

Facilitating Provision of Pedestrian Links by the Private Sector **Guidance Notes on Application**

Landowners who wish to make an application under the policy of “Facilitating Provision of Pedestrian Links by the Private Sector” should refer to this set of Guidance Notes before submitting an application to the Development Bureau (DEVB) for preliminary vetting. The Government will assess the proposal in accordance with the mechanisms established under the policy.

The proposed pedestrian links may require gazetting and authorization under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). To expedite the process, applicant should engage competent professionals to investigate into the technical aspects of the proposal and consult relevant authorities and stakeholders. Supporting documents including a set of pedestrian link proposal and draft gazette plans for the proposed pedestrian link scheme should be submitted at the time of application to DEVB.

The application to DEVB should be submitted together with the information / documents contained in the application checklist appended below. For the avoidance of doubt, each application will be considered on its own merits by the Government. This set of Guidance Notes shall not constitute any representation on the part of the Government or give rise to any expectation on the part of the applicant that any application submitted to the Government will be processed or approved eventually. If the Government agrees that the proposal is meritorious to have the land premium or alike payable waived in accordance with the mechanisms established under the policy, the lease modification and/or other land documents shall be executed within a two-year validity period from the date of approval of the waiver of premium or alike. The waiver will lapse after the validity period and extension will only be considered with strong justifications to be provided by the applicant. Applicant is strongly recommended to submit an application for lease modification and/or other necessary approval(s) from the land authority, etc. to the relevant District Lands Office (DLO) of the Lands Department (LandsD) in parallel to speed up the process. Applicant should also refer to Lands Department Lands Administration Office Practice Note Issue No. 4/2007 in this respect.

Facilitating Provision of Pedestrian Links by the Private Sector

Application Checklist

(The lists and types of information/documents to be submitted with the applications are for reference only. They may be subject to change from time to time in accordance with the requirements of the bureaux/departments concerned and vary from case to case.)

(A) Information / Documents that **MUST** be submitted⁽¹⁾ for Premium Waiver Application:

- (i) A detailed application letter specifying the details of the proposed pedestrian link(s) including but not limited to the alignment, level, width, barrier-free access and 24-hour public passageway arrangements and the property/properties where lease modification and/or other land application(s) would be required for provision of the pedestrian link(s).

- (ii) Analysis on the merits of the pedestrian link(s) with respect to the four tests under the evaluation mechanism (viz. street walkability, area-wide, network and people-oriented tests. Please see **Appendix**) for a proposal outside Kowloon East ⁽²⁾, or a proposal within Kowloon East but substantially deviates from or not shown on the relevant Outline Development Plan.

- (iii) The proposed implementation time-frame of the works and the relevant lease modification and/or land application(s).

- (iv) 2 copies of the pedestrian link proposal⁽³⁾, which should include:
 - (a) plans and elevations indicating the alignment of the proposed pedestrian link and 24-hour barrier-free public passageway between the pedestrian link and public footpath at a scale not smaller than 1:500;
 - (b) the location, size and level of any structure(s) to be erected on, over or under government land;
 - (c) details of any associated road works;
 - (d) relevant study reports, e.g. pedestrian environment improvement study, engineering feasibility study of the proposed links, traffic impact assessment, etc.;
 - (e) any addition and alteration works to the building;
 - (f) the 24-hour barrier-free public passageway within the building(s) / lot(s), including vertical connection(s), overlaid on approved building plans of the building(s), at a scale not smaller than 1:500;

