

KOWLOON PLANNING AREA NO. 10

APPROVED MA TAU KOK OUTLINE ZONING PLAN NO. S/K10/26

Notes

Schedule of Uses

Explanatory Statement

KOWLOON PLANNING AREA NO. 10

APPROVED MA TAU KOK OUTLINE ZONING PLAN NO. S/K10/26

(Being 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 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 where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, 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 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:
- on-street vehicle park and railway track.
- (9) 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.

- (10) 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.

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Schedule of Uses

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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 Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall 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 School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Flat Government Refuse Collection Point Hospital Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Residential Institution

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 and hotel development.

(Please see next page)

COMMERCIAL (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, or the plot ratio of the existing building, whichever is the greater.
- (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 the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (4) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

COMPREHENSIVE DEVELOPMENT AREA

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 Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Flat Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel House Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances 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) Recyclable Collection Centre Religious Institution Residential Institution Research, Design and Development Centre School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Planning Intention

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.

Remarks

- (1) Pursuant to section 4A(2) of the Town Planning Ordinance, and except as otherwise expressly provided that it is not required by the Town Planning Board, an applicant for permission for development on land designated “Comprehensive Development Area” shall prepare a Master Layout Plan for the approval of the Town Planning Board and include therein the following information:
 - (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings to be erected in the area;
 - (ii) the proposed total site area and gross floor area for various uses, total number of flats and flat size, where applicable;
 - (iii) the details and extent of Government, institution or community (GIC) and recreational facilities, public transport and parking facilities, and open space to be provided within the area;
 - (iv) the alignment, widths and levels of any roads proposed to be constructed within the area;
 - (v) the landscaping and urban design proposals within the area;
 - (vi) programmes of development in detail;
 - (vii) an environmental impact assessment report, including but not limiting to a visual impact assessment, to examine any possible environmental and visual problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
 - (viii) a drainage and sewerage impact assessment report to examine any possible drainage and sewerage problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (ix) a traffic impact assessment report to examine any possible traffic problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- (x) a quantitative air ventilation assessment study to examine the local wind environment and identify any possible opportunity/problem areas for design improvement, in particular measures to extend the wind path from Kai Tak to Ma Tau Kok area; and
- (xi) such other information as may be required by the Town Planning Board.
- (2) The Master Layout Plan should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, major development parameters, design population, types of GIC facilities, and recreational and open space facilities.
- (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 the maximum gross floor area (GFA) specified below:

<u>Sub-area</u>	<u>Restriction</u>	
	Maximum GFA for Domestic Use <u>(m²)</u>	Maximum GFA for Non-domestic Use <u>(m²)</u>
CDA bounded by Sung Wong Toi Road, Mok Cheong Street and Kowloon City Road:		
CDA(1)	40,500	8,100
CDA(2)	63,000	12,600
CDA(3)	62,600	12,550
CDA bounded by Mok Cheong Street, Ma Tau Kok Road, To Kwa Wan Road and Kowloon City Road	213,000	42,600

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- (4) In determining the maximum GFA for the sub-areas specified in paragraph (3) 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. Any floor space that is constructed or intended for use solely as public transport facilities, railway station development, or GIC or social welfare facilities, as required by the Government, may also be disregarded.
- (5) 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 building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA/building height restrictions stated in paragraphs (3) and (5) 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 Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Public Vehicle Park (excluding container vehicle) (on land designated "R(A)3" 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) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances 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

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

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

- (1) On land designated “Residential (Group A)”, “Residential (Group A)2” and “Residential (Group A)3”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, or the plot ratio of the existing building, whichever is the greater. Except where the plot ratio is permitted to be exceeded under paragraphs (9) and/or (10) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- (2) For a non-domestic building to be erected on the site, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (9) and/or (10) hereof.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (3) For the purposes of paragraph (1) above, on land designated “Residential (Group A)”, “Residential (Group A)2” and “Residential (Group A)3”, no 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 relevant maximum domestic and/or non-domestic plot ratio(s), or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable -
- (i) the plot ratio(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
 - (ii) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.
- (4) 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 domestic gross floor area of 71,800m², and a maximum non-domestic gross floor area of 7,870m² of which a gross floor area of not less than 770m² should be provided for Government, institution or community facilities. A public open space of not less than 1,800m² in size at ground level shall be provided.
- (5) 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 building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (6) On land designated “Residential (Group A)2”, a maximum building height of 100 metres above Principal Datum would be permitted for sites with an area of 400m² or more.
- (7) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating Government, institution or community facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (8) In determining the relevant maximum plot ratio or gross floor area for the purposes of paragraphs (1), (2) and (4) 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.
- (9) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/gross floor area for the building on land to which paragraph (1), (2) or (4) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/gross floor area specified in paragraphs (1), (2) and (4) above may thereby be exceeded.
- (10) 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 (1), (2) and (4) to (6) 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
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility (on land designated "R(B)1" only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances 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) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services Social Welfare Facility (not applicable to land designated "R(B)1") Training Centre

