

TOWN PLANNING BOARD

TPB Paper No. 10817

For Consideration by the
Town Planning Board on 8.4.2022

DRAFT YAU MA TEI OUTLINE ZONING PLAN NO. S/K2/23

INFORMATION NOTE AND HEARING ARRANGEMENT
FOR CONSIDERATION OF REPRESENTATIONS AND COMMENT

DRAFT YAU MA TEI OUTLINE ZONING PLAN NO. S/K2/23

**INFORMATION NOTE AND HEARING ARRANGEMENT
FOR CONSIDERATION OF REPRESENTATIONS AND COMMENT**

1. Introduction

- 1.1 On 15.10.2021, the draft Yau Ma Tei (YMT) Outline Zoning Plan (OZP) No. S/K2/23 (the Plan) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance) for two months. The amendments to the Plan involve mainly the revision of building height restriction (BHR) for the “Commercial” (“C”) zones on the two sides of Nathan Road from 100 meters above Principal Datum (mPD) to 110mPD (**Item A**); revision of BHR for the “Residential (Group A)” (“R(A)”) zones from 80mPD to 100mPD (**Item B1**); and rezoning of “R(A)2” to “R(A)” and revision of their BHR from 80mPD to 100mPD (**Item B2**). There are also amendments to the Notes of the Plan for the “R(A)” zone regarding the deletion of the provision to permit BHR of 100mPD only for sites with an area of 400m² or more; deletion of the building setback requirement of “Government, Institution or Community (2)” (“G/IC(2)”) zone; and other technical amendments. The Schedule of Amendments setting out the amendments incorporated into the Plan is at **Annex I** and the locations of the amendment items are shown on **Plan P-1**.
- 1.2 During the two-month exhibition period ending on 15.12.2021, three representations were received. On 7.1.2022, the representations were published for comment for three weeks. Upon expiry of the public inspection period on 28.1.2022, one comment was received which is also submitted by the representer **R3**. All representations and comment received are considered valid.
- 1.3 A list of representers and commenter are at **Annex II** for Member’s reference. The locations of the representation and comment sites are shown on **Plan P-2**.

2. The Representations and Comment

- 2.1 The three representations were submitted by the Real Estate Developers Association of Hong Kong (REDA) (**R1**) and two individuals (**R2** and **R3**). Their views are summarised as follows:

Supporting Representation

- (a) **R1** partly supports the amendments to the Notes of the OZP for the “R(A)” zone regarding the deletion of the provision to permit BHR of 100mPD only for sites with an area of 400m² or more and rezoning of the sites from “R(A)2” to “R(A)”;

Opposing Representations

- (b) **R1** (Part) opposes Amendment Items A, B1 and B2, and **R2** opposes Amendment Item B2. Below are the representers' main grounds of objection/views:
- (i) the assumptions of the assessment of BHRs such as floor-to-floor height are inadequate to conform the current standards of the property market. The latest BHR amendments are considered inadequate to accommodate the existing plot ratio of some existing developments exceeding that stipulated under the OZP;
 - (ii) the revised BHRs are insufficient to incentivize private sector participation in urban renewal, and will adversely affect the value of properties and development right. The development intensity for "C" and "R(A)" zones should be increased. The Urban Renewal Authority's proposals under the Yau Mong District Study should be taken forward and reflected in the OZP;
 - (iii) the latest BHRs will cause monotonous building height (BH) profile and limit the design flexibility in the YMT area. Further increase in BHR can achieve a better urban design outcome and create architectural landmark; and
 - (iv) there is no consultation with major stakeholders on the BHR review process or outcome;
- (c) **R3** opposes Amendment Items A, B1 and B2 regarding the relaxation of BHR and objects to the amendments to the Notes of the Plan to relax the development restrictions mainly on the grounds of the possible resultant adverse air ventilation and natural light penetration impacts to the areas, and thus, more OZP restrictions should be introduced instead;
- (d) **R1** has made the following proposals:
- (i) to further relax the BHR for "C" zone up to a range from 130mPD to 180mPD and that for "R(A)" zone up to a range from 120mPD to 125mPD at various locations;
 - (ii) in addition to the current minor relaxation clause, a general relaxation clause on BHR for "C" zone for sites with an area not less than 1,500m² should be incorporated into the Remarks of the Notes of the OZP;
 - (iii) to replace the words of 'exceptional circumstances' by 'individual merits' under all the relevant minor relaxation clause; and
 - (iv) to introduce "Other Specified Uses" annotated "Mixed Use" zone to replace "R(A)" zone at various locations.

