

**The Statutory Planning Process
for West Kowloon Cultural District Development**

Purpose

The purpose of this paper is to explain the relevant statutory planning procedure for the West Kowloon Cultural District (WKCD) development.

West Kowloon Cultural District

2. The WKCD, with an area of about 40 hectares, is currently zoned “Other Specified Use” (“OU”) annotated “Arts, Cultural, Commercial and Entertainment Uses” on the draft South West Kowloon Outline Zoning Plan (OZP) No. S/K20/19. The planning intention of this zone is to develop WKCD into an integrated arts, cultural, commercial and entertainment district with distinguished identity.

Development Parameters of WKCD and Statutory Planning Process

3. The Administration has recently completed the public engagement exercise to collect views from the public and major stakeholders on the WKCD development.

4. Taking into account the comments received, Planning Department has initiated action to amend the OZP to incorporate the key development parameters of WKCD for public objections. The key parameters include:-

- (a) overall plot ratio;
- (b) development mix including restricting the total gross floor area for residential developments;
- (c) provision of public open space; and
- (d) building height control.

5. The proposed amendments to the OZP will be submitted to the TPB for consideration in the first quarter of 2008.

6. Subject to the agreement of the TPB, the amended OZP would be gazetted for 3 weeks under s. 7 of the pre-amended Town Planning Ordinance (TPO)⁽¹⁾ for public inspection and comment in respect of the key development parameters. The TPB will then consider the objections received in accordance with the provisions of the pre-amended TPO. The whole objection hearing procedures would take about 9 months to complete. Thereafter, the whole revised OZP, together with the outstanding objections, would be submitted to the Chief Executive in Council (CE in C) for approval.

Development Plan for WKCD

7. It is the intention of the Administration to establish a statutory body, the WKCD Authority (the Authority), to take forward the WKCD project. One of its responsibilities is to prepare the development plan (DP) for the WKCD together with all the necessary technical assessments in accordance with the key development parameters stipulated in the OZP. The DP will indicate the areas and nature of the proposed land uses, the heights of the developments, open space, landscape and urban design proposals to be provided within the area, public transport and parking facilities, the alignment, width and levels of roads etc.

8. Experience gathered from the planning process of the Kai Tak development indicates that early public engagement will facilitate community consensus building on major development proposals and the smooth implementation of the development at a later stage. The Authority will be required under the WKCD Authority Bill to consult the public in preparing the DP for the WKCD. The relevant government bureaux/departments will render the necessary support and input to the Authority on the formulation of the DP.

9. The DP, if agreed by TPB, shall be deemed to be a draft plan prepared by the TPB for the purposes of TPO and will be gazetted as a draft plan under s.5 of the TPO for two months for public comments. Upon exhibition, the DP

⁽¹⁾ The amendments to draft South West Kowloon Outline Zoning Plan to rezone the WKCD sites to "OU(Arts, Cultural, Commercial and Entertainment Uses)" were gazetted on 11.7.2003 under the pre-amended TPO. Objection hearing procedures were completed in 12.12.2003. Since then, the OZP has been amended 5 times. Since the plan-making process has yet to complete and the plan has not yet been submitted to the CE in C for approval, the provision of the Town Planning (Amendment) Ordinance 2004 are not applicable. The plan-making process is still subject to the provisions of the pre-amended TPO.

will replace or amend the relevant part of the current OZP. The public can make representations on the DP and comments on the representations. The representations and comments, if any, will be considered by the TPB in accordance with s.6B of the TPO. The TPB may propose amendments to the DP to meet the representations. Any proposed amendments to DP will be made available for public comments in accordance with s.6C of the TPO. The TPB will consider any further representations in accordance with s.6F of the TPO. The DP, together with the representations, comments and further representations, if any, will be submitted to CE in C for approval in accordance with the provisions of the TPO. Where the CE in C approves the DP under s.9 of the TPO and the approval is notified in the Gazette, the DP will become an approved development plan and the provisions of TPB concerning any approved plan will apply accordingly. The approved DP should be complied with for implementation of all developments within the WKCD.

Planning Department
January, 2008