposal of the building gap. I attended the relevant meeting and cannot remember any discussion on this matter taking place.

**DRAFT NGAU TAU KOK AND KOWLOON BAY OUTLINE ZONING PLAN NO. S/K13/28
AMENDMENTS 17 March 2017**

Planning Intention

(4) On land designated "Other Specified Uses" annotated "Business(2)", a **15m-wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap** as shown on the Plan. No new development (except minor addition, alteration and/or modification not affecting the building height of the existing building) or redevelopment of an existing building **shall exceed the maximum building height restriction of 22mPD**. Alternatively, an applicant shall submit an application supported by an AVA together with a layout plan to the Town Planning Board for approval under section 16 of the Town Planning Ordinance.

8.6 **Taking into account the findings of the AVA** Study and other site-specific AVA, the following mitigation measures including NBAs and building gaps have been incorporated into the Plan: NBAs and building gaps in areas within KBBA

9.5 "Open Space" ("O") - Total Area 52.28 (DELETE) 48.33 ha

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

9.5.2 Major existing open space include Ping Shek Playground, Kowloon Bay Playground, Kowloon Bay Park, Ngau Tau Kok Park, Jordan Valley Playground, Jordan Valley Park, Shun Lee Tsuen Playground, Shun Lee Tsuen Park, and various parks and sitting-out areas in Ngau Tak Kok the Area and KBBA. **The open space bounded by Wang Chiu Road, Lam Fung Street, Sheung Yee Road and Sheung Yuet Road with the Construction Industry Council Zero Carbon Building was completed.** In relation to the housing developments at Choi Fook Estate and Choi Ying Estate, two sites to the northeast and northwest of Choi Ha Estate and a site at the junction of Kwun Tong Road and Choi Wan Road have been developed as Choi Wing Road Park, Choi Hei Road Park and Choi Wan Road Sitting-out Area respectively.

9.6.3. To improve air ventilation of KBBA..... Another 15m-wide building gap (where no building shall exceed the maximum building height of 22mPD) within the "OU(Business)2" zone from Lam Fung Street to Sheung Yee Road is demarcated.

9.6.4 The "OU(Business)2" site, occupied by Enterprise Square Five, is situated on the waterfront and the existing development **presents an obstacle to the air permeability to KBBA. As such, a 15m-wide strip of land from Lam Fung Street to Sheung Yee Road is demarcated as a building gap where no building shall exceed the maximum building height of 22mPD in order to open up the wind corridor for the oncoming sea breeze in the south, which permeates to other parts of KBBA** upon redevelopment of the site. Alternatively, an applicant shall submit an application to the Board supported by an AVA together with a layout plan for approval under section 16 of the Ordinance. The application shall be supported by the findings and recommendations of the AVA which demonstrates that the alternative measures provide comparable or better wind performance to the Area than the 15m-wide building gap.

Other relevant links that should have been provided are:

https://www.info.gov.hk/tpb/en/papers/TPB/K/S_K13_26_RV/S_K13_26_RV_Mainpaper.pdf

see 3.8 (e) NBA

https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1194tpb_e.pdf

Item 4

[https://www.info.gov.hk/tpb/en/S_K13_26_R2/R2_S-K13-26%20-%20SI\(2\)%20dd.%2018.4.2019.pdf](https://www.info.gov.hk/tpb/en/S_K13_26_R2/R2_S-K13-26%20-%20SI(2)%20dd.%2018.4.2019.pdf) REDA

https://www.pland.gov.hk/pland_en/info_serv/ava_register/ProjInfo/AVRG133_FinalReport.pdf

AVA see 5.13

As a member of the public I ask **WHAT IS NOT TO LIKE ABOUT A NICE WIDE BUILDING GAP AT THE CENTRE OF A VERY CONGESTED BUILT UP DISTRICT?**

Reading the Sept 27th Minutes one gets the impression that this BG was thrown under the bus in order to prove that TPB had complied with the JR ruling. No justification has been provided for the initiative.

I would remind members that there are numerous applications for 20% increase in GFA at various sites in the district. However no mention has been made about their cumulative impact. REDA states that the AVA has not been updated. In fact it has been rendered obsolete in response to a Policy Address proposal that ignores the impact on the AVA and other components of the OZP.



Mary Mulvihill