

Standard Master Schedule of Notes to Statutory Plans  
[For areas previously covered by DPA plans]

Draft/Approved      Outline Zoning Plan No. S/ /

(Being a Draft/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) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the (interim development permission area plan/draft development permission area plan)\* conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.

*[If the planning scheme area of the plan has been extended, the following should be adopted as paragraph (3).]*

*No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of a draft plan including (interim development permission area plan/draft development permission area plan)\* covering any such land or building conform to this Plan, .....*

- (4) A use or development of any land or building permitted under an earlier draft or approved plan including (interim development permission area plan/development permission area plan)\* for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the (interim

development permission area plan/draft development permission area plan)\*, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the (interim development permission area plan/draft development permission area plan)\* without permission from the Town Planning Board.

- (6)\* Any use or development of land or building falling within the boundaries of the Plan but not within the boundaries of the (interim development permission area plan/draft development permission area plan)\*, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of (the first/this)\* draft outline zoning plan without permission from the Town Planning Board.

*[Note :Paragraph (6) is relevant if the planning scheme area of the OZP has been extended once to cover areas not previously covered by IDPA/DPA Plans. Corresponding amendments to the “Remarks” column for the respective zones are required. If the area of OZP has been extended more than once, the following should be adopted as paragraph (6).]*

*“Except to the extent that paragraph (4) applies, any use or development of land or building falling within the boundaries of the Plan but not within the boundaries of (the interim development permission area plan/draft development permission area plan)\*, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date when such land or building was first included within the boundaries of the Plan or an earlier draft or approved outline zoning plan published by notice in the Gazette without permission from the Town Planning Board.”*

- (7) 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.
- (8) Road junctions\*, alignment of roads and railway tracks\*, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (9) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (10) in relation to areas zoned “Site of Special Scientific Interest”\* or “Conservation Area”\* or “Coastal Protection Area”\* or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”\*:  
(a) maintenance, repair or demolition of a building;  
(b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus/light rail\* stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;  
(c) maintenance or repair of road, railway track\*, watercourse, nullah, sewer and drain;  
(d) geotechnical works, local public works, road works, sewerage works, drainage works,

environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;

- (e) rebuilding of New Territories Exempted House;
- (f) replacement of an existing domestic building i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the (interim development permission area plan/draft development permission area plan)\*, by a New Territories Exempted House; and

*[If the planning scheme area of the plan has been extended, the following should be adopted as paragraph (9)(f).]*

*replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of a draft plan including (interim development permission area plan/development permission area plan)\* covering such building, by a New Territories Exempted House; and*

- (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.

(10)\* In areas zoned “Site of Special Scientific Interest”\* or “Conservation Area”\* or “Coastal Protection Area”\* or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”\*,

- (a) the following uses or developments are always permitted:

- (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
- (ii) 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
- (iii) provision of amenity planting by Government; and

- (b) the following uses or developments require permission from the Town Planning Board:

provision of plant nursery, amenity planting (other than by Government), sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

(11) In any area shown as ‘Road’, all uses or developments except those specified in paragraphs (9)(a) to (9)(d) and (9)(g) above and those specified below require permission from the Town Planning Board:

road, toll plaza\*, on-street vehicle park, railway station\* and railway track\*.

- (12) (a) Except in areas zoned “Site of Special Scientific Interest”<sup>\*</sup> or “Coastal Protection Area”<sup>\*</sup> or “Conservation Area”<sup>\*</sup> or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”<sup>\*</sup>, temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:
- structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.
- (b) Except as otherwise provided in paragraph (12)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “Site of Special Scientific Interest”<sup>\*</sup> or “Conservation Area”<sup>\*</sup> or “Coastal Protection Area”<sup>\*</sup> or “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area”<sup>\*</sup>, temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.
- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.
- (13) 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.
- (14)<sup>\*</sup> In the “Undetermined” zone, all uses or developments except those specified in paragraphs (9) and (12)(a) above require permission from the Town Planning Board.
- (15) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

“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.

“New Territories Exempted House” means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as ‘Shop and Services’ or ‘Eating Place’, the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

<sup>\*</sup> *Add where appropriate*