- 2.2 The only comment (C1), as submitted by R3, expresses disagreement against R1 as further increase in BHRs and development intensity advocated by R1 will result in eviction of local residents and small businesses and adverse visual impact to the area.

3. Arrangement for Consideration of Representations and Comment

- 3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from among its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. Since only three representations and one comment were received, it is considered more efficient for the full Board to hear the representations and the comment without resorting to the appointment of a RHC. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. The arrangement would not delay the completion of the representation consideration process.
- 3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. In view of the similar nature of representations and comment regarding mainly the revisions of BHR for the "C" and "R(A)" zones, they are suggested to be heard in one group. To ensure efficiency of the hearing, it is recommended to allot a maximum 10 minutes presentation time to each representer/commenter/their representative in the hearing session.
- 3.3 Consideration of the representations and comment by the full Board under section 6B of the Ordinance is tentatively scheduled for May 2022.

4. Decision Sought

The Board is invited to consider whether to appoint a RHC for consideration of the representations and comment; and whether the representations and the comment should be considered in the manner as proposed in paragraph 3 above.

5. Attachments

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| Annex I | Schedule of Amendments Incorporated into the Draft Yau Ma Tei OZP No. S/K2/23 |
| Annex II | List of Representatives and Commenter in respect of the OZP |
| Plan P-1 | Amendments Incorporated into the Draft Yau Ma Tei OZP No. S/K2/23 |
| Plan P-2 | Location Plan of Representation and Comment Sites |

**SCHEDULE OF AMENDMENTS TO
THE DRAFT YAU MA TEI OUTLINE ZONING PLAN NO. S/K2/22
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendments to Matters shown on the Plan

- Item A – Revision of the building height restriction for the “Commercial” (“C”) zones on the two sides of Nathan Road from 100mPD to 110mPD.
- Item B1 – Revision of the building height restriction for the “Residential (Group A)” (“R(A)”) zones from 80mPD to 100mPD.
- Item B2 – Rezoning of “R(A)2” to “R(A)” and revision of the building height restriction from 80mPD to 100mPD.

Showing the alignment of MTR Kwun Tong Line Extension and Shatin to Central Link railway scheme authorised by the Chief Executive in Council under the Railways Ordinance (Chapter 519) on the Plan for information. The authorised railway schemes shall be deemed to be approved pursuant to section 13A of the Town Planning Ordinance.

II. Amendments to the Notes of the Plan

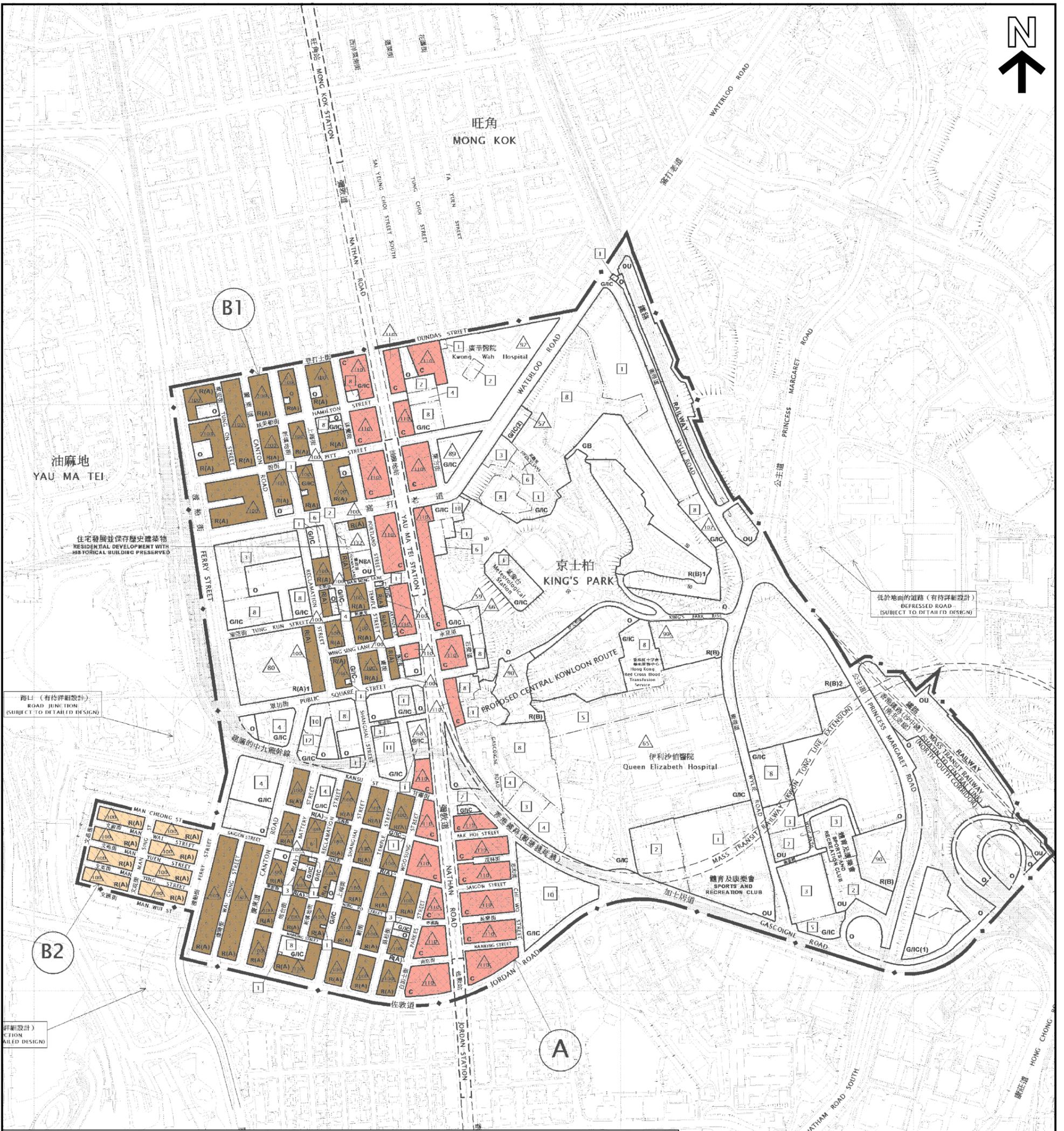
- (a) Revision to the Remarks of the Notes for “R(A)” zone to delete the provision for sites with an area of 400m² or more with permitted maximum building height restriction of 100mPD and to delete the “R(A)2” sub-zone.
- (b) Revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ under Column 2 of “R(A)” and “Government, Institution or Community” (“G/IC”) zones.
- (c) Revision to the Remarks of the Notes for “G/IC(2)” zone to delete the building setback requirement.
- (d) Deletion of ‘Market’ from Column 1 of “C” zone.
- (e) Deletion of ‘Market’ from Column 2 of “Residential (Group B)” and Schedule I of “Other Specified Uses” annotated “Residential Development with Historical Building Preserved” zones.

Town Planning Board

**List of Representers and Commenter in respect of
Draft Yau Ma Tei Outline Zoning Plan No. S/K2/23**

Representation No. TPB/R/S/K2/23	Name of Representer
R1	The Real Estate Developers Association of Hong Kong
R2	Wong Wai Chun
R3	Mary Mulvihill

Comment No. TPB/R/S/K2/23	Name of Commenter
C1	Mary Mulvihill



圖例 LEGEND

修訂項目 AMENDMENT ITEMS

- A** 把彌敦道兩旁「商業」地帶的建築物高度限制由主水平基準上100米修訂為主水平基準上110米
 REVISION OF THE BUILDING HEIGHT RESTRICTION FOR THE "COMMERCIAL" ("C") ZONES ON THE TWO SIDES OF NATHAN ROAD FROM 100mPD TO 110mPD
- B1** 把「住宅(甲類)」地帶的建築物高度限制由主水平基準上80米修訂為主水平基準上100米
 REVISION OF THE BUILDING HEIGHT RESTRICTION FOR THE "RESIDENTIAL (GROUP A)" ("R(A)") ZONES FROM 80mPD TO 100mPD
- B2** 把「住宅(甲類)2」地帶改劃為「住宅(甲類)」地帶，並將其建築物高度限制由主水平基準上80米修訂為主水平基準上100米
 REZONING OF "R(A)2" TO "R(A)" AND REVISION OF THE BUILDING HEIGHT RESTRICTION FROM 80mPD TO 100mPD

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 BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

納入油麻地分區計劃大綱草圖編號S/K2/23的修訂項目
 AMENDMENTS INCORPORATED IN THE DRAFT YAU MA TEI
 OUTLINE ZONING PLAN No. S/K2/23

本摘要圖於2022年3月21日擬備，
 所根據的資料為於2021年10月15日
 展示的分區計劃大綱草圖編號S/K2/23
 EXTRACT PLAN PREPARED ON 21.3.2022
 BASED ON OUTLINE ZONING PLAN No.
 S/K2/23 EXHIBITED ON 15.10.2021



規劃署
 PLANNING
 DEPARTMENT



參考編號
 REFERENCE No.
 R/S/K2/23

圖 PLAN
 P - 1



■ 修訂項目
 AMENDMENT ITEM A
 申述個案編號
 REPRESENTATIONS No. R1 AND R3
 相關意見編號
 RELATED COMMENT No. C1

對分區計劃大綱圖
 「政府、機構及社區(2)」
 地帶的《註釋》作出的修訂
 AMENDMENTS TO THE NOTES
 OF OZP FOR "G/IC(2)" ZONE
 申述個案編號
 REPRESENTATION No. R3

住宅發展並保存歷史建築物
 RESIDENTIAL DEVELOPMENT WITH
 HISTORICAL BUILDING PRESERVED

路門 (有待詳細設計)
 ROAD JUNCTION
 (SUBJECT TO DETAILED DESIGN)

■ 修訂項目
 AMENDMENT ITEM B1
 申述個案編號
 REPRESENTATIONS No. R1 TO R3
 相關意見編號
 RELATED COMMENT No. C1

■ 修訂項目
 AMENDMENT ITEM B2
 申述個案編號
 REPRESENTATIONS No. R1 TO R3
 相關意見編號
 RELATED COMMENT No. C1

詳細設計)
 (SUBJECT TO DETAILED DESIGN)

圖例 LEGEND

申述個案地點
 REPRESENTATION SITES

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本摘要圖於2022年3月21日擬備，
 所根據的資料為於2021年10月15日
 展示的分區計劃大綱圖編號S/K/23
 EXTRACT PLAN PREPARED ON 21.3.2022
 BASED ON OUTLINE ZONING PLAN No.
 S/K/23 EXHIBITED ON 15.10.2021

申述及意見的位置圖
LOCATION PLAN OF REPRESENTATIONS AND COMMENT
 就油麻地分區計劃大綱草圖編號S/K/23提出的申述個案編號R1-R3，
 以及相關意見編號C1作出考慮
 CONSIDERATION OF REPRESENTATIONS No. R1 TO R3 AND RELATED COMMENT No. C1
 TO THE DRAFT YAU MA TEI OUTLINE ZONING PLAN No. S/K/23

SCALE 1: 5 000 比例尺
 METRES 100 0 100 200 300 400 METRES

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參考編號
 REFERENCE No.
R/S/K/23

圖 PLAN
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