

KOWLOON PLANNING AREA NO. 11

~~APPROVED DRAFT~~ TSZ WAN SHAN, DIAMOND HILL AND SAN PO KONG

OUTLINE ZONING PLAN NO. S/K11/31A

EXPLANATORY STATEMENT

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(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*** Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/31A. It reflects the planning intention and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 The first statutory Layout Plan (LP) No. L/K11/36/3, covering a portion of the Kowloon Planning Area No. 11, was gazetted on 25 April 1958 under section 5 of the Town Planning Ordinance (the Ordinance) and was subsequently approved by the then Governor-in-Council (G in C) on 2 September 1958 under section 8 of the Ordinance. On 13 May 1960, the Outline Development Plan (ODP) No. LK 11/41B, covering Kowloon Planning Areas No. 8 and 11, was gazetted under section 5 of the Ordinance. On 6 December 1960, the then G in C, under section 8 of the Ordinance, approved the draft ODP. On 12 July 1963, the then G in C referred the approved ODP No. LK 11/41C to the Board for amendment under section 11 of the Ordinance. The ODP was then amended once and exhibited for public inspection under section 5 of the Ordinance. On 28 January 1964, the then G in C, under section 8 of the Ordinance, approved the draft ODP.
- 2.2 On 12 August 1969, the then G in C, under section 12(1)(b)(i) of the Ordinance, referred the approved ODP No. LK 11/63 and the approved LP No. L/K11/36/3, to the Board for replacement by two new plans. On 19 May 1978, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. LK 11/75, covering the Planning Area No. 11, was gazetted under section 5 of the Ordinance. The OZP was subsequently amended three times and exhibited for public inspection under section 7 of the Ordinance.
- 2.3 On 4 July 1989, the then G in C considered the draft OZP No. S/K11/3 and agreed to refer the draft OZP to the Board for further consideration and amendment under section 9(1)(c) of the Ordinance. The OZP was subsequently amended five times and exhibited for public inspection under section 5 or 7 of the Ordinance.

- 2.4 On 18 November 1997, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/9. On 9 February 1999, the CE in C referred the approved OZP No. S/K11/9 to the Board for amendment under 12(1)(b)(ii) of the Ordinance. Since then, the OZP was amended twelve times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.5 On 6 November 2007, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/22. On 8 April 2008, the CE in C referred the approved OZP No. S/K11/22 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP was amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.6 On 12 January 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/25. On 7 January 2014, the CE in C referred the approved OZP No. S/K11/25 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP was subsequently amended twice and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 6 December 2016, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/29. On 21 August 2018, the CE in C referred the approved OZP No. S/K11/29 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. ***The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.*** ~~The reference back of the approved OZP was notified in the Gazette on 31 August 2018 under section 12(2) of the Ordinance.~~
- ~~2.8 On 24 June 2022, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/30, incorporating amendments mainly to rezone Chuk Yuen United Village and the area nearby for housing development cum Government, institution or community (GIC) facilities from “Government, Institution or Community” (“G/IC”) and an area shown as ‘Road’ to “Residential (Group A)4” (“R(A)4”) was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of eight valid representations were received. On 9 September 2022, the representations were published for three weeks for public comments and two valid comments were received. After giving consideration to the representations and comments on 16 December 2022, the Board decided not to uphold the representation and that no amendment should be made to the draft OZP to meet the representations.—~~
- 2.89 On 25 April 2023, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP, which was subsequently renumbered as S/K11/31. ~~On 5 May 2023, the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/31 (the Plan) was exhibited for public inspection under section 9(5) of the~~

~~Ordinance.~~ *On 27 June 2023, the CE in C referred the approved OZP No. S/K11/31 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 7 July 2023 under section 12(2) of the Ordinance.*

- 2.9 *On (date) (month) 2026, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/32 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The amendments on the Plan mainly involved rezoning of the Choi Hung Road Playground from “Open Space” (“O”) and “Government, Institution or Community” (“G/IC”) to “Open Space (1)” (“O(1)”) and “G/IC” for an integrated development comprising a new open space, a Government, institution and Community (GIC) complex and a public vehicle park (PVP).*

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the Planning Scheme Area (the Area) can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development and to provide guidance for more detailed planning within the Area. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be **situations in which** ~~cases that~~ small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio calculation. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Tsz Wan Shan, Diamond Hill and San Po Kong areas and not to overload the road network in ~~this~~ **these** areas.

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.tpbinfo.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area is located in Wong Tai Sin District within East Kowloon. It is bounded by Hammer Hill to the east and southeast; Unicorn Ridge and Temple Hill to the north; Lion Rock to the west; and the Kai Tak area to the south. The boundary of the Area is delineated in a heavy broken line on the Plan. It covers about 325 hectares (*ha*) of land.
- 5.2 The predominant land use in the Area to the north of Lung Cheung Road and Po Kong Village Road is residential use which consists mainly of public housing estates. To the south of Choi Hung Road is the San Po Kong Business Area (**SPKBA**) ~~where flatted factory buildings have been developed and is under transformation to meet the changing needs of the industrial and business sectors.~~ The south-western part of San Po Kong, bounded by Choi Hung Road, Tseuk Luk Street and King Fuk Street, has been developed mainly for mixed commercial and residential uses and serves as a local commercial centre. ~~The squatter areas in Tai Hom Village and Yuen Leng Village have been cleared to cater for a~~ comprehensive development ~~mainly for residential uses, together with open space, some commercial/retail and community facilities~~ *is located near the Mass Transit Railway (MTR) Diamond Hill Station.*

6. POPULATION

Based on the 2021~~16~~ Population By-census, the population of the Area was estimated by the Planning Department as about **209,100** ~~224,900~~ persons. It is estimated that the planned population of the Area would be about **218,600** ~~237,500~~ persons.

7. BUILDING HEIGHT RESTRICTIONS IN THE AREA

- 7.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, the Kowloon OZPs are subject to revisions to incorporate building height restrictions to guide future development/redevelopment. With the removal of ex-Kai Tak Airport and relaxation of the airport height restriction, the Area has been subject to redevelopment pressure, in particular ~~San Po Kong Business Area~~ **SPKBA**. In order to prevent out-of-context tall buildings while respecting the existing building height profile of the Area, a review was undertaken to ascertain the appropriate building height restrictions for the “Residential (Group A)” (“R(A)”), “G/IC” and “Other Specified Uses” (“OU”) zones on the Plan.
- 7.2 The building height restrictions are to preserve the views to the ridgelines of the Lion Rock, Tsz Wan Shan and Kowloon Peak from the vantage point of Quarry Bay Park. The stepped building height concept adopted for the Area has taken into account the Urban Design Guidelines, the overall natural topography, local area context, local wind environment, the existing building height profile and the need to maintain visually compatible building masses in

the wider setting. There are ten main building height bands – 80 metres above Principal Datum (mPD), 100mPD, 120mPD, 140mPD, 145mPD, 160mPD, 180mPD, 200mPD, 220mPD and 240mPD in the Area for the “R(A)”, “Residential (Group E)” (“R(E)”) and “OU” zones. The proposed building height bands help achieve a stepped height profile for visual permeability and wind penetration and circulation in the Area.

- 7.3 Moreover, specific building restrictions for the “G/IC” zone in terms of mPD or number of storeys, which mainly reflect the existing and planned building heights of developments, have been incorporated into the Plan. Building height control for GIC buildings of not more than 13 storeys will be specified in terms of number of storeys so as to allow more design flexibility, and to accommodate specific functional requirements. For those GIC developments which are higher than 13 storeys, a building height restriction in mPD will be adopted.
- 7.4 An air ventilation assessment by expert evaluation ~~has been~~ **was** undertaken in 2008 (AVA 2008) to assess the likely impact of the proposed building heights of the development sites within the Area on the pedestrian wind environment. The building height bands, non-building areas (NBAs), and building gaps as shown on the Plan have taken into account the recommendations of the AVA 2008.
- 7.5 A minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide ~~flexibility~~ **incentive** for development/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) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan;
 - (f) providing a pronounced height profile in areas of sloping sites; and
 - (g) other factors such as the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, ~~provided that no~~ **and would not cause** adverse landscape and visual impacts ~~would be resulted from the innovative building design.~~

~~7.6 However, for existing buildings where the building height has already exceeded the maximum building height restrictions in terms of mPD or number of storeys as stipulated on the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.~~

8. LAND USE ZONINGS

8.1 “Comprehensive Development Area” (“CDA”) - Total Area 7.18 ha

8.1.1 This zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting 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 area bounded by Lung Cheung Road and Choi Hung Road to the south of ~~Mass Transit Railway (MTR) Diamond Hill Station~~ is within this zone. ***It was originally squatter areas of Tai Hom Village and Yuen Leng Village, which have been comprehensively redeveloped into public housing with some commercial and community facilities, open space and public transport interchange. Portion of the area is also intended for a***~~It is intended for a comprehensive development comprising public housing development with commercial and GIC facilities, a water feature park, a landscaped walk with cultural theme, religious facility and an open space and relocated public transport interchange.~~

8.1.3 In order to ensure that the intensity of the development is under statutory planning control, the maximum gross floor area (GFA) including a maximum non-domestic GFA has been specified in the Notes of the “CDA” zone.

8.1.4 Pursuant to section 4A(1) of the Ordinance, any development within the “CDA” zone would require approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan (MLP) should be submitted in accordance with the requirements as specified in the Notes of the Plan for the approval of the Board pursuant to section 4A(2) of the Ordinance. A copy of the approved MLP would be made available for public inspection in the Land Registry pursuant to section 4A(3) of the Ordinance.

8.2 “Residential (Group A)” (“R(A)”) - Total Area 106.96 ha

8.2.1 This zone is intended primarily for high-density residential developments. Commercial uses ~~such as shop, services and eating place~~ are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

8.2.2 Existing public housing estates including Chuk Yuen (South and North)

Estates, Fung Tak Estate, Upper Wong Tai Sin Estate (~~Phases 1, 3 and 4~~), Shatin Pass Estate, Tsz Lok, Tsz Ching, Tsz Hong and Tsz Man Estates, are located in the northern part of the Area. The existing Home Ownership Scheme developments including Lung Poon Court, Pang Ching Court, Fung Chuen Court, Fung Lai Court, Tsz Oi Court, Tsz On Court and Ying Fuk Court, are located in the central and northern part of the Area.

- 8.2.3 **Existing p**Public housing developments in “R(A)” zone are covered by a range of height bands of 120mPD, 140mPD, 160mPD, 180mPD, 200mPD, **220mPD** and 240mPD. For large public housing sites with different formation platforms, distinct building height bands are imposed. Tsz Lok Estate is subject to two height bands of 160mPD and 180mPD, Tsz On Court is 180mPD and 200mPD, Tsz Ching Estate is 200mPD and 220mPD, while Tsz Oi Court is 200mPD and 240mPD.
- 8.2.4 A wide range of GIC facilities such as primary schools, community halls, local open space, markets and shopping centres are provided within these estates to serve the residents. Some of the community facilities are free-standing within the housing estates. They are counted as follows:

<u>Name of Estate</u>	<u>No. of Free-standing Facilities</u>	<u>No. of Storeys</u>
Chuk Yuen (South) Estate	1 primary school	7
Fung Tak Estate	1 special school 1 community hall	7 5
Tsz Ching Estate	1 primary school	7
Tsz Lok Estate	2 primary schools	7

Within the large public housing estates, the free-standing GIC facilities should be kept as breathing spaces and visual relief to the building masses and any redevelopment of these GIC facilities should not exceed their existing building heights.

- 8.2.5 In order to preserve the existing open playground and green areas of about 1.09ha to the west of Tsz Oi Court but within Tsz Lok Estate boundary as a breathing space in the densely built-up area, they are designated as a NBA.
- 8.2.6 Existing private housing developments are zoned “R(A)” subject to height bands of 80mPD, 100mPD, 120mPD, 140mPD and 160mPD. These include the existing developments at Lung Cheung Road near Wong Tai Sin Station, the area bounded by Tseuk Luk Street, King Fuk Street and Choi Hung Road in San Po Kong, Lions Rise bounded by Muk Lun Street and Chun Yan Street, The Latitude abutting Prince Edward Road East, ~~sandwich-class housing of~~ Bel Air Heights at the junction of Lung Poon Street and Fung Tak Road, as well as Private

~~Sector Participation Schemes developments of~~ Grand View Garden at the junction of Po Kong Village Road and Hammer Hill Road, and Rhythm Garden bounded by Prince Edward Road East and Choi Hung Road. ~~Another site at Sheung Fung Street~~ **with a building height restriction of 145mPD has been** ~~is reserved for developed as Government staff quarters development and is subject to a maximum building height restriction of 145mPD.~~

- 8.2.7 Existing private housing developments include Fung Wong San Tsuen to the north of Fung Tak Road/Shatin Pass Road, the area around Kam Fung Street and Wan Fung Street as well as Forest Hills at Po Kong Village Road, and the area around Yuk Wah Crescent to the north of Po Kong Village Road are zoned “Residential (Group A)1” (“R(A)1”), “Residential (Group A)2” (“R(A)2”) and “Residential (Group A)3” (“R(A)3”) respectively.
- 8.2.8 Developments and redevelopments in “R(A)1”, “R(A)2” and “R(A)3” zones are subject to ~~maximum~~ building heights **restrictions** of 100mPD, 120mPD, 140mPD respectively. To avoid pencil-like buildings to be developed on small lots and to encourage amalgamation of sites for more comprehensive development, including the provision of parking and loading/unloading and other supporting facilities, ~~maximum~~ building height restrictions of 120mPD, 140mPD and 160mPD will be allowed for sites with an area of 400m² or more in the respective zones.
- 8.2.9 The “R(A)4” site is intended for residential ~~housing~~ development which is subject to a maximum domestic GFA of 75,000m² and a maximum non-domestic GFA of 15,000m², and ~~maximum~~ building heights **restrictions** of 120mPD/145mPD as stipulated on the Plan. In determining the relevant maximum GFA for land ~~designated~~ **zoned** “R(A)4”, any floor space that is constructed or intended for use solely as GIC facilities, as required by the Government, may be disregarded. A public pedestrian link between the Wong Tai Sin Public Transport Terminus and Wong Tai Sin Square/MTR Station should be provided within the western portion of the development.
- 8.2.10 Based on the AVA 2008 study, due to the narrow widths of the streets, the air ventilation environment in San Po Kong area can be weak. To allow penetration of summer prevailing winds from Choi Hung Road in the south into Tai Yau Street in the north, the areas zoned “R(A)”, which fall within the strip of 12m-wide land demarcated as a building gap in a north-south direction starting from Tseuk Luk Street across Shung Ling Street and Yi Lun Street to Ning Yuen Street as shown on the Plan, are subject to a ~~maximum~~ building height restriction of 22mPD.
- 8.2.11 Based on the AVA 2008 ~~Study~~ study, within the “R(A)2” zone, a strip of 15m-wide land fronting Wan Fung Street is demarcated as a building gap subject to a ~~maximum~~ building height restriction of 54mPD. This would create an air path from Po Kong Village Road to Kam Fung Street Sitting Out Area.
- 8.2.12 A Preliminary Air Ventilation Assessment-Expert Evaluation under the

Site Formation and Infrastructure Works for Proposed Public Housing Developments at Ying Fung Lane, Wong Tai Sin Community Centre and Ngau Chi Wan Village, Wong Tai Sin – Feasibility Study has been carried out for the “R(A)4” site and several mitigation measures such as building separations and building/podium setbacks have been proposed in the assessment to alleviate the potential air ventilation impacts on the surrounding wind environment. These measures could be incorporated in the proposed development to facilitate air flow, subject to detailed design.

- 8.2.13 In the consideration of the overall transport, environmental and infrastructural constraints, as well as the adequacy in the provision of community facilities envisioned in the Kowloon Density Review, completed in early 2002, developments or redevelopments within the “R(A)” zone and its sub-zones are subject to specific control on plot ratios as specified in the Notes, i.e. a maximum plot ratio of 7.5 for a domestic building and a maximum plot ratio of 9.0 for a partly domestic and partly non-domestic building. In calculating the GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely for accommodating school or other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.
- 8.2.14 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios/GFAs may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 8.2.15 For large housing development sites (including public housing sites), it is required to provide varying building height profile within the same building height band to avoid wall effect of buildings, add variation to the sites and help wind penetration at street level.
- ~~8.2.16 To provide design/architectural flexibility, minor relaxation on the plot ratio/GFA restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.~~
- ~~8.2.17 No above ground structure is allowed within the NBA except for landscape feature, boundary fence/boundary wall that is designed to allow high air porosity, and minor structure for footbridge connection or covered walkway. Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA and building gaps restrictions may be considered by the Board on application under section 16 of the Ordinance.~~
- 8.2.168 The GFA control under the “R(A)4” zone is regarded as being stipulated

in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

8.3 “Residential (Group E)” (“R(E)”) - Total Area 0.93 ha

- 8.3.1 This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.
- 8.3.2 The major part of the ~~San Po Kong Business Area~~ **SPKBA** is anticipated to transform gradually to business type development. In August 2006, Housing Department commissioned a consultancy study on the review of land use of the ex-San Po Kong Flatted Factory Sites at King Fuk Street. Taking into account its recommendation, the south site has been developed for residential use, namely King Tai Court.
- 8.3.3 Developments within this zone are subject to specific control on plot ratio as stipulated in the Notes, i.e. any new development or redevelopment should not exceed a maximum plot ratio of 6.0. Moreover, development and redevelopment within this zone are subject to a ~~maximum~~ building height restriction of 100mPD as stipulated on the Plan.
- 8.3.4 The AVA 2008 Study has recommended that the existing Kai Tak East Playground and the site to its west are important openings to allow air penetration from the south to different parts of the ~~SPKBASan Po Kong Business Area~~. A strip of 12m-wide land is designated in the north-eastern part of the zone to provide an air path extending from Pat Tat Street across the “O” sites to Prince Edward Road East. Also, within the zone, a minimum of 3m-wide NBA from the lot boundary abutting King Fuk Street and a minimum of 1.5m-wide NBA abutting Prince Edward Road East shall be provided. Such designation would largely tie in with the proposed Traffic Improvement Works for Industrial Land in San Po Kong by Transport Department since 2001 requiring setbacks from public roads for future road widening.
- 8.3.5 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratio may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- ~~8.3.6 To provide design/architectural flexibility, minor relaxation on the plot ratio restriction may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restriction as stipulated on the Plan~~

~~may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.~~

~~8.3.7 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.~~

8.4 “Government, Institution or Community” (“G/IC”) - Total Area 45.783 ha

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

8.4.2 Most of the existing facilities are sited in groups. Major facilities include Wong Tai Sin Police Station, Tung Wah Group of Hospitals Wong Tai Sin Hospital and Our Lady of Maryknoll Hospital located at Shatin Pass Road, Wu York Yu Clinic at Sheung Fung Street, Chi Lin Nunnery and **Care and Attention** Home for the Aged, Hong Kong School for the Deaf at Hammer Hill Road, two indoor games halls at San Po Kong and one indoor recreation centre at Diamond Hill. This zone also covers ~~three covered~~ **four** service reservoirs ~~to the west of~~ **at** Tsz Wan Shan, Wong Tai Sin Temple at Wong Tai Sin Road, a divisional fire station and an ambulance depot at Fung Tak Road, Wong Tai Sin Public Transport Terminus and a number of primary and secondary schools.

8.4.3 Sites have also been reserved for the development of additional community facilities. ~~The majority of them are located in the Diamond Hill, Tai Hom and San Po Kong areas. Tentatively, they including~~ a clinic **and a GIC complex**, ~~a service reservoir and pumping station and a number of primary and secondary schools.~~ **located in Tsz Wan Shan and Diamond Hill areas respectively.** An area of about 0.4 ha located immediately to the east of Wong Tai Sin Temple is reserved for development of religious use and ancillary uses that would enhance the character of the area as a place of visitor attraction.

8.4.4 Development and redevelopment in the “G/IC” sites are subject to ~~maximum~~ building heights **restrictions** in terms of mPD or number of storeys (excluding basement floor(s)) as stipulated on the Plan. Building height restriction for most of the “G/IC” sites is stipulated in terms of number of storeys while the proposed redevelopment of the Hong Kong Examinations and Assessment Authority at Tseuk Luk Street and the Fire Services Department Wong Tai Sin Rank and Fire Married Quarters at Fung Tak Road are subject to ~~maximum~~ building heights **restrictions** of 75mPD and 100mPD respectively to reflect the proposed and existing building heights.

- 8.4.5 In order to maintain the continuity of air flow along the two sides of Shatin Pass Road, the existing 30-storey Wong Tai Sin Disciplined Services Quarters at Shatin Pass Road, which is zoned “Government, Institution or Community (1)”, is subject to a ~~maximum~~ **restriction** of 9 storeys upon its redevelopment. Redevelopment of the site exceeding the building height restriction or up to the existing building height is not permitted.
- 8.4.6 A site bounded by King Fuk Street, Sam Chuk Street and Tsat Po Street is zoned “Government, Institution or Community (2)” (“G/IC(2)”) and subject to a building height restriction of 4 storeys. The “G/IC(2)” zone ~~is~~ **has been developed** ~~intended for the provision of a holistic centre for youth, development including youth centre, performance venue, hostel, and public open space serving the needs of the local residents and/or a wider district, region or the territory. A public open space of not less than 3,530 m², of which not less than 2,000 m² at grade, shall be provided. A minimum setback of 15m and 16m from the lot boundary fronting Tsat Po Street and King Fuk Street shall be provided respectively to facilitate the air ventilation along the two streets. In order to address the concerns of the Board on the content and design of the proposed holistic centre and the provision of public open space, any new development, except alteration and/or modification to an existing building, requires permission from the Board under section 16 of the Ordinance. In submitting the section 16 application, information on the accessibility of public open space within the development to the public, landscape and urban design proposals for the development as well as other relevant aspects should be provided.~~
- 8.4.7 *A site bounded by the Choi Hung Road Playground and Sheung Hei Street is intended for redevelopment into a GIC complex including a sports centre, a district library, a district health centre, welfare facilities, and a PVP. An Air Ventilation Assessment-Expert Evaluation in relation to the Choi Hung Road Playground development has been carried out. To facilitate air flow along Choi Hung Road and Pat Tat Street/Prince Edward Road East, mitigation measures including the provision of building separation within the site between the proposed GIC complex at the site and the indoor sports facilities building at the new open space zoned “Open Space(1)”; and building setback from Choi Hung Road have been proposed in the assessment. These measures should be incorporated in the proposed redevelopment subject to detailed design.*
- 8.4.87 To allow penetration of summer southerly prevailing winds into the San Po Kong area, an area zoned “G/IC” falling within the strip of 12m-wide land demarcated as a building gap in a north-south direction from Tseuk Luk Street and Yi Lun Street is subject to a ~~maximum~~ building height restriction of 22mPD. This measure will help improving the air ventilation condition of the area upon its redevelopment.

8.4.89 To allow the down flow of easterly winds from Po Kong Village Road merging with the Kam Fung Street Sitting Out Area via Wang Fung Garden, a strip of 15m-wide land is demarcated as building gap within the “G/IC” zone fronting Po Kong Village Road subject to a ~~maximum~~ building height restriction of 54mPD.

8.4.910 To facilitate north-south airflow to the inner part of Diamond Hill, a 15m-wide NBA is designated at the western boundary of the “G/IC” zone at Sze Mei Street. The remaining part of the “G/IC” site is subject to a building height restriction of 8 storeys.

