TOWN PLANNING BOARD

TPB Paper No. 11081
For Consideration by the
Town Planning Board on 13.11.2026

Proposed Amendments to
the Master Schedule of Notes to Statutory Plans,
Definitions of Terms Used in Statutory Plans and Broad Use Terms

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1. Purpose

This paper is to seek Members' agreement to the proposed amendments to the Master Schedule of Notes to Statutory Plans (MSN), Definitions of Terms used in Statutory Plans (DoT) and Broad Use Terms (BUT).

2. Background

In preparing and/or updating statutory plans, reference is to be made to the MSN which sets out the schedules of uses that are always permitted or that may be permitted with or without conditions on application to the Town Planning Board (the Board), and the development restrictions and other requirements for individual zones. While DoT provide a reference for interpreting the various planning terms used in the statutory plans, BUT are adopted to group uses of similar nature and planning implications together to allow flexibility. They are updated and revised from time to time to meet changing planning circumstances as well as economic and social needs. In view of newly emerged uses and the objective of streamlining the planning application process, a review of some relevant schedule of uses and use terms in the MSN[1], DoT and BUT has been undertaken. Based on the review findings, some refinements/amendments are proposed, as detailed in the ensuing paragraphs.

[1] Some of the amendments (e.g. small unmanned aircraft take-off and landing facilities) have already been incorporated in some OZPs on an individual basis. Reflecting in MSN would enhance clarity and consistency of the control.

3. <u>Proposed Amendments to MSN</u> (Annex A)

<u>Covering Notes: Incorporation of 'Smart and Green Mass Transit System Stop or Lay-by' and 'Small Unmanned Aircraft Take-off and Landing Facilities' as always permitted uses, and Cross-District Transfer of Plot Ratio clauses</u>

'Smart and Green Mass Transit System Stop or Lay-by'

3.1 According to the Hong Kong Major Transport Infrastructure Development Blueprint (the Blueprint), smart and green mass transit systems (SGMTS) are intended to serve as a light and green feeder service to nearby railways and major public transport interchanges. In the 2023, 2024 and 2025 Policy Addresses, the Government announced the implementation of SGMTS, such as 'SkyShuttle', 'Autonomous Rail Rapid Transit' and 'Bus Rapid Transit', in new development areas. SGMTS projects in Kai Tak, East Kowloon and Hung Shui Kiu, were gazetted in 2025 under either the Railways Ordinance (Cap. 519) or the Roads (Works, Use and Compensation) Ordinance (Cap. 370). Introducing SGMTS to optimise the public transport network structure is one of the major tasks in advancing the strategy for smart, green and diversified transport. To facilitate the implementation of these transport infrastructure facilities (the provision of which is subject to control of other ordinances), similar to other public transport, such as buses and light rail, it is proposed to allow provision, maintenance or repair of SGMTS stop or lay-by, where appropriate, to be generally permitted within the boundaries of the respective outline zoning plans (OZPs), except in specific conservation-related zones such as "Conservation Area", "Coastal Protection Area" and "Site of Special Scientific Interest".

'Small Unmanned Aircraft Take-off and Landing Facilities'

3.2 It is the Government's policy to promote the development of low-attitude economy. To seize the immense potential of small unmanned aircraft (SUA) applications for surveying, inspections, public-service work and deliveries enabled by the emerging low-altitude economy, it is considered that adequate planning flexibility at a territory-wide level is important to support the development of the low-altitude economy in Hong Kong. To cater for the applications and developments of SUA while safeguarding aviation and public safety, the Small Unmanned Aircraft Order (Cap. 448G) (SUA Order) regulates SUA operations. Based on the weight of the SUA and the operational risk level, SUA operations are subject to the corresponding regulatory requirements. Apart from the