- (g) lot index plan(s) at a scale of 1:1 000 overlaid with the layout of the proposed pedestrian link, 24-hour public passageway, associated structure and works, etc. to show the extent and area of all the affected lots and government land;
 - (h) certification of any change in Gross Floor Area (GFA) under the Buildings Ordinance (BO) to the building(s) concerned and the changes required under the lease(s), if applicable. Covered pedestrian link within private lot shall be GFA accountable under the BO unless exempted;
 - (i) certification of compliance with the BO and its subsidiary legislations, where applicable;
 - (j) certification of properties (including all lots) involved in the proposal; and
 - (k) certification of no other non-compliance with the lease conditions.
- (v) If the lot(s) are in multiple ownership or sub-divided into undivided shares , the submission should include:
- (a) 2 copies⁽⁴⁾ of a computer printout containing the historical and current ownership particulars of the property⁽⁵⁾;
 - (b) 2 copies⁽⁴⁾ of a complete set of Government Land Grant documents (including all lease modification letters executed) affecting the property⁽⁵⁾;
 - (c) the unanimous consent of all owners to the proposal and to enter into lease modification and/or other land application(s);
 - (d) if there is no unanimous consent of all owners, proposals on how to ensure that the rights and obligations of the applicant for construction and subsequent management and maintenance of the proposed pedestrian link(s), including upon redevelopment, would be legally and practically enforceable with the appropriate legal document(s);
 - (e) the Deed of Mutual Covenant (DMC);
 - (f) the 24-hour barrier-free public passageway overlaid on relevant DMC plans;
 - (g) certification of no non-compliance with the DMC;
 - (h) if any easements and permanent rights are proposed to be created at the common area(s), an undertaking to indemnify against the Government's potential liability for claims, and an approval / resolution by the owner's committee / corporation; and
 - (i) if the Government is requested to take up the management and maintenance responsibilities of the pedestrian link on, over or under government land after completion, an undertaking to pay the Government a one-off payment to cover the management and maintenance costs.
- (vi) 2 copies of draft gazette plan (at a scale of 1:1000) and scheme for Roads (Works, Use and Compensation) Ordinance (Cap. 370) purposes.

Information / Documents that will **FACILITATE** processing ⁽⁶⁾:

- (vii) Supporting documents that would help demonstrate the merits mentioned in (ii) above. For instance:

Four Tests	Examples of useful supporting documents
Street Walkability	<ul style="list-style-type: none"> - Photos showing the existing at-grade condition in relation to the proposed link(s) - Approved Master Layout Plan or planning application under the Town Planning Ordinance
Area-wide Connectivity	<ul style="list-style-type: none"> - Access to the nearby transport hubs - Connection to any major attractions
Network Impact	<ul style="list-style-type: none"> - Map showing the comprehensiveness of network connected by the proposed link(s)
People-oriented	<ul style="list-style-type: none"> - Any vulnerable users facilities in the local neighbourhood - Documents indicating community support

Note: The above are some examples for reference only. Applicants are welcomed to provide other supporting information.

- (viii) An extract copy of the relevant Outline Zoning Plan and/or Outline Development Plan showing the property, together with a relevant extract of the Explanatory Statement, as appropriate.

- (ix) For an application which involves portion(s) of a lot, or sub-divisions of any lots, to assist the verification of site area and site boundaries, all relevant assignment plans or Deed Poll plans together with any relevant information relating to the delineation of the boundaries of these sub-divisions.

- (x) 2 copies of any submissions approved by other relevant authorities relating to the development proposal, if applicable (e.g. approved master layout plan under the Town Planning Ordinance).

Notes:

- (1) Please put a tick in the relevant box if applicable.
- (2) For the purpose of this Scheme, Kowloon East refers to the Kowloon Bay Business Area and Kwun Tong Business Area.
- (3) The proposal should be prepared and submitted by an Authorized Person or other

professionals acting for the applicant.

- (4) One set of documents should be certified by the Land Registry or by the solicitor acting for the applicant, while the other set may be a photocopy of the certified documents. Certification of the documents should be done not more than one month before submission of the application.
- (5) Property includes all lots involved in the lease modification, land exchange or special waiver or other land application(s).
- (6) Any other information may be supplied in triplicate on separate sheet(s) attached to the application.

(B) Information / Documents that **MUST** be submitted at the stage of Lease Modification and/or land application(s)⁽¹⁾:

- (i) A detailed application letter clearly identifying the property concerned, the variations being sought in respect of any terms and conditions of the existing lease conditions including the modification of any restrictions and development parameters included in the existing lease conditions (e.g. proposed user, maximum gross floor area, site coverage, number of storeys/building height, etc.).
- (ii) 2 copies⁽²⁾ of a complete set of Government Land Grant documents (including all lease modification letters executed) affecting the property⁽³⁾.
- (iii) A copy of an up-to-date location / site plan on an appropriate scale (normally 1:1 000) showing the property.
- (iv) Lot index plan(s) at a scale of 1:1 000 overlaid with the layout of the proposed pedestrian link, 24-hour public passageway, associated structure and works, etc. to show the extent and area of all the affected lots and government land.
- (v) A copy of the Town Planning Board approval letter for the proposed development, if applicable.
- (vi) 2 copies⁽²⁾ of a computer printout containing the historical and current ownership particulars of the property⁽³⁾.
- (vii) The unanimous consent of all owners to the proposal and to enter into lease modification and/or land application(s).
- (viii) If submitted by an agent, a written authorization from the principal who should be the registered owner or a prospective purchaser⁽³⁾ of the property.
- (ix) If submitted by a prospective purchaser⁽³⁾, a written consent from the registered owner.
- (x) For applications that the Government has already agreed to waive the relevant premium or rent or alike, written endorsement from the Development Bureau.
- (xi) Written approval on detailed drawings⁽⁴⁾ and endorsement of legal implementability of the proposal by relevant bureaux/departments.

