

**DRAFT CLEAR WATER BAY PENINSULA NORTH**

**OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO  
THE APPROVED CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/6  
MADE BY THE TOWN PLANNING BOARD  
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

**I. Amendments to Matters shown on the Plan**

- Item A – Rezoning of a site at the junction of Clear Water Bay Road and Ngan Ying Road from “Green Belt” (“GB”) to “Government, Institution or Community (1)” (“G/IC(1)”) annotated Area (d).
- Item B1 – Rezoning of a site to the east of Tai Po Tsai from “Comprehensive Development Area (1)” (“CDA(1)”), “GB”, “Village Type Development” (“V”) and areas shown as ‘Road’ to “Residential (Group B)” (“R(B)”).
- Item B2 – Rezoning of four strips of land to the east of Tai Po Tsai from “CDA(1)” to “GB”, “V” and “Residential (Group C)7”.

**II. Amendments to the Notes of the Plan**

- (a) Revision to the Remarks of the Notes for “G/IC” zone to incorporate “G/IC(1)” annotated Area (d) with development restriction.
- (b) Revision to the Remarks of the Notes for “CDA” zone to delete “CDA(1)” sub-area.
- (c) Incorporation of a new set of Notes for “R(B)” zone with development restrictions.
- (d) Deletion of ‘Market’ from Column 2 of the Notes for “CDA” and “V” zones.
- (e) Revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ under Column 2 of the Notes for “G/IC” zone.
- (f) Incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “V” zone; and corresponding deletion of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 2 of the Notes for “V” zone.
- (g) Incorporation of ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone.
- (h) Revision to the Remarks of the Notes for “Conservation Area” and “Coastal Protection Area” zones on filling of land/pond or excavation of land clause in accordance with the Master Schedule of Notes to Statutory Plans.

Town Planning Board

26 September 2025

**DRAFT CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

(Being a Draft 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 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.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including 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 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 draft development permission area plan without permission from the Town Planning Board.
- (6) 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.

- (7) Road junctions, alignment of roads, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) 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 (9) in relation to areas zoned “Conservation Area” or “Coastal Protection 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 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, 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 draft development permission area plan, 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.
- (9) In areas zoned “Conservation Area” or “Coastal Protection 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.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area" or "Coastal Protection Area", 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 (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area" or "Coastal Protection Area", 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.

- (12) 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.

- (13) 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).

**DRAFT CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

**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
Eating Place	Flat
Government Use (not elsewhere specified)	Government Refuse Collection Point
Information Technology and Telecommunications Industries	Hospital
Institutional Use (not elsewhere specified)	Petrol Filling Station
Library	Place of Entertainment
Off-course Betting Centre	Place of Recreation, Sports or Culture
Office	Private Club
Public Clinic	Recyclable Collection Centre
Public Convenience	Religious Institution
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	
School	
Shop and Services	
Social Welfare Facility	
Training Centre	
Utility Installation for Private Project	

**Planning Intention**

This zone is intended primarily for commercial developments, which may include shop, services and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.

**Remarks**

- (a) On land designated “Commercial (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 (GFA) of 1,023m<sup>2</sup> and a maximum building height of 2 storeys over one storey of carport, or the GFA and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.

(Please see next page)

**COMMERCIAL** (cont'd)

Remarks (cont'd)

- (b) On land designated “Commercial (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 a maximum GFA of 1,764m<sup>2</sup> and a maximum building height of 2 storeys over 2 storeys of carport, or the GFA and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (c) In determining the maximum GFA for the purposes of paragraphs (a) and (b) 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.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA and building height restrictions stated in paragraphs (a) and (b) 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
	Broadcasting, Television and/or Film Studio Eating Place Educational Institution Flat Government Refuse Collection Point Government Use (not elsewhere specified) Hotel House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) 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) Religious Institution Residential Institution Research, Design and Development Centre School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project

**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.

(Please see next page)

**COMPREHENSIVE DEVELOPMENT AREA** (cont'd)Remarks

- (a) 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 landscape and urban design proposals within the area;
  - (vi) the landscape and tree preservation proposal within the area;
  - (vii) programmes and phasing of building development in detail;
  - (viii) an environmental assessment report to examine any possible environmental problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
  - (ix) 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;
  - (x) 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; and
  - (xi) such other information as may be required by the Town Planning Board.

(Please see next page)

**COMPREHENSIVE DEVELOPMENT AREA** (cont'd)Remarks (cont'd)

- (b) 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.
- (c) On land designated “Comprehensive Development Area (2)” (“CDA(2)”), no new development or redevelopment shall result in a total development or redevelopment in excess of the restrictions as set out below or the plot ratio/GFA/site coverage/ height of the existing domestic building, whichever is the greater. No addition, alteration and/or modification to an existing building (other than a building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan to which paragraph (d) below shall apply) shall result in a total development in excess of the restrictions as set out below or the plot ratio/GFA/site coverage/height of the building, whichever is the greater.