SUA Order, SUA operations are required to observe all other legislative or regulatory requirements governed by other legislation in Hong Kong, such as the Telecommunications Ordinance (Cap. 106) and the Personal Data (Privacy) Ordinance (Cap. 486), and to follow the relevant requirements and/or guidelines set out by any other government bureaux/departments (B/Ds), regulatory authorities, land owners or other stakeholders where necessary to ensure the safe operation of the SUAs at all times. It is proposed that provision, maintenance or repair of 'small unmanned aircraft take-off and landing facilities', normally of limited scale, be an always permitted use, where appropriate except in specific conservation-related zones, to provide land use flexibility while safeguarding the existing natural character and ecological value of the environment. A definition for the new use term 'Small Unmanned Aircraft Take-off and Landing Facilities' is proposed to better illustrate its inclusion under the regulatory regime of the SUA Order (details in paragraph 4.1 below).

Cross-district Transfer of Plot Ratio

3.3 The 2025 Policy Address introduced a cross-district transfer of plot ratio (TPR) scheme to relax current rules and allow unutilised plot ratios from urban redevelopment projects to be transferred across districts, including to the Northern Metropolis (NM) and other New Development Areas (NDAs). The key objectives of the TPR mechanism are to channel development potential from small and isolated sites occupied by ageing dilapidated buildings with low redevelopment potential to more sizeable sites that are more suitable for higher development intensity, thereby incentivising the demolition/redevelopment of ageing dilapidated buildings; and facilitating better restructuring and replanning of the old urban area while bringing planning gains to the community (including the preservation of buildings with conservation value). The Board agreed at its meeting on 21.8.2026 that cross-district TPR (or more precisely, cross-OZP TPR) should be allowed with more flexible parameters so as to inject more flexibility in pairing up sending sites (SSs) and receiving sites (RSs). RS(s) can generally come from districts different from those of the SS(s) and be covered by different OZPs, such as those in the NM or other NDAs that have larger infrastructural capacity to take on additional developments.

3.4 The Town Planning Board Guidelines No. 43A for 'Application for Transfer of Plot Ratio under Section 16 of the Town Planning Ordinance' (TPB PG-No. 43A) to allow cross-district TPR were promulgated on

21.8.2026. In this regard, it is proposed to incorporate relevant provisions into the covering Notes of the OZPs to allow for cross-district TPR, with respect to the designated areas[2] as set out in the Schedule to the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice (Cap. 545A), by way of section 16 planning application.

"Commercial" ("C") Zone: 'Broadcasting, Television and/or Film Studio', 'Creative Industries', 'Government Refuse Collection Point' and 'Research, Design and Development Centre' as Column 1 uses

3.5 The "C" zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre(s), regional or district commercial/shopping centre(s) or as local shopping centre (depending its scale and location). To support the Government's policy of fostering diverse business opportunities and enhance flexibility, it is proposed to include 'Broadcasting, Television and/or Film Studio', 'Creative Industries' and 'Research, Design and Development Centre' uses as Column 1 (always permitted) uses in the "C" zone in general. In the case of 'Research, Design and Development Centre' use, given the possibility of substantial water demand and its impact on the existing water supply system where a 'wet laboratory' is involved, it is proposed to include it as a Column 1 use in the "C" zone only when there is no concern about infrastructure capacity. The proposed uses are considered not incompatible with core commercial uses, and will also foster innovation, creating high-quality jobs and attracting new investment, and provide greater flexibility for the use of commercial spaces in response to shifting economic demands. In addition, 'Government Refuse Collection Point', which is subject to the Government's scrutiny and compliance with the latest standards, is moved from Column 2 to Column 1 in the "C" zone, having regard to the local context.

[2] According to Cap. 545A, the seven designated areas refer to areas included in the Cheung Sha Wan OZP No. S/K5/39 (the same OZP covering also Sham Shui Po), Ma Tau Kok OZP No. S/K10/30 (covering Kowloon City and To Kwa Wan), Mong Kok OZP No. S/K3/36, Sai Ying Pun & Sheung Wan OZP No. S/H3/34, Tsuen Wan OZP No. S/TW/35, Wan Chai OZP No. S/H5/31 and Yau Ma Tei OZP No. S/K2/24. As set out in TPB PG-No. 43A, SSs must be from such designated areas.