Information / Documents that will **FACILITATE** processing ⁽⁵⁾:

- | | | |
|--------|--|--------------------------|
| (xii) | An extract copy of the relevant Outline Zoning Plan and/or Outline Development Plan showing the property, together with a relevant extract of the Explanatory Statement, as appropriate. | <input type="checkbox"/> |
| (xiii) | For application involving portion(s) of a lot, or sub-divisions of any lots, to help expedite the verification of site areas and site boundaries, all relevant assignment plans or Deed Poll plans should be provided together with any relevant information relating to the delineation of the boundaries of these sub-divisions. | <input type="checkbox"/> |
| (xiv) | Sketch plans illustrating the proposed development, if available. | <input type="checkbox"/> |
| (xv) | Copies of any approved submissions by other relevant authorities relating to the development proposal or other relevant study / assessment reports, if available (e.g. Approved Master Layout Plans under the Town Planning Ordinance, Environmental/Traffic/Drainage Impact Assessment Reports, etc.). | <input type="checkbox"/> |

Notes:

- (1) Please put a tick in the relevant box if applicable.
- (2) One set of documents should be certified by the Land Registry or by the solicitor acting for the applicant, while the other set may be a photocopy of the certified documents. Certification of the documents should be done not more than one month before submission of the application.
- (3) Property includes all lots involved in the lease modification, land exchange or special waiver or other land application(s).
- (4) The proposal should be prepared and submitted by an Authorized Person or other professionals acting for the applicant.
- (5) Any other information may be supplied in triplicate on separate sheet(s) attached to the application.

Facilitating Provision of Pedestrian Links by the Private Sector

The Evaluation Mechanism

Street Walkability Test

- The test primarily looks at pleasantness of the existing pedestrian experience at the ground level using three key components of walkability - safety, comfort (including amenities) and convenience. On safety, we would assess if the existing at-grade facilities are sufficient to allow pedestrians to walk safely and whether any factors such as lack of crossing or a traffic black spot would be relevant in making pedestrians feel unsafe walking along. On comfort, we would assess if the ground-level environment such as availability of street furniture and shades are sufficient for pedestrians to enjoy the walk. On convenience, we would assess directness and convenience of the existing connection and whether a long detour would be required if no crossing is currently available. In general, a proposed pedestrian link would be more favourably considered if street-level walkability is undesirable and significant improvements are difficult to be made at-grade.

Area-wide Connectivity Test

- The benefits of an individual link to improve overall pedestrian access and walkability of a wider area are measured under the test. Links located at a strategic location within the basic area for town planning (a Planning Data Zone (PDZ)) could generate spill-over benefits not just for the immediate neighbourhood but in a broader area. The proposed link, which situates in PDZ(s) that has a higher population and employment or connects to hot links and junctions¹, is likely to be more frequently used by pedestrians. A link that would help form a direct access to a transport hub would further benefit commuters.

¹ The five largest developments in the PDZ that the proposed link is located are first identified, to be followed by the identification of the five largest developments in an adjacent PDZ with the highest number of population and employment, as well as transport hubs such as MTR station(s) within the PDZ. Then pedestrian routes among these spots would be plotted. The nodes and intersections that most routes overlap are hot links and junctions.

Network Impact Test

- If the proposed pedestrian link is connected to a well-established pedestrian network (including elevated or underground links), the test would measure the impact to the connectivity and complexity of the network² in order to select proposals that would render the network more comprehensive, direct and convenient. The test would assess whether the link would help enhance circulation and convenience by forming more internal circuits and alternative routes within a network. If the proposed pedestrian link involves adding a new branch to an existing network, we would assess whether it could help expand the network in terms of total length and complexity.

People-oriented Test

- The test measures the benefits of a proposed link from people-oriented aspects. It would assess potential volume of pedestrians in the PDZ concerned who are going to directly benefit from the proposed link. Pedestrian links connecting to destinations such as hospitals, schools, social welfare facilities serving groups in need would be accorded with priority to bring potential benefits to children, the elderly and those physically challenged. Support from the neighbourhood and relevant District Council would be essential in passing the test.