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.

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks

- (1) 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 a maximum plot ratio of 5.0, or the plot ratio of the existing building, whichever is the greater.
- (2) 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 gross floor area of 37,500m². In determining the maximum gross floor area for the purpose of this paragraph, in addition to the floor spaces mentioned in paragraph (4) below, any floor space that is constructed or intended to be occupied by social welfare facilities may also be disregarded.
- (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 the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (4) In determining the relevant maximum plot ratio/gross floor area for the purposes of paragraphs (1) and (2) 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.
- (5) 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 (1) to (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP E)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
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**Schedule I: for open-air development or
for building other than industrial or industrial-office building[@]**

Ambulance Depot Government Use (not elsewhere specified) Public Transport Terminus or Station (excluding open-air terminus or station) Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Flat Government Refuse Collection Point Hospital Hotel House Institutional Use (not elsewhere specified) Library Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation (not elsewhere specified) Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution School Shop and Services Social Welfare Facility Training Centre
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RESIDENTIAL (GROUP E) (Cont'd)

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)
Library
Off-course Betting Centre
Office
Place of Entertainment
Place of Recreation, Sports or Culture
Private Club
Public Clinic
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Social Welfare Facility
Training Centre

(Please see next page)

RESIDENTIAL (GROUP E) (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
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Schedule II: for existing industrial or industrial-office building[@]

<p>Ambulance Depot</p> <p>Art Studio (excluding those involving direct provision of services or goods)</p> <p>Cargo Handling and Forwarding Facility (not elsewhere specified)</p> <p>Eating Place (Canteen only)</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Information Technology and Telecommunications Industries</p> <p>Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods)</p> <p>Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p> <p>Recyclable Collection Centre</p> <p>Research, Design and Development Centre</p> <p>Shop and Services (Motor-vehicle Showroom on ground floor, Service Trades only)</p> <p>Utility Installation for Private Project</p> <p>Warehouse (excluding Dangerous Goods Godown)</p>	<p>Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)</p> <p>Industrial Use (not elsewhere specified)</p> <p>Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances</p> <p>Off-course Betting Centre</p> <p>Office (not elsewhere specified)</p> <p>Petrol Filling Station</p> <p>Place of Recreation, Sports or Culture (not elsewhere specified)</p> <p>Private Club</p> <p>Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom[#] which may be permitted on any floor)</p> <p>Vehicle Repair Workshop</p> <p>Wholesale Trade</p>
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RESIDENTIAL (GROUP E) (Cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

- Commercial Bathhouse/
 Massage Establishment
- Eating Place
- Educational Institution
- Exhibition or Convention Hall
- Institutional Use (not elsewhere specified)
- Library
- Off-course Betting Centre
- Office
- Place of Entertainment
- Place of Recreation, Sports or Culture
- Private Club
- Public Clinic
- Religious Institution
- School (excluding kindergarten)
- Shop and Services
- Training Centre

Social Welfare Facility (excluding those involving residential care)

- @ An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose respectively as approved by the Building Authority.
- # Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, or the plot ratio of the existing non-industrial building, whichever is the greater. Except where the plot ratio is permitted to be exceeded under paragraphs (6) and/or (7) hereof, under no circumstances shall the plot ratio for the domestic part of any building, to which this paragraph applies, exceed 7.5.
- (2) For a non-domestic building to be erected on the site, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (6) and/or (7) hereof.
- (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 the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (4) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating Government, institution or community facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (5) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2), 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.
- (6) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) or (2) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraphs (1) and (2) above may thereby be exceeded.
- (7) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraphs (1) to (3) above 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 Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Cable Car Route and Terminal Building Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture 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 School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Flat Funeral Facility Helicopter Landing Pad Helicopter Fuelling Station Holiday Camp Hotel House Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Refuse Disposal Installation (Refuse Transfer Station only) Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project Zoo

Planning Intention

This zone is intended primarily for the provision of Government, institution and 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.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of number of storeys or metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

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 Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Promenade Public Convenience Sitting Out Area Zoo	Cable Car Route and Terminal Building Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Place of Entertainment Place of Recreation, Sports or Culture 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.

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
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For “Commercial Development with Public Vehicle Park” only

Ambulance Depot Commercial Bathhouse/ Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (not elsewhere specified) 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 School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Flat Government Refuse Collection Point Hospital Hotel Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Residential Institution
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Planning Intention

This zone is intended primarily for the existing commercial development with public vehicle park, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area of 47,858m².
- (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 the maximum building heights, in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the maximum gross floor area for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (4) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/gross floor area for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/gross floor area specified in paragraph (1) above may thereby be exceeded.
- (5) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/building height restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(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
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For "Sports and Recreation Club" only

Place of Recreation, Sports or Culture Private Club	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Public Vehicle Park (excluding container vehicle) Religious Institution Shop and Services (not elsewhere specified) Social Welfare Facility Utility Installation not Ancillary to the Specified Use
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Planning Intention

This zone is intended primarily to provide land for private club use for sporting and recreational purposes.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

KOWLOON PLANNING AREA NO. 10

APPROVED MA TAU KOK OUTLINE ZONING PLAN NO. S/K10/26

EXPLANATORY STATEMENT

KOWLOON PLANNING AREA NO. 10

APPROVED MA TAU KOK OUTLINE ZONING PLAN NO. S/K10/26

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KOWLOON PLANNING AREA NO. 10

APPROVED MA TAU KOK OUTLINE ZONING PLAN NO. S/K10/26

(Being an Approved 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 Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/26. 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 On 9 April 1957, the draft Ma Tau Kok Outline Development Plan No. LK 10/18/4, being the first statutory plan covering the Ma Tau Kok area, was gazetted under the Town Planning Ordinance (the Ordinance). On 27 April 1973, the draft Wang Tau Hom and Tung Tau Outline Zoning Plan No. LK 8/21, being the first statutory plan covering the Kowloon City area, was gazetted under the Ordinance. On 18 December 1987, the draft Ma Tau Kok OZP No. S/K10/3, being the first statutory plan covering both Ma Tau Kok and Kowloon City areas, was gazetted under section 7 of the Ordinance. Since then, the OZP had been amended twice and exhibited for public inspection under section 6(7) and 7 of the Ordinance.
- 2.2 On 4 July 1989, the then Governor-in-Council (G in C), under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as OZP No. S/K10/6. On 6 July 1993, the then G in C referred the approved OZP No. S/K10/6 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended four times and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.3 On 23 May 2000, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K10/11. On 10 October 2000, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/11 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended once and exhibited for public inspection under section 5 of the Ordinance.

- 2.4 On 19 June 2001, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K10/13. On 25 September 2001, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/13 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended twice and exhibited for public inspection under section 5 or 7 of the Ordinance.
- 2.5 On 18 February 2003, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K10/16. On 17 June 2003, the CE in C, under section 12(1)(b)(ii) of the Ordinance, referred the approved OZP to the Board for amendment. Since then, the OZP had been amended once under section 5 of the Ordinance.
- 2.6 On 8 June 2004, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/K10/18. On 30 January 2007, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/18 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance.
- 2.7 On 18 January 2008, the draft Ma Tau Kok OZP No. S/K10/19 incorporating amendments to impose building height restrictions for “Commercial” (“C”), “Comprehensive Development Area” (“CDA”), “Residential (Group A)” (“R(A)”), “Residential (Group B)” (“R(B)”), “Residential (Group E)” (“R(E)”), “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) zones and technical amendments to the covering Notes of the Plan was exhibited under section 5 of the Ordinance.
- 2.8 On 4 November 2008, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ma Tau Kok OZP, which was subsequently renumbered as S/K10/20. On 16 September 2014, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/20 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance.
- 2.9 On 15 May 2015, the draft Ma Tau Kok OZP No. S/K10/21 incorporating amendments including (i) the rezoning of two sites at Sung Wong Toi Road and Mok Cheong Street from “CDA(3)” to “R(A)” and “G/IC”, and a site at the junction of Ma Tau Wai Road and Ma Hang Chung Road from “G/IC” to “R(A)”; and (ii) inclusion of ‘Art Studio (excluding those involving direct provision of services or goods)’ as a Column 1 use in Schedule II of the “R(E)” zone, and corresponding amendment to the use of ‘Place of Recreation, Sports or Culture’ in Column 2, was exhibited for public inspection under section 5 of the Ordinance. In addition, the alignment of the Mass Transit Railway (MTR) Shatin to Central Link (SCL) authorised by the CE in C under the Railways Ordinance (Chapter 519) on 27 March 2012 is shown on the draft OZP No. S/K10/21 for information.
- 2.10 On 5 April 2016, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently re-numbered as S/K10/22. On 7 February 2017, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/22 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 17 February 2017 under section 12(2) of the Ordinance.