~~8.4.10 For development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taken into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.~~

~~8.4.11 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the setback requirements, building gap/NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.~~

8.5 “Open Space” (“O”) - Total Area ~~29.02~~ 28.97ha

8.5.1 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.

8.5.2 Major existing open spaces are mainly located in San Po Kong and Tsz Wan Shan, including Choi Hung Road Playground opposite to Wong Tai Sin Police Station, Kai Tak East Playground at Luk Hop Street, **Kai Tak East Park at Sze Mei Street**, Muk Lun Street Playground, the children’s playgrounds at Shung Ling Street and Yan Oi Street, Tsz Wan Shan Estate Central Playground, Lok Wah Street Rest Garden, the existing temple courtyard and open landscaped area at Wong Tai Sin Square, Fung Tak Road Park, Nan Lian Garden opposite to Chi Lin Nunnery and Po Kong Village Road Park. Local open spaces and rest areas are incorporated in other land use zones.

8.5.3 An open space fronting Sze Mei Street which may include a possible road link between Kai Tak area and Choi Hung Road has been reserved within the area for urban park and other recreational uses.

8.5.4 Kai Tak East Playground at Luk Hop Street serves as a buffer between the industrial operations in the core of San Po Kong Business Area and the “R(E)” zone at Prince Edward Road East. It serves the workers in the business area and to meet demand from additional population arising from King Tai Court in the “R(E)” zone.

8.5.5 Choi Hung Road Playground is zoned “Open Space (1)” (“O(1)”) to

accommodate a new district open space, which will include a PVP with a landscaped deck, sports facilities and recreational facilities above. Its design shall enhance pedestrian connectivity between the district open space and the surrounding neighbourhoods, including the SPKBA, the residential/GIC cluster west of Choi Hung Road, and the comprehensive development at the MTR Diamond Hill Station. Taking into account the findings in the Air Ventilation Assessment-Expert Evaluation mentioned in paragraph 8.4.7, mitigation measures including the provision of building separation within the site between the indoor sports facilities building at the site and the proposed GIC complex at the site zoned “G/IC”; and building setback from Choi Hung Road should be incorporated in the proposed redevelopment subject to detailed design.

8.5.65 Based on the AVA 2008 Study, a strip of 12m-wide NBA is designated within the “O” zones at King Fuk Street and Sze Mei Street in a northwest-southeast direction creating an air path from Pat Tat Street to Prince Edward Road East. In addition, the portion of “O” zone at Shung Ling Street falling within the strip of 12m-wide land demarcated as a building gap in a north-south direction from Tseuk Luk Street to Yi Lun Street as shown on the Plan is subject to a ~~maximum~~ building height restriction of 22mPD, in order to allow penetration of summer prevailing winds from the south into San Po Kong area. ~~No above ground structure is allowed within the NBA except for landscape feature, boundary fence/boundary wall that is designed to allow high air porosity, and minor structure for footbridge connection or covered walkway may be allowed.~~

8.6 “Other Specified Uses” (“OU”) - Total Area 13.82 ha

8.6.1 This zoning covers land allocated for specific uses.

8.6.2 The commercial/residential development, known as Plaza Hollywood and the Galaxia, at Lung Cheung Road is zoned “OU” annotated “Commercial/Residential Development Above Public Transport Terminus”. In order to ensure that the intensity of this development is under statutory planning control, maximum domestic and non-domestic GFA have been specified in the Notes. The public transport terminus provides transport interchange facilities for MTR Diamond Hill Station.

8.6.3 About 10.96 ha of land is zoned “OU” annotated “Business”. This zone is intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new “business” buildings. However, in order to ensure that the concerns on fire safety and environmental impacts are properly addressed, only less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted as of right in existing industrial and industrial-office (I-O) buildings. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure

compatibility of the uses within the same industrial or I-O building and in the San Po Kong area until the whole area is transformed to cater for the new non-polluting business uses. Developments within this zone are subject to a maximum plot ratio of 12.0. Development within this zone should make reference to the relevant Town Planning Board Guidelines.

- 8.6.4 About 0.18ha of land is zoned “OU” annotated “Landscaped Elevated Walkway”. This zone is primarily intended for the provision of landscaped elevated walkway to create an enhanced pedestrian environment for connecting San Po Kong area with Kai Tak.
- 8.6.5 In order to accommodate traffic growth resulted from the land use transformation, appropriate traffic improvement measures, including road widening and building set back requirements, would be provided subject to detailed design and further study. To facilitate maintenance by Government departments, the rear lanes within this zone would also be widened.
- 8.6.6 Based on the AVA 2008 Study, measures have been taken to reinforce air path and improve the wind environment within San Po Kong Business Area. Opportunity is also taken to enhance the overall streetscape of the area. A minimum of 3m-wide NBA from the lot boundary abutting Tai Yau Street and King Fuk Street, and a minimum of 1.5m-wide NBA from the lot boundary abutting Choi Hung Road, Sheung Hei Street, Sam Chuk Street, Sze Mei Street, Ng Fong Street, Luk Hop Street, Tsat Po Street, Pat Tat Street, Tseuk Luk Street and Prince Edward Road East shall be provided within this zone. Such designations would largely tie in with the proposed traffic improvement works for industrial land in San Po Kong by Transport Department since 2001 requiring setbacks from public roads for future road widening.
- 8.6.7 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratio may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- ~~8.6.8 To provide design/architectural flexibility, minor relaxation on the maximum plot ratio/GFA restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits. Moreover, for development with special design merits, minor relaxation of the building height restrictions as stipulated on the Plan may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits and relevant criteria set out in paragraphs 7.5 and 7.6 above.~~
- ~~8.6.9 Under exceptional circumstances, for developments and/or redevelopments, minor relaxation of the NBA restrictions may be considered by the Board on application under section 16 of the Ordinance.~~

8.7 “Green Belt” (“GB”) - Total Area 70.43 ha

- 8.7.1 The planning intention of this zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone. Development within this zone will be carefully controlled and development proposals will be assessed on individual merits taking into account the Town Planning Board Guidelines.
- 8.7.2 This zoning covers mainly steep hillslopes which are unsuitable for urban development and are retained in their natural state. Passive recreational uses may however be possible at certain locations.
- 8.7.3 The steep hillslopes to the north of the public housing estates at Chuk Yuen and Tsz Wan Shan and to the north of Chi Lin Nunnery at Diamond Hill North are within this zone.

8.8 Minor Relaxation Clause

- 8.8.1 *For the zone(s) where minor relaxation of relevant restriction(s) is applicable, based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restrictions as stipulated in the Notes of the Plan or as shown on the Plan may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 7.5 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.*
- 8.8.2 *However, for any existing buildings where the building height already exceeded the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.*
- 8.8.3 *For the zone(s) where minor relaxation of relevant restriction(s) is applicable, under exceptional circumstances, minor relaxation of NBA/building gap restrictions and setback requirements as stated in the Notes of the Plan or as shown on the Plan may be considered by the Board on application under section 16 of the Ordinance. The NBA restriction will not apply to underground development. Without compromising the intention of designating the NBAs for air ventilation, landscaping as well as boundary fence/wall and minor structures including footbridge connection and covered walkway that allow high air porosity may be permitted within the NBAs stipulated in the Notes of the Plan or as shown on the Plan.*

9. COMMUNICATIONS

9.1 Roads

- 9.1.1 Majority of the sections of Lung Cheung Road, which passes through the central part of the Area, is an urban trunk road serving North Kowloon. Prince Edward Road East at the southern edge of the Area is also an urban trunk road which connects East and West Kowloon.
- 9.1.2 The district distributor network within the Area consists of Choi Hung Road, section of Shatin Pass Road between Chuk Yuen Road and Lung Cheung Road, Ma Chai Hang Road, Wong Tai Sin Road, Tsz Wan Shan Road, Po Kong Village Road, Hammer Hill Road and Fung Tak Road.
- 9.1.3 Tate's Cairn Tunnel connects Siu Lek Yuen in Sha Tin New Town with Diamond Hill in the Area. It links up with Kwun Tong By-pass and, via the Eastern Harbour Crossing, with the Island Eastern Corridor, and is a part of the trunk road system connecting Hong Kong Island with North East New Territories.
- 9.1.4 A local distributor, Kai San Road, provides a convenient route linking up San Po Kong and Kai Tak Development.

9.2 Mass Transit Railway

- 9.2.1 The existing MTR Kwun Tong Line runs through the central part of the Area beneath Lung Cheung Road. There are two stations viz. MTR Wong Tai Sin and Diamond Hill Stations. The former serves the housing estates in Wong Tai Sin and Chuk Yuen, while the latter serves the ~~Tai Hom~~ **Diamond Hill** and San Po Kong areas.
- 9.2.2 The railway scheme for the MTR Shatin to Central Link was authorized by CE in C on 27 March 2012 and the railway tracks and station within the Area have been completed. Pursuant to section 13A of the Ordinance, the railway scheme authorized by the CE in C under the Railways Ordinance (Chapter 519) shall be deemed to be approved under the Ordinance. The railway alignment, stations and structures within the Area are shown on the Plan for information only.

9.3 Public Transport Terminus

A public transport terminus, including a bus terminus, a public light bus terminus and a taxi stand, is provided at the "OU" annotated "Commercial/Residential Development Above Public Transport Terminus" zone at Lung Cheung Road. It provides transport interchange facilities for MTR Diamond Hill Station. A public transport terminus, including a coach park and a public light bus terminus, is provided at the "G/IC" zone at the junction of Wong Tai Sin Road and Shatin Pass Road. It provides transport interchange facilities for MTR Wong Tai Sin Station. **A public transport interchange, including bus terminus, public light bus terminus and taxi stand, is provided at the "CDA" zone bounded by Lung Cheung Road and**

Choi Hung Road. It provides transport interchange facilities for MTR Diamond Hill Station.