Overall Assessment

- A proposal that **passes three or more of the four tests** would be favourably considered to proceed as an eligible case for premium waiver. Such proposal would be more likely to bring in overall public benefits either because significant improvements to the existing at-grade situation are not practical; it is more likely to be used by daily commuters in a wider area; it could bring substantial enhancement to an established pedestrian network; and/or the link is people-oriented and supported by the neighbourhood.
- A set of variables to be assessed under the evaluation mechanism is at the [Annex](#).

² There are established academic theories such as the Graph Theory (Kansky, 1963; Leung, 1980; Loo, 1998) to measure the connectivity of transport network that could be applicable to evaluate a pedestrian network. The test would make reference to key elements of the Graph Theory.

Variables under the Evaluation Mechanism to Assess Pedestrian Links Proposed by the Private Sector

Dimension	Variable	Description / Explanation
1. Street Walkability Test		
A. Safety		
I. Pavement	a. Pavement Surface	Conditions of the surface would not only affect our comfort of walking but may become potential hazard to health causing falls.
	b. Pedestrian Guardrail or Buffer	This variable considers whether there is any guardrail or buffer which serves as a separation for pedestrians and the degree of protection from vehicular traffic that they provide.
	c. Lighting	Street lighting is important for keeping the streets bright for pedestrians to walk safely. Adequate street lighting prevents pedestrians from falling into road hazards (such as temporary works on pavements) and to walk safely at night without the fear of violence or crime.
II. Crossing Facilities	a. Audible Pedestrian Signals	Audible Pedestrian Signals are considered as a variable for safety as its presence will indicate to people where it is safe for them to cross to road, the duration of the safe crossing time, and whether there is a need for them to hurry up in crossing a road.
	b. Refuge Island	A refuge island provides an intermediate stop at wide crossroads with multiple traffic lanes for pedestrians to wait before completing the road crossing.
III. Vehicular Road	a. Street Parking	The risk of pedestrians in crossing a road would increase if there are vehicles parked on either side or both. The safety hazard is particularly serious if there are light goods vehicles and heavy commercial vehicles parked on the streets no matter if legally or illegally.
	b. Number of vehicle-pedestrian crashes last year	This variable would help to identify whether the locations are dangerous to pedestrians. TD's data on whether the junction concerned is a traffic black spot is adopted as an indicator for this variable.
IV. Design	Vacant or Derelict land	Vacant land in this context refers to land that are deserted at the moment. This impacts the desire of pedestrians to travel along due to its lack of vibrancy, pedestrian flow, stores and etc, where pedestrians might also fear for crime or violence with little security or management in the neighbourhood.
V. Perception	Safe from Street Crime	Perceived safety/ security from crime is a key for pedestrian safety. An environment with elements of clean streets, high level of safety and vibrancy would encourage pedestrian flows. If the environment is perceived as unsafe for pedestrians to walk on, such as dirty and crime-filled streets, it would discourage pedestrians from walking through the path.
VI. Destinations / Activities	Mixed-Land Use	Mixed land used can encourage street vibrancy, which makes pedestrians feel safer knowing that there are other pedestrians around acting as natural surveillance from crime.
B. Comfort		
I. Pavement	Effective Pavement Width	Pedestrian prefer a walking environment with comfortable pavement width. This would encourage people to travel on foot rather than to take public transport for short distance trips. When there are many physical obstructions (e.g. electricity pillar) on the road, the useful pavement width will be reduced and this will affect people's willingness to walk.
II. Design	a. High-quality public space	A high-quality public space in this context refers to designing an area that enables pedestrians to enjoy walking and to conduct various activities that contribute to the social capital of a local community/neighbourhood. High-quality public space typically includes playgrounds and resting areas.
	b. Shop Fronts/Amenities	The design of shop fronts along a street can lead to vibrancy of the neighbourhood and pedestrians will not have to walk along a wall or multiple building entrances only. Many may like to purchase drinks and/or take a stop before they continue their journeys. Such possibilities will help make people's journeys more comfortable and less tiring.
	c. Street Furniture	Street furniture can include benches, shades, litter bins, bicycle racks and different forms of arts. Good street furniture would encourage pedestrians to walk more and in a comforting manner.
III. Perception	Pleasantness	Pleasantness in this context may refer to the attractiveness of the natural landscape or any other human-made factors, such as being able to see a famous architectural building from a good angle, that are relevant to the pedestrian experience. For instance, beautiful scenery overlooking the Victoria Harbour in Hong Kong will enhance the pleasantness of the walking environment.