- 2.11 On 9 March 2018, the draft Ma Tau Kok OZP No. S/K10/23, incorporating amendments mainly (i) to amend the building height restriction of a “G/IC” site at Lung Kong Road to facilitate a redevelopment proposal for welfare uses, and (ii) to rezone a site at Ko Shan Road mainly from “G/IC” to “R(A)3” for public housing development, was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of six representations were received. On 18 May 2018, the representations were published for three weeks for public comments and a total of 142 comments were received. After giving consideration to the representations and comments on 28 September 2018, the Board noted the supportive representation, and decided not to uphold the remaining representations and that no amendment should be made to the draft OZP to meet the representations.
- 2.12 On 8 January 2019, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ma Tau Kok OZP, which was subsequently renumbered as S/K10/24. On 18 January 2019, the approved Ma Tau Kok OZP No. S/K10/24 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.13 On 14 May 2019, the CE in C referred the approved Ma Tau Kok OZP No. S/K10/24 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 24 May 2019 under section 12(2) of the Ordinance.
- 2.14 On 5 July 2019, the draft Ma Tau Kok OZP No. S/K10/25, mainly indicating an area of the Plan replaced by the draft Urban Renewal Authority (URA) Kai Tak Road/Sa Po Road Development Scheme Plan (DSP) No. S/K10/URA1/1, was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, one representation was received. On 4 October 2019, the representation was published for three weeks for public comments and a total of three comments were received. After giving consideration to the representation and comments on 3 June 2020, the Board decided not to uphold the representation and that no amendment should be made to the draft OZP to meet the representation.
- 2.15 On 5 January 2021, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ma Tau Kok OZP, which was subsequently renumbered as S/K10/26. On 15 January 2021, the approved Ma Tau Kok OZP No. S/K10/26 (the Plan) was exhibited for public inspection under section 9(5) of the Ordinance.

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 can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor alterations as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zoning, there would be 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 Ma Tau Kok area and not to overload the road network in this area.

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 and 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.info.gov.hk/tpb>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) is located in Central Kowloon within the Kowloon City District. It is bounded by Tung Tau Tsuen Road and Tung Tsing Road to the north; To Kwa Wan Road and Yuk Yat Street to the east; Ngan Hon Street and San Lau Street to the south; and Tin Kwong Road to the west. The boundary of the Area is shown in a heavy broken line on the Plan. It covers about 139 hectares of land.
- 5.2 The Area is one of the earliest developed urban areas in Kowloon, which has been substantially developed for private residential, public housing and industrial uses. The medium density residential areas are mainly located along Argyle Street and Grampian Road. The major public housing estates in the

Area include Chun Seen Mei Chuen, Ma Tau Wai Estate and Lok Man Sun Chuen.

- 5.3 Industrial developments, mainly in the form of factory buildings for light manufacturing industries and godowns, are concentrated in the east. The environmental problems of the Area include the concentration of dilapidated housing stock along Mok Cheong Street and the close juxtaposition of the residential and industrial uses in the east. The Plan is intended to alleviate some of the aforementioned environmental problems by putting land uses and related activities under statutory planning control, as well as to take the opportunities for urban restructuring with the closure of Kai Tak Airport.
- 5.4 The Area covers land on the waterfront of Victoria Harbour. For any development proposal affecting such land, due regard shall be given to the Vision Statement for Victoria Harbour published by the Board, the requirements under the Protection of the Harbour Ordinance (Cap. 531) and the Harbour Planning Principles published by the Harbour-front Enhancement Committee.