Schedule I of "Other Specified Uses" ("OU") annotated "Business" ("OU(B)") Zone: 'Broadcasting, Television and/or Film Studio', 'Creative Industries', 'Government Use', 'Government Refuse Collection Point', 'Social Welfare Facility (excluding those involving residential care)' and 'Hotel' as Column 1 uses

3.6 The planning intention of the "OU(B)" zone is primarily for general business. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new business buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings. With a view to aligning the Column 1 uses in Schedule I (for open-air development or for building other than industrial or industrial-office building) of the "OU(B)" zone, i.e. new business building, with those of the "C" zone, it is proposed to incorporate 'Broadcasting, Television and/or Film Studio', 'Creative Industries' and 'Government Refuse Collection Point' into Column 1 of Schedule I of the "OU(B)" zone. These uses are considered compatible with, and aligned to, the planning intention of the "OU(B)" zone, and also aligned with the Column 1 uses of the "C" zone, as mentioned in paragraph 3.5 above.

3.7 Furthermore, as uses directly in connection with or in support of government administration would be monitored through the established mechanism of the Government, and as 'Government Use (not elsewhere specified)' is currently a Column 1 use in Schedule II (for industrial or industrial-office building) of the "OU(B)" zone, it is proposed to streamline planning application procedures and align the control across the two schedules (namely Schedule I for open-air development or for building other than industrial or industrial-office building, and Schedule II for industrial or industrial-office building) of the zone by moving 'Government Use (not elsewhere specified)' from Column 2 to Column 1 in Schedule I, and correspondingly deleting 'Government Use (Police Reporting Centre, Post Office only)' from Column 1 of Schedule I.

3.8 'Social Welfare Facility (excluding those involving residential care)' means any place or premises used for rendering services to meet the welfare needs of an individual or a group of people in the community as recommended by the Director of Social Welfare (SWD), and for providing community services to the general public. Currently, it is a Column 2 use in Schedule I of the "OU(B)" zone. Generally speaking,

social welfare facilities are typically small- to medium-scale, community-serving facilities that generate modest pedestrian and vehicular traffic comparable to that of the commercial uses currently permitted in new business building under Schedule I. Given the limited number of service places involved, such facilities do not generate the large volume of traffic and no adverse impacts are anticipated. It is therefore proposed to include 'Social Welfare Facility (excluding those involving residential care)' as a Column 1 use under Schedule I of the zone.

3.9 Currently 'Hotel' is a Column 2 use under Schedule I of the "OU(B)" zone requiring planning permission from the Board. Hotel developments are generally in line with the planning intention of the "OU(B)" zone, particularly given the ongoing transformation within many "OU(B)" zones, where industrial buildings are being converted to business or commercial uses. Hotel developments would also provide important business-related facilities in support of the growing business operations in the "OU(B)" areas. It is proposed to add 'Hotel' as a Column 1 use in Schedule I of the Notes for the "OU(B)" zone, where infrastructure (including sewerage and water supply) and traffic capacity permit as the impacts of hotel on some technical aspects may be different from those always permitted commercial uses like office in some circumstances. Such designation would remain subject to review during the amendment of the respective OZP, having regard to the specific locational circumstances and following consultation with relevant B/Ds, provided that no adverse technical comments are received.

<u>"Residential (Group A)" ("R(A)") Zone: 'Public Convenience' and 'Government Refuse Collection Point' as Column 1 uses</u>

3.10 Public toilets and government refuse collection points are constructed and managed by government departments, such as the Food and Environmental Hygiene Department, in accordance with relevant standards and handbooks under the relevant ordinances. These facilities are essential public amenities serving the high-density neighbourhood in the "R(A)" zone, and their provision is already subject to Government scrutiny and compliance with the latest standards. For such reasons, planning permission from the Board is considered not necessary for such uses in the "R(A)" zone. It is therefore proposed to move these uses from Column 2 to Column 1 in the "R(A)" zone so as to streamline the development process, having regard to the local context (relevant to 'Government Refuse Collection Point' only).