Variables under the Evaluation Mechanism to Assess Pedestrian Links Proposed by the Private Sector

Dimension	Variable	Description / Explanation
C. Convenience		
I. Pavement	a. Clear Directional Signs	It is often associated with pedestrian facilities along the pavement. The aim of these signs is to serve as a direct guide for pedestrians walking to their destinations with convenience instead of confusion. Moreover, clarity of the signs is also an important component of providing clear directions, such as its colour and design that is easily read by tourists as well as the older population and individuals with decreasing or limited visual ability.
	b. Continuity and Obstructions	The overall convenience of pavements in this context refers to elements like continuity, degree of obstruction and presence of road works.
II. Crossing Facilities	Traffic Cycle Time	A long red light and a short greenlight for pedestrians would have negative impact on walkability. If there is no traffic signal at a crossing, pedestrians might choose to jaywalk; and having to cross such facilities would be undesirable to the elderly and persons with disability. The variable refers to the friendliness of the road-crossing facilities.
III. Vehicular Roads	Width of Vehicular Roads	This variable affects the duration it takes for pedestrians to cross a road. A wider width of the crossroad would mean longer travelling time for pedestrians.
IV. Design	Directness and Connectivity (Detour)	Street design such as street network connectivity affects pedestrians' convenience greatly. If a road is designed with little detour, it could achieve directness and better connectivity for pedestrians to walk to different potential destinations.
V. Destinations / Activities	Distance between Major Attractions	This measures whether the proposed link is in proximity to major attractions of the district, such as the Victoria Harbourfront or big urban parks.
2. Area-wide Connectivity Test		
I. Local Activity Nodes	a. Major Population Node	Ranking of the Planning Data Zone (PDZ) where the proposed link is located among all the adjoining PDZs in terms of total population.
	b. Major Employment Node	Ranking of the PDZ where the proposed link is located among all the adjoining PDZs in terms of total employment.
	c. Major Attraction (e.g. Town Hall, major performance arts venues, harbourfront, etc.)	Whether the proposed link is connected to major attractions including town halls, major arts performance venues and key corridors towards the waterfront.
II. Transport Hub	Transport Hub	Whether one or more than one transport hubs is/are connected to the proposed link.
III. Hot Spots in Local Pedestrian Flows	a. Hot Pedestrian junction	This means whether the proposed link would connect to junctions which pedestrian routes overlap the most.
	b. Hot Pedestrian Link	This means whether the proposed link would connect to links which pedestrian routes overlap the most.
3. Network Impact Test		
I. Complexity	a. Change in circuits	Measuring the change in possible circuits to be achieved in the network.
	b. Change in sophistication	Measuring the level of sophistication of a network and is particularly useful for evaluating whether the network is becoming a tree shape without any circuit formed.
	c. Change in significance	Measuring the significance of the circuit formed.
II. Connectivity	a. Change in average length	Measuring the change in average length of each link. Negative change is preferable as it would shorten the walking distance of pedestrians along the network.
	b. Change in distance of two destinations on the network	Measuring the change in average length of diameter. Diameter is the maximum number of links involved when travelling any two destinations within the network.
III. Alignment with existing planning	Alignment on the existing Outline Development Plans (ODPs)	This is to consider whether the proposed link aligns with the existing Outline Development Plans (ODP). The idea is that if the proposed link could align with previous planning outcome, it may still bring some public good and planning merits.

Variables under the Evaluation Mechanism to Assess Pedestrian Links Proposed by the Private Sector

Dimension	Variable	Description / Explanation
4. People-oriented Test		
I. Potential users in PDZs	Total Population & Employment Size	The sum of the total number of population and employment size of the PDZs where the proposed links connects to.
II. Vulnerable users	a. Hospitals/ Clinics / Rehabilitation Centres / Other Social Welfare Facilities	Whether there is any hospital, clinic or rehabilitation centre in the local neighbourhood.
	b. Kindergartens and Schools / Open Space	Whether there is any kindergarten, primary or secondary school, educational institution and public open space in the local neighbourhood.
	c. Elderly Home/Community Centres/other Social Welfare Facilities	Whether there is any major elderly home, community centre and other social welfare facilities within the local neighbourhood.
III. Encouraging Transit	Transit passenger	Whether the proposal link will actively encourage transit in the neighbourhood, for example, between bus station to MTR station or public transport interchange.
IV. Local sentiment	Neighbourhood support	Whether there is neighbourhood support for the proposed link.