6. POPULATION

Based on 2016 Population By-census, the population of the Area was estimated by the Planning Department as about 133,100. It is estimated that the planned population of the Area would be about 139,900.

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. Some of the high-rise redevelopments erected in the Area in the recent years following the relocation of the airport in Kai Tak and the removal of the airport height restrictions, are considered undesirable from the visual point of view, and are also incompatible and out-of-context with the local built environment. In order to prevent excessive tall or out-of-context buildings, and to instigate control on the overall building height profile of the Area, a review has been undertaken to ascertain the appropriate building height restrictions for the “C”, “CDA”, “R(A)”, “R(B)”, “R(E)”, “G/IC”, and “OU” zones on the Plan.
- 7.2 The building height restrictions are to preserve the views to the ridgelines from public view points and to maintain a stepped building height concept recommended in the Urban Design Guidelines Study with lower buildings along the waterfront, taking account of the local area context, the local wind environment, and the need to maintain visually compatible building masses in the wider setting. There are four main building height bands – 80 metres above Principal Datum (mPD), 100mPD, 120mPD and 140mPD in the Area for the “C”, “CDA”, “R(A)”, “R(B)” and “R(E)” zones – increasing

progressively from the waterfront to the inland and foothill areas. The proposed building height bands help preserve views to the ridgelines, achieve a stepped height profile for visual permeability and wind penetration and circulation, and maintain a more intertwined relationship with the Victoria Harbour edge.

- 7.3 Moreover, specific building restrictions for the “G/IC” and “OU” zones 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 mainly to provide visual and spatial relief to the Area. The building height restrictions are specified in terms of mPD to provide certainty and clarity of planning intention. On the other hand, building height control for low-rise developments, normally with a height of not more than 13 storeys, will be subject to restrictions on the number of storeys so as to allow more design flexibility, in particular for Government, institution or community (GIC) facilities with specific functional requirements, unless such developments fall within visually more prominent locations and major breathing spaces.
- 7.4 An air ventilation assessment (AVA) by expert evaluation has been undertaken 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 shown on the Plan have taken into account the findings of the AVA.
- 7.5 A minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan in order to provide 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 and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan; and
 - (f) other factors such as site constraints, 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 adverse landscape and visual impacts would be resulted from the innovative building design.

- 7.6 However, for existing buildings where the building height already exceeded the maximum building height in terms of number of storeys or mPD 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 Commercial (“C”) - Total Area 0.40 ha

- 8.1.1 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 neighborhood and hotel development. The sites under this zoning include an existing hotel at Sa Po Road and two existing industrial buildings at Ma Tau Wai Road.
- 8.1.2 Developments within this zone are subject to a maximum plot ratio of 12.0 in order to restrain traffic growth, which will otherwise overload the existing and planned transport network and sewerage system capacity.
- 8.1.3 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.
- 8.1.4 Development and redevelopment within the “C” sites along Prince Edward Road West and Ma Tau Wai Road are subject to maximum building height of 80mPD and 120mPD as stipulated on the Plan.
- 8.1.5 To provide design/architectural flexibility, minor relaxation of the plot ratio/building height restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits.

8.2 Comprehensive Development Area (“CDA”) – Total Area 5.05 ha

- 8.2.1 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.
- 8.2.2 Sites bounded by Sung Wong Toi Road, Kowloon City Road, Ma Tau Kok Road and To Kwa Wan Road are zoned “CDA” to facilitate

comprehensive redevelopment for residential uses with retail and GIC facilities, as well as to phase out the existing industrial activities. Development restrictions in terms of maximum domestic and non-domestic gross floor areas for the “CDA” zones are stipulated in the Remarks of the Notes. Details of the proposed uses and development parameters for the “CDA” are to be stipulated in the planning briefs.