"Residential (Group B)" ("R(B)") Zone: 'Eating Place', 'Place of Entertainment', 'School' and 'Shop and Services' as Column 1 uses for lowest floor(s)

3.11 The "R(B)" 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. There has been a growing trend and local demand for integrating non-domestic uses for daily services such as restaurants, retail shops and tutorial schools into residential neighbourhoods to better serve local residents, particularly in the commercial portions of composite commercial/residential buildings. In response to this trend, it is proposed to include specific non-domestic uses, namely 'Eating Place', 'Place of Entertainment', 'School' and 'Shop and Services', as Column 1 uses within the purpose-designed non-residential portions of buildings, together with a revision to the Planning Intention in the Notes for the "R(B)" zone, where appropriate. Such provision would only apply to the specific circumstances of the respective OZP, having regard to the local character and provision of such facilities in the vicinity, rather than uniformly to all "R(B)" sites.

"OU" annotated "Pier" ("OU(Pier)") Zone

3.12 For some major piers at major commercial/tourism nodes (such as those in Central, Tsim Sha Tsui and North Point), it is proposed to include 'Shop and Services (not elsewhere specified)' and 'Eating Place' as Column 1 uses in the Notes for the "OU(Pier)" zone in order to facilitate the provision of shop and services and eating place to serve visitors and bring vibrancy to the waterfront. In any event, the provision of such facilities would be subject to the Government's approval mechanism. As for small-scale piers, it is proposed that a kiosk or premises with a total non-domestic gross floor area not exceeding 100m^2 (or 50m^2) in total for use as shop and services and eating place be considered as ancillary to the 'Pier' use to provide flexibility for the provision of such facilities. A new user schedule for the "OU(Pier)" zone is proposed to be included in the MSN to standardise the above practice.

3.13 The proposed amendments to the MSN for the above zones are highlighted in ***bold and italics*** and deletion in ~~'cross-out'~~ in **Annex A**.

4. Proposed Amendments to DoT and BUT (Annexes B and C)

'Small Unmanned Aircraft Take-off and Landing Facilities'

4.1 According to the SUA Order (Cap. 448G), an 'unmanned aircraft' means a power driven machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface, and which is operated with no pilot on board. An unmanned aircraft is regarded as a 'small unmanned aircraft' in respect of a flight if its weight does not exceed 150 kg at all times during the flight. A new land use term for 'Small Unmanned Aircraft Take-off and Landing Facilities', which means any premises or structure providing facilities for the take-off and landing of small unmanned aircraft defined under section 2 of the SUA Order (Cap. 448G), is proposed. The term excludes facilities for passenger-carrying electrical vertical take-off and landing (eVTOL) aircraft.

'Shop and Services'

4.2 While the use term 'School' covers all types of educational establishments from a broad perspective, tutorial schools and other establishments offering language, computer, commercial or interest/hobby-related courses generally do not operate as full-time formal education schools. Instead, they typically operate on a commercial basis, providing tutorial services, short courses, examination preparation and interest/hobby classes, and are commonly located within shopping malls or along retail streets alongside other commercial uses, sharing similar patterns of customer flow and operating hours. In view of their commercial mode of operation and compatibility with the surrounding uses, such tutorial schools and similar establishments can be regarded as 'Shop and Services' from land use control perspective.

4.3 While the use term 'School' and its definition will remain unchanged, treating these establishments as 'Shop and Services' under specific locational conditions recognises their characteristics as commercial service outlets providing informal education, rather than premises subject to the standards applicable to full-time schools. Amending the definition of 'Shop and Services' would therefore provide a more flexible and market-responsive planning framework that accommodates a wide range of learning services, while avoiding the unnecessary planning application which should be applicable to formal schools. The proposed revision could thus reflect the actual operation and business

nature of tutorial schools and similar establishments located in shopping malls or street shops, which are currently permitted under the Education Ordinance (Cap. 279).