9.4 Pedestrian Connections with Kai Tak Development

9.4.1 To facilitate pedestrian connections between San Po Kong area with the Kai Tak Development, a comprehensive pedestrian connection system including public passageway in form of subway and landscaped elevated walkways is indicated on the Plan. It aims to provide pedestrians with a convenient, comfortable and animated walking experience. The detailed design of this comprehensive pedestrian connection system is completed under the Civil Engineering and Development Department (CEDD)'s Kai Tak Development Engineering Study. Details of the connection points between San Po Kong and Kai Tak are shown below:

- (a) Existing subway at the interchange between Prince Edward Road East and Choi Hung Road was enhanced to connect Trade and Industry Tower and Kai Tak Community Hall.
 - (b) A curvilinear landscaped elevated walkway connecting the Latitude and Trade and Industry Tower and Kai Tak Community Hall will be further extended to connect with the future developments in Kai Tak.
 - (c) A subway has been provided in conjunction with Kai San Road to connect Tsat Po Street and King Fuk Street in San Po Kong to the westbound footpath of Prince Edward Road East in Kai Tak. It will be further extended to connect with the Kai Tak Station.
 - (d) An existing subway underneath Prince Edward Road East connecting with the Kowloon East Regional Headquarters and Operational Base-cum-Ngau Tau Kok Divisional Police Station has been provided.
 - (e) Landscaped elevated walkway over Prince Edward Road East near Kai Tak East Playground will be provided.
 - (f) Landscaped elevated walkway over Prince Edward Road East near Rhythm Garden to connect with Kai Tak City Centre was completed.
- 9.4.2 Pursuant to section 13A of the Ordinance, the road scheme authorized by the CE in C on 31 March 2009 under the Roads (Works, Use and Compensation) Ordinance (Chapter 370), i.e. the alignments of the elevated walkway as mentioned in paragraphs 9.4.1 (b) and (f) above, shall be deemed to be approved under the Ordinance.

10. UTILITY SERVICES

The Area is well served with piped water supply, drainage and sewerage systems. Electricity, gas and telephone services are also available. ~~To cater for the future developments in Diamond Hill and Tai Hom, sites have been reserved for a service reservoir and a pumping station.~~ Additional waterworks and sewerage upgrading works may be required to upgrade existing infrastructure provision to cater for future development.

11. CULTURAL HERITAGE

11.1 *Within the boundary of the Area, there are historic buildings graded by the Antiquities Advisory Board (AAB), namely Wong Tai Sin Temple (Grade 1), Old Pillbox (Grade 2) and Former Royal Air Force Hangar (Grade 3)–are graded historic buildings located within the Area.*

11.2 ~~On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 historic buildings, in which some buildings/structures within the Area have been accorded gradings. The AAB also released a number of new items in addition to the 1,444 historic buildings. These items are subject to the grading assessment by the AAB. Details of~~ *The lists of **declared monuments and proposed monuments, historic buildings and sites graded by AAB, 1,444 historic buildings and its new items for grading assessment, Government historic sites identified by the Antiquities and Monuments Office of the Development Bureau (AMO) and sites of archaeological interest (SAIs) are published on AMO's website <https://www.amo.gov.hk/en/historic-buildings/heritage-sites-lists/index.html> have been uploaded to the website of AAB at <http://www.aab.gov.hk>. The lists will be updated from time to time.***

11.3 ~~Prior consultation with the Antiquities and Monuments Office (AMO) should be made if~~ *for any **works**, development, redevelopment or rezoning proposals that **may** might affect the **graded–declared monuments, proposed monuments, historic buildings/structures, and sites graded by AAB, new items for grading assessment**, the new items pending for grading mentioned above, as well as the **Government historic sites identified by AMO, SAIs, or any other buildings/structures identified with heritage value, both at grade and underground, and the immediate environs of the aforementioned items.** –as listed at <https://www.amo.gov.hk>, and any other historic buildings/structures, both at grade and underground, and their immediate environs.*

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 (LandsD) and the 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 the Government *departments*. Disposal of sites is undertaken by LandsD. Public works projects are co-ordinated by CEDD in conjunction with the client departments and the works departments, such as the Highways Department and the Architectural Services Department. In the course of implementation of the Plan, the Wong Tai Sin 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, in ~~considering~~ **consideration of** the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans, layout plan and the guidelines published by the Board. The outline development plans and layout plan are available for public inspection at the Planning Department. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and guidance notes for planning applications can be downloaded from the Board's website and are available from the Secretariat of the Board and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

TOWN PLANNING BOARD
~~MAY 2023~~APRIL 2026