- 8.2.3 The “CDA” zone bounded by Sung Wong Toi Road, Kowloon City Road and Mok Cheong Street is sub-divided into “CDA(1)”, “CDA(2)” and “CDA(3)” to facilitate early development of the sites and to allow the Board to exercise planning control on the design and layout of redevelopment, to require provision of mitigation measures to address industrial/residential (I/R) interface problems and to ensure co-ordinated and comprehensive redevelopment. In addition, open space and GIC facilities could also be provided within the sites.
- 8.2.4 According to the AVA by expert evaluation, the area near Mok Cheong Street is a major wind corridor. Future developments at Mok Cheong Street are therefore critical to the local ventilation environment of the Area. Upon redevelopment, a quantitative AVA Study for the “CDA” sites near Mok Cheong Street should be conducted so as to examine the local wind environment and identify any possible opportunity/problem areas for design improvement, in particular measures to extend the wind path from Kai Tak to Ma Tau Kok area.
- 8.2.5 In drawing up the layout of the proposed “CDA” developments, due consideration should be given to the findings of the AVA. In particular, there should be adequate space between buildings to enhance the air and visual permeability to the surrounding developments. Any adverse impact on the surrounding areas, particularly in terms of air ventilation, should be carefully assessed and mitigated. Moreover, diversity in building mass/form is encouraged within each “CDA” site to achieve a more interesting building height profile in the area.
- 8.2.6 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 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.
- 8.2.7 Development and redevelopment within the “CDA” sites are subject to a maximum building height of 100mPD as stipulated on the Plan.
- 8.2.8 To provide design/architectural flexibility, minor relaxation of the gross floor area/building height restrictions may be considered by the

Board on application under section 16 of the Ordinance taking into account its own merits.

8.3 Residential (Group A) (“R(A)”) - Total Area 44.45 ha

- 8.3.1 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.
- 8.3.2 Most of the private and public residential developments in the Area, except those along Argyle Street, Prince Edward Road West and Grampian Road, are covered by this zoning. There are three existing public housing estates in the Area, namely, Ma Tau Wai Estate, Chun Seen Mei Chuen and Lok Man Sun Chuen. The Government land at the junction of Sung Wong Toi Road and To Kwa Wan Road, and a site at Ko Shan Road are planned for public housing developments.
- 8.3.3 There are three major private residential developments in the Area, namely, the “Sky Tower” at Sung Wong Toi Road, “Jubilant Place” at Pau Chung Street and “Celestial Heights” at Kau Pui Lung Road. The Ma Tau Kok Gas Works (North Plant) site at To Kwa Wan Road and Ma Tau Kok Road is proposed for private residential use upon redevelopment.
- 8.3.4 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 Study Review, completed in early 2002, developments or redevelopments within this zone are subject to specific control on plot ratios except otherwise specified in the Notes, i.e. a maximum plot ratio of 7.5 for a domestic building or a maximum plot ratio of 9.0 for a partly domestic and partly non-domestic building. In calculating the gross floor areas for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used 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.
- 8.3.5 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 8.3.6 Development and redevelopment within the “R(A)” sites are mainly subject to maximum building heights of 100mPD, 120mPD and 140mPD as stipulated on the Plan. The “R(A)1” site is subject to a maximum building height of 100mPD. The “R(A)3” site is subject to a maximum building height of 130mPD. Public vehicle park is always permitted under “R(A)3” zone.

- 8.3.7 For sites in Kowloon City which is zoned “R(A)2”, a maximum building height of 80mPD is proposed to maintain a similar building height profile with the adjacent “R(B)” sites in Argyle Street and Prince Edward Road West area as well as to enable a smooth transition of height profile from the low-rise Kowloon Tong area to the similar height band imposed in the Kai Tak City Centre.
- 8.3.8 Nonetheless, for “R(A)2” sites, 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, a maximum building height of 100mPD would be permitted for sites with an area of 400m² or more.
- 8.3.9 To provide design/architectural flexibility, minor relaxation of the plot ratio/gross floor area/building height restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits.

8.4 Residential (Group B) (“R(B)”) - Total Area 8.93 ha

- 8.4.1 This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.4.2 Existing private residential developments under this zoning are located along Argyle Street, Prince Edward Road West and Grampian Road. In addition, the site of the Kowloon City Baptist Church at Argyle Street is zoned “R(B)” and proposed for medium-density residential use upon redevelopment.
- 8.4.3 Developments within this zone except otherwise specified are subject to specific control on plot ratio to restrain traffic growth which will otherwise overload the existing and planned transport network. A maximum plot ratio of 5.0 is imposed under the Notes for “R(B)” zone.
- 8.4.4 The site at Farm Road and Ma Tau Wai Road is zoned “R(B)1” and social welfare facilities are permitted as of right to enable early implementation of the proposed social welfare facilities. Residential development within this zone has been completed with the provision of a day nursery and a children and youth centre within the development. The development on the site is subject to the maximum gross floor area specified in the Notes.
- 8.4.5 Development and redevelopment within the “R(B)” sites are subject to a maximum building height of 80mPD as stipulated on the Plan.
- 8.4.6 To provide design/architectural flexibility, minor relaxation of the plot ratio/gross floor area/building height restrictions may be considered by

the Board on application under section 16 of the Ordinance taking into account its own merits.