'Field Study/Education/Visitor Centre'

4.4 The current definition of the use term 'Field Study/Education/Visitor Centre' means any place or premises for displaying information or conducting field study and educational programmes on the environment and related subjects. To facilitate the utilisation of rich cultural resources as well as the urban-rural integration initiatives in the NM, the definition is proposed to be expanded to include ecological, agricultural and fisheries, cultural, architectural, heritage, tourism, interpretative and other related programmes, workshops or activities, as well as ancillary facilities including administrative office, retail shop and restaurant.

'Hospital' and 'Funeral Parlour'

4.5 Opportunity is taken to update the DoT of 'Hospital' to align with the existing legislation for defining public and private hospitals as set out in the Private Healthcare Facilities Ordinance (Cap. 633), the Hospital Authority Ordinance (Cap. 113) and the Chinese Medicine Hospital of Hong Kong Ordinance (Cap. 655). The relevant BUT for 'Hospital' will also be revised accordingly. Likewise, the remarks under 'Funeral Parlour' are also revised to reflect the provisions set out in the Funeral Parlours Regulation (Cap. 132AD).

'Pier' and 'Marina'

4.6 The current DoT of 'Pier' does not include land-based piers without structure built over the water. To reflect the latest design and circumstances, it is proposed to revise the definition of 'Pier'. In addition, 'marine related facilities' co-ordinated or implemented by Government are currently permitted under the covering Notes, and such a use is subsumed under 'Marina'. To provide greater clarity on land use control, it is proposed to revise the remarks on 'Marine Related Facilities' and 'Marina' accordingly to clearly indicate that 'Marine Related Facilities' are subsumed under 'Marina', except where separately permitted under the covering Notes.

4.7 The proposed amendments to DoT and BUT as recommended in paragraphs 4.1 to 4.6 above are highlighted in ***bold and italics*** and deletion in ~~'cross-out'~~ in **Annexes B and C** respectively.

5. Technical Amendments to MSN

Opportunity is taken to revise the exemption clause of maximum plot ratio or gross floor area in the MSN for the "OU" annotated "Comprehensive Development and Wetland Enhancement Area" and "OU" annotated "Comprehensive Development to include Wetland Restoration Area" zones to specify that exemption of plot ratio or gross floor area of caretaker's quarters and recreational facilities are only applicable to those facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building. Editorial amendments are also incorporated in the MSN of the "Residential (Group E)", "Industrial", and "Industrial (Group D)" zones for the sake of consistency. The proposed amendments to MSN are highlighted in ***bold and italics*** and deletion in ~~'cross out'~~ in **Annex D**.

6. Consultation

Concerned government B/Ds have been consulted on the proposed amendments to MSN, DoT and BUT and their comments have been duly incorporated in the proposed amendments, where appropriate.

7. Promulgation

Upon Members' agreement to the proposed amendments as mentioned in paragraphs 3 to 5 above, the revised MSN, DoT and BUT shall take effect upon promulgation and uploading to the Board's website.

8. Decision Sought

Members are invited to consider and agree to:

(a) the proposed amendments to MSN in **Annex A**;
(b) the proposed amendments to DoT in **Annex B**;
(c) the proposed amendments to BUT in **Annex C**;
(d) the proposed technical amendments to MSN in **Annex D**; and
(e) the proposed arrangement for promulgation as set out in paragraph 7 above.

Annexes

Annex A Proposed Amendments to the Master Schedule of Notes to Statutory Plans in relation to the covering Notes and the Notes for the "Commercial", "Other Specified Uses" annotated "Business", "Residential (Group A)" and "Residential (Group B)" Zones and Addition of a New User Schedule for the "Other Specified Uses" annotated "Pier" Zone

Annex B Proposed Amendments to the Definition of Terms Used in Statutory Plans

Annex C Proposed Amendments to the Broad Use Terms

Annex D Proposed Technical Amendments to the Master Schedule of Notes to Statutory Plans

PLANNING DEPARTMENT
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