DRAFT ~~**APPROVED**~~ **TIN SHUI WAI OUTLINE ZONING PLAN NO. S/TSW/18*A***

(Being ***a Draft*** ~~an Approved~~ Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

(1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.

(2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.

(3) (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.

(b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.

(c) For the purposes of subparagraph (a) above, "existing use of any land or building" means –

(i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred ***to*** as 'the first plan'),

- a use in existence before the publication of the first plan which has continued since it came into existence; or

- a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and

(ii) after the publication of the first plan,

- a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or

- a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.

(4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

(5) Road junctions, alignments of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.

(6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.

(7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (8) in relation to areas zoned "Conservation Area":

(a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/light rail/public light bus***/smart and green mass transit system*** stop or lay-by, cycle track, light rail track, ***Mass Transit Railway station entrance,*** taxi rank, ***small unmanned aircraft take-off and landing facilities,*** nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;

(b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and

(c) maintenance or repair of watercourse and grave.

(8) In areas zoned "Conservation Area",

(a) the following uses or developments are always permitted:

(i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave; and

(ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and

(b) the following uses or developments require permission from the Town Planning Board:

provision of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

(9) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:

toll plaza, on-street vehicle park and railway track.

(10) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

(11) In these Notes, "existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

(12) ***(a) Any development and/or redevelopment involving the transfer of the gross floor area or plot ratio (hereinafter referred to as 'TPR'), as the case may be, from one or more site(s) (hereinafter referred to as 'sending site(s)') on statutory plan(s) other than the Plan to other site(s) (hereinafter referred to as 'receiving site(s)') on the Plan and/or any other statutory plan(s) shall require permission from the Town Planning Board.***

(b) For the purposes of subparagraph (a) above –

(i) sending site(s) may be site(s) on other statutory plan(s) the Notes of which specify that sending site(s) may be site(s) on such other statutory plan(s), and receiving site(s) may be site(s) on the Plan and/or other statutory plan(s); and

(ii) 'other statutory plan(s)' means those plan(s) prepared under the Town Planning Ordinance, the Notes of which have incorporated a paragraph to provide for TPR.

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COMMERCIAL

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	~~Broadcasting, Television and/or Film Studio~~
Broadcasting, Television and/or Film Studio	Flat
Commercial Bathhouse/Massage Establishment	~~Government Refuse Collection Point~~
Creative Industries	Hospital
Eating Place	Petrol Filling Station
Educational Institution	Residential Institution
Exhibition or Convention Hall	
Government Refuse Collection Point	
Government Use (not elsewhere specified)	
Hotel	
Information Technology and Telecommunications Industries	
Institutional Use (not elsewhere specified)	
Library	
Off-course Betting Centre	
Office	
Place of Entertainment	
Place of Recreation, Sports or Culture	
Private Club	
Public Clinic	
Public Convenience	
Public Transport Terminus or Station	
Public Utility Installation	
Public Vehicle Park (excluding container vehicle)	
Recyclable Collection Centre	
Religious Institution	
Research, Design and Development Centre	
Rural Committee/Village Office	
School	
Shop and Services	
Social Welfare Facility	
Training Centre	
Utility Installation for Private Project	
Wholesale Trade	

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COMMERCIAL (Cont'd)

Planning Intention

This zone is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centres serving the immediate neighbourhood.

Remarks

(a) On land designated "Commercial" at Tin Shui Wai Town Lot (TSWTL) No. 4, no new development, or addition, alteration and/or modification to or redevelopment of an existing building:

(i) shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 135,000m^2; and

(ii) the distribution of the non-domestic gross floor area amongst the sites under this zone and the "Residential (Group B)" sites at TSWTLs No. 1, 2, 3, 5, 6 and 7 would be controlled by the submission of Master Layout Plans.

(b) In determining the maximum gross floor area for the purposes of paragraph (a) 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.

(c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat ***Government Refuse Collection Point*** Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic ***Public Convenience*** Public Transport Terminus or Station (excluding open-air terminus or station) ~~Public Vehicle Park (excluding container vehicle) (on land designated "R(A)1" only)~~ Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall ~~Government Refuse Collection Point~~ Hospital Hotel Institutional Use (not elsewhere specified) Office Petrol Filling Station Place of Entertainment Private Club ~~Public Convenience~~ Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) ~~(not elsewhere specified)~~ Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

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RESIDENTIAL (GROUP A) (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:	
Eating Place Educational Institution Institutional Use (not elsewhere specified) Off-course Betting Centre Office Place of Entertainment Private Club ~~Public Convenience~~ Recyclable Collection Centre School Shop and Services Training Centre	

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

~~(a) On land designated "Residential (Group A) 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 6.9 and a maximum building height of 165mPD, or the plot ratio and height of the existing building, whichever is the greater.~~

(~~b~~***a***) On land designated "Residential (Group A) 2", 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 domestic plot ratio of 6, a maximum non-domestic plot ratio of 0.4 and a maximum building height of 150mPD, or the plot ratio and height of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP A) *(Cont'd)*

Remarks *(cont'd)*

~~(c) In determining the maximum plot ratio for the purposes of paragraph (a), any floor space that is constructed or intended for use solely as public vehicle parks, public transport facilities and Government, institution or community facilities, as required by the Government, may be disregarded.~~

(~~d~~***b***) In determining the maximum plot ratio for the purposes of paragraph (~~b~~***a***), any floor space that is constructed or intended for use solely as Government, institution or community facilities, as required by the Government, may be disregarded.

(~~e~~***c***) In determining the maximum plot ratio for the purposes of paragraph~~s~~ (a) ~~and (b)~~ above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(~~f~~***d***) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraph~~s~~ (a) ~~and (b)~~ above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
~~Eating Place (on land designated "R(B)3" and "R(B)4" only)~~ Flat Government Use (Police Reporting Centre, Post Office only) House Library Public Vehicle Park (excluding container vehicle) (on land designated "R(B)4" only) Residential Institution School (in free-standing purpose-designed building~~, and kindergarten and nursery on land designated "R(B)4"~~ only) ~~Shop and Services (on land designated "R(B)3"and "R(B)4" only)~~ Utility Installation for Private Project	Ambulance Depot Eating Place ~~(not elsewhere specified)~~ Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) (not elsewhere specified) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services ~~(not elsewhere specified)~~ Social Welfare Facility Training Centre

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Column 1 ***Uses always permitted***	***Column 2*** ***Uses that may be permitted with or without conditions on application to the Town Planning Board***
In addition, the following uses are always permitted in the purpose-designed non-residential portion of an existing building, excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:	
Eating Place ***Place of Entertainment*** ***School*** ***Shop and Services***	

Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board. ***Some commercial uses are always permitted in the purpose-designed non-residential portion of the existing building(s) to serve the residential neighbourhood.***

(Please see next page)

RESIDENTIAL (GROUP B) *(Cont'd)*

Remarks

(a) On land designated "Residential (Group B)", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum gross floor area (GFA) specified below, or the GFA of the existing building, whichever is the greater:

Town Lot No.	Planning Area No.	Maximum Domestic GFA	Maximum Non-domestic GFA
TSWTL 1	8	209,718m^2	The total non-domestic GFA of TSWTLs No. 1, 2, 3, 5, 6 & 7 and the sites zoned "Commercial" at TSWTL No. 4 shall not exceed 135,000m^2. The distribution of non-domestic GFA amongst these sites would be controlled by the submission of Master Layout Plans.
TSWTL 2	11	107,248m^2	
TSWTL 3	19	92,781m^2	
TSWTL 5	27	} The total domestic	
TSWTL 6	28	} GFA of TSWTLs	
TSWTL 7	24	} No. 5, 6 & 7 shall not exceed 562,253m^2	

(b) On land designated "Residential (Group B)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 5.

(c) On land designated "Residential (Group B)2", 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 domestic gross floor area of 159,206m^2, a maximum non-domestic gross floor area of 9,051m^2 and a maximum building height of 159mPD, or the gross floor area and height of the existing building, whichever is the greater.

(d) On land designated "Residential (Group B)3", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 96,600m^2 and a maximum building height of 10 storeys over one storey car park, or the gross floor area and height of the existing building, whichever is the greater.

(e) On land designated "Residential (Group B)4", no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 113,250m^2 and a maximum building height of 10 storeys over one storey car park, or the gross floor area and height of the existing building, whichever is the greater.

(Please see next page)

RESIDENTIAL (GROUP B) *(Cont'd)*

Remarks *(cont'd)*

(f) In determining the maximum plot ratio/gross floor area for the purposes of paragraphs (a) to (e) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

(g) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/gross floor area/building height restrictions stated in paragraphs (a) to (e) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(h) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the non-building area restrictions as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

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

Planning Intention

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

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Barbecue Spot ~~(other than on land designated "Open Space (1)")~~ Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field ~~(other than on land designated "Open Space (1)")~~ Promenade Public Convenience Sitting Out Area Zoo ~~(other than on land designated "Open Space (1)")~~	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Place of Entertainment Place of Recreation, Sports or Culture ~~Playground/Playing Field (on land designated "Open Space (1)" only)~~ Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. ~~On land designated "Open Space (1)", the site is intended for passive recreational uses with existing ponds preserved as landscape features.~~

~~Remarks~~

~~On land designated as "Open Space (1)", no filling of ponds is allowed.~~

OTHER SPECIFIED USES

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
For "LRT Terminus" only	
Public Transport Terminus or Station (LRT Terminus only)	Eating Place Exhibition or Convention Hall Flat Government Use (not elsewhere specified) Hotel Off-course Betting Centre Office Place of Entertainment Private Club Public Clinic Public Utility Installation Public Vehicle Park (excluding container vehicle) Residential Institution School Shop and Services Social Welfare Facility Utility Installation for Private Project

Planning Intention

This zone is intended primarily for Light Rail Transit (LRT) terminus developments to meet the demand for LRT service in the New Town.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
For "Bus Terminus" only	
Public Transport Terminus or Station (Bus Terminus only)	Eating Place Exhibition or Convention Hall Flat Government Use (not elsewhere specified) Hotel Off-course Betting Centre Office Place of Entertainment Private Club Public Clinic Public Utility Installation Public Vehicle Park (excluding container vehicle) Residential Institution School Shop and Services Social Welfare Facility Utility Installation for Private Project

Planning Intention

This zone is intended primarily for bus terminus development to meet the demand for bus services in the New Town. It will also serve as a transport interchange for buses, the LRT, green mini-buses and public light buses.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
For All Other Sites (Not Listed Above)	
As specified on the Plan	Government Use (not elsewhere specified) Utility Installation not ancillary to the Specified Use

Planning Intention

This zone is intended for the provision of electric sub-stations, sewage pumping stations and a telephone exchange.

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Wild Animals Protection Area	Barbecue Spot Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

Remarks

(a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the existing house.

(b) Any filling of pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Tin Shui Wai Outline Zoning Plan No. S/TSW/2 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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CONSERVATION AREA (Cont'd)

Remarks (Cont'd)

(c) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Tin Shui Wai Outline Zoning Plan No. S/TSW/8 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

COUNTRY PARK

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.