8.5 Residential (Group E) (“R(E)”) - Total Area 3.20 ha

- 8.5.1 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 I/R interface problem.
- 8.5.2 Under this zoning, existing industrial uses will be tolerated but new industrial development will not be permitted upon redevelopment of existing industrial buildings in order to avoid the perpetuation or aggravation of the I/R interface problems with the new residential development during the redevelopment process. In existing industrial buildings, new developments involving offensive trades will not be permitted. Any modification of use from non-industrial to industrial uses within existing industrial buildings will also require the permission of the Board.
- 8.5.3 Upon redevelopment of the industrial sites with potential land contamination risk, the developer will be required to prepare contamination assessment report to examine any possible ground contamination and if land contamination is confirmed, to propose remedial measures to deal with it.
- 8.5.4 Industrial sites at Yuk Yat Street, Chi Kiang Street, Sheung Heung Road and To Kwa Wan Road are zoned “R(E)” with a view to gradually phasing out the existing industrial buildings in the area.
- 8.5.5 In drawing up the development scheme for “R(E)” zone, especially along Yuk Yat Street, due consideration should be given to provide adequate space between the proposed development and the surrounding developments to enhance the air and visual permeability.
- 8.5.6 Developments within this zone are subject to specific control on plot ratios similar to that for the “R(A)” zone as stipulated in the Notes. In calculating the gross floor areas for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used 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.
- 8.5.7 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the maximum plot ratio for a development mentioned above 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.

8.5.8 Development and redevelopment within the “R(E)” sites are subject to maximum building height of 100mPD and 120mPD as stipulated on the Plan.

8.5.9 To provide design/architectural flexibility, minor relaxation of the plot ratio/building height restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits.

8.6 Government, Institution or Community (“G/IC”) - Total Area 8.83 ha

8.6.1 This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents as well as the general public. 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.

8.6.2 Major existing GIC facilities include the divisional fire station and ambulance depot at Shing Tak Street, To Kwa Wan Market and Government Offices at Ma Tau Wai Road, the Kowloon City Municipal Services Building at Nga Tsin Wai Road and the Hong Kong Society for the Blind’s factory cum sheltered workshop and care and attention home at Mok Cheong Street. Other existing GIC uses such as schools, electricity substations, telephone exchanges are conveniently located throughout the Area. Additional GIC facilities are also provided within the public housing estates and private residential development. A site at Lung Kong Road will be redeveloped as a welfare complex.

8.6.3 Development and redevelopment within the “G/IC” sites are mainly subject to maximum building height in terms of number of storeys or mPD as stipulated on the Plan.

8.6.4 To provide design/architectural flexibility, minor relaxation of the building height restriction may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits.

8.7 Open Space (“O”) - Total Area 21.84 ha

8.7.1 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.

8.7.2 Existing open spaces include the Kowloon Walled City Park, Carpenter Road Park, To Kwa Wan Recreation Ground, Sung Wong Toi Garden, Ma Tau Wai Road Playground, Ko Shan Road Park and the Tin Kwong Road Recreation Ground. A special feature of Ko Shan Road Park is

Ko Shan Theatre which is used for holding cultural events and performances.

8.7.3 The eastern part of the former Ma Tau Kok Animal Quarantine Depot site bounded by Ma Tau Kok Road and San Shan Road is reserved for open space use.

8.7.4 Local open spaces would be provided within the “CDA”, “R(A)” and “R(E)” zones.

8.8 Other Specified Uses (“OU”) - Total Area 1.46 ha

8.8.1 This zoning covers land allocated for specific uses.

8.8.2 The Hong Kong Softball Association Recreation Ground at Tin Kwong Road is zoned “OU” annotated “Sports and Recreation Club”. Development and/or redevelopment of this site is subject to a maximum building height of 1 storey as stipulated on the Plan.

8.8.3 The KCP (previously named Kowloon City Plaza) at Carpenter Road is zoned “OU” annotated “Commercial Development with Public Vehicle Park” to reflect the existing development. Development and/or redevelopment of this site is subject to a maximum gross floor area of 47,858m² and a building height restriction of 36mPD as stipulated on the Plan.

8.8.4 To provide design/architectural flexibility, minor relaxation of the gross floor area/building height restrictions may be considered by the Board on application under section 16 of the Ordinance taking into account its own merits.

9. **COMMUNICATIONS**

9.1 Roads

9.1.1 The elevated road passing through the Area above Chatham Road North and Kowloon City Road connecting to the Airport Tunnel is part of the primary distributor road network linking up Central and East Kowloon.

9.1.2 The district distributor network consists of Ma Tau Kok Road, Ma Tau Wai Road, To Kwa Wan Road, Sung Wong Toi Road and Tin Kwong Road.

9.2 Railway

On 27 March 2012, the CE in C authorised the MTR SCL under the Railways Ordinance. The authorised railway scheme shall be deemed to be approved under the Ordinance. The SCL with 10 stations including To Kwa Wan Station and Sung Wong Toi Station, connects the Ma On Shan Line with the West Rail

Line. Construction works commenced in 2012 and the Tai Wai to Hung Hom section is expected to be completed by 2019. The To Kwa Wan Station and Sung Wong Toi Station will significantly improve the accessibility of the Area.

10. URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA

10.1 An area has been designated as 'URA DSP Area'. The land use zoning of the area is depicted on the relevant URA DSP and it will be implemented by the URA.

10.2 The DSP for Kai Tak Road/Sa Po Road covers an area of about 0.61 ha. The site is intended for high-density residential developments with the provision of a sunken plaza and underground public vehicle park. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-domestic portion of a building connecting to the sunken plaza.

11. UTILITY SERVICES

The Area is served by piped water supply, drainage and sewerage systems, as well as gas, electricity and telephone services. There is no difficulty envisaged in meeting the future requirements for services and public utilities for the estimated population in the Area. However, upgrading of the existing fresh water and salt water supply systems will be carried out to cope with the increase of water demand for the additional population.

12. CULTURAL HERITAGE

12.1 The site of archaeological interest, declared monuments, historic buildings/structures graded by the Antiquities Advisory Board (AAB), and Government historic site identified by the Antiquities and Monuments Office (AMO) in the Area include:

- (a) Kowloon Walled City (Site of Archaeological Interest);
- (b) Remnants of the South Gate of Kowloon Walled City (Declared Monument);
- (c) Former Yamen Building of Kowloon Walled City (Declared Monument);
- (d) Ma Tau Kok Animal Quarantine Depot, No. 63 Ma Tau Kok Road (Grade 2);
- (e) Sheng Kung Hui Holy Trinity Cathedral, No. 135 Ma Tau Chung Road (Grade 2);
- (f) Main Building, Heep Yunn School, No. 1 Farm Road (Grade 3);
- (g) St. Clare Chapel, Heep Yunn School, No. 1 Farm Road (Grade 3);
- (h) Tin Hau Temple, No. 49 Ha Heung Road (Grade 3);
- (i) Nos. 1 & 3 Hau Wong Road (Grade 3);
- (j) Eastern Cotton Mills Ltd., No. 7 Mok Cheong Street (Grade 3);
- (k) No. 65 Ha Heung Road (Grade 3); and

- (l) Sung Wong Toi Inscription Rock (Government historic site identified by AMO).
- 12.2 On 19 March 2009, the AAB released the list of 1,444 historic buildings, in which the buildings/structures within the Area have been accorded gradings. The AAB also released a number of new items in addition to the list of 1,444 historic buildings. These items are subject to the grading assessment by the AAB. Details of the list of 1,444 historic buildings and its new items have been uploaded onto the official website of the AAB at <http://www.aab.gov.hk>.
- 12.3 Prior consultation with the AMO should be made if any development, redevelopment or rezoning proposals that might affect the above site of archaeological interest, declared monuments, historic buildings/structures graded by the AAB, new items pending grading assessment by the AAB, Government historic site identified by AMO and their immediate environs.

13. IMPLEMENTATION

- 13.1 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 and the various licensing authorities.
- 13.2 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 Government departments. Disposal of sites is undertaken by the Lands Department. Public works projects are co-ordinated by the Civil Engineering and Development Department 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 Kowloon City District Council would also be consulted as and when appropriate.
- 13.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include departmental outline development plan and guidelines published by the Board. The outline development plan is 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
JANUARY 2021**