

Town Planning Board agrees on eligible transitional housing for temporary use

The Town Planning Board announced today (November 26) that it has agreed for transitional housing co-ordinated by a task force under the Transport and Housing Bureau in permanent buildings, including wholesale-converted industrial buildings in the "Commercial", "Comprehensive Development Area" and "Other Specified Uses" annotated "Business" and "Residential" zones in the urban and new town areas, that can be regarded as for temporary use, which is always permitted under the Outline Zoning Plan (OZP) if it is for a period of five years or less.

The Board is satisfied that the temporary nature of transitional housing can be established given that (i) the objective of transitional housing is to provide interim accommodation to alleviate the hardship of families on the public rental housing waiting list and the inadequately housed. The need will subsequently be phased out when more suitable permanent housing is in place; (ii) the task force in monitoring the provision of transitional housing in accordance with the housing policy will ensure that it will not become a permanent use; (iii) a fixed term of five years or less can be specified in the special waiver to be granted by Lands Department; and (iv) assessment of any subsequent application for extension of this agreement under the planning regime will be based on consideration at the time of application and each term of the transitional housing use proposed for the permanent building in question should be of five years or less. The use would still need to comply with other relevant legislation and regulations.

Transitional housing not co-ordinated by the task force and other temporary uses in the permanent buildings should continue to be considered as permanent uses unless the Board is satisfied with their temporary nature. Such proposal could be submitted to the Board under the planning application system in accordance with the provisions of the relevant OZP.

As stipulated in the Notes of the OZPs in the urban and new town areas, temporary uses (expected to be five years or less) of any land or building are always permitted as long as they comply with other relevant legislation, the conditions of the lease and any other government requirements, and there is no need for these to conform to the zoned use or the Notes of the OZPs (the "five-year rule"). The Board endorsed in 1990 that the "five-year rule" should not be applicable to temporary uses in permanent buildings unless the temporary nature of the use could be established to the satisfaction of the Board.

For the avoidance of doubt, the Board's permission is still required for transitional housing for not more than three years in the rural areas unless the use is permitted in the Notes of the relevant zone, following the provisions as set out in the Notes of the OZPs for the rural areas.