Sub-areas	Maximum Gross Floor Area (m <sup>2</sup> )		Maximum Plot Ratio		Maximum Site Coverage	Maximum Building Height (excluding basement(s))	
	Domestic	Non-Domestic	Domestic	Non-Domestic		No. of Storeys	Building Height (m)
Area (a)(i)	N.A.		1.5	N.A.	35%	8	24
Area (a)(ii)						6	18
Area (a)(iii)						3	9
Area (b)	N.A.	23 720	N.A.			5	22
Area (c)	4 000		N.A.			4	12

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**COMPREHENSIVE DEVELOPMENT AREA** (cont'd)Remarks (cont'd)

- (d) On land designated "CDA(2)", no addition, alteration and/or modification to an existing building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan shall result in a total development in excess of the plot ratio/GFA/site coverage/height of the building.
- (e) In determining the maximum plot ratio/GFA/site coverage for the purposes of paragraphs (c) and (d) 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.
- (f) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA/site coverage/building height restrictions stated in paragraph (c) 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) Utility Installation for Private Project	Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) 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 Training Centre

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  
 School (Kindergarten only)  
 Shop and Services

(Please see next page)

**RESIDENTIAL (GROUP B)** (Cont'd)**Planning Intention**

This zone is intended primarily for medium-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**

- (a) 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 (GFA) of 98,200m<sup>2</sup> and a maximum non-domestic GFA of 2,000m<sup>2</sup>, and a maximum building height of 24m in Area (a) and 18m in Area (b), or the GFA and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater. In determining the relevant maximum building height, any basement floors(s) may be disregarded.
- (b) In determining the maximum GFA for the purposes of paragraph (a) 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the GFA/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

**RESIDENTIAL (GROUP C)**

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 Utility Installation for Private Project	Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Institutional Use (not elsewhere specified) Library Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Recyclable Collection Centre Religious Institution Residential Institution School Shop and Services Social Welfare Facility Training Centre

**Planning Intention**

This zone is intended primarily for low-rise, low-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 C)** (cont'd)**Remarks**

- (a) 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 plot ratio, site coverage and building height specified below, or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater:

<b>Sub-area</b>	<b>Maximum Plot Ratio</b>	<b>Maximum Site Coverage</b>	<b>Number of Storeys</b>	<b>Building Height</b>
R(C)1	1	50%	3 storeys including carport	9m
R(C)2	0.75	37.5%	3 storeys including carport	9m
R(C)3	0.6	30%	3 storeys including carport	9m
R(C)4	0.5	25%	3 storeys including carport	9m
R(C)5	0.4	20%	3 storeys including carport	9m
R(C)6	0.3	20%	3 storeys including carport	9m
R(C)7	0.2	20%	3 storeys including carport	9m
R(C)8	0.4	20%	3 storeys including carport	9.55m
R(C)9	0.4	20%	5 storeys including carport	16.7m
R(C)10	0.6	30%	3 storeys including carport	-

- (b) In determining the relevant maximum plot ratio/site coverage for the purposes of paragraph (a) 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/site coverage/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.



**VILLAGE TYPE DEVELOPMENT**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Refuse Collection Point	Eating Place
Government Use (Police Reporting Centre, Post Office only)	Field Study/Education/Visitor Centre
House (New Territories Exempted House only)	Government Use (not elsewhere specified)#
On-Farm Domestic Structure	House (not elsewhere specified)
Public Convenience	Institutional Use (not elsewhere specified)#
Religious Institution (Ancestral Hall only)	Place of Recreation, Sports or Culture
Rural Committee/Village Office	Public Clinic
	Public Transport Terminus or Station
	Public Utility Installation#
	Public Vehicle Park (excluding container vehicle)
	Religious Institution (not elsewhere specified)#
	Residential Institution#
	School#
	Shop and Services
	Social Welfare Facility#
	Utility Installation for Private Project
In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:	

Eating Place  
Library  
School  
Shop and Services

**Planning Intention**

The planning intention of this zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

(Please see next page)

**VILLAGE TYPE DEVELOPMENT** (cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) 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 Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Columbarium
Eating Place (Canteen, Cooked Food Centre only)	Correctional Institution
Educational Institution	Crematorium
Exhibition or Convention Hall	Driving School
Field Study/Education/Visitor Centre	Eating Place (not elsewhere specified)
Government Refuse Collection Point	Flat
Government Use (not elsewhere specified)	Funeral Facility
Hospital	Holiday Camp
Institutional Use (not elsewhere specified)	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
Library	Off-course Betting Centre
Market	Office
Pier	Petrol Filling Station
Place of Recreation, Sports or Culture	Place of Entertainment
Public Clinic	Private Club
Public Convenience	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Transport Terminus or Station	Refuse Disposal Installation (Refuse Transfer Station only)
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	Sewage Treatment/Screening Plant
Recyclable Collection Centre	Shop and Services (not elsewhere specified)
Religious Institution	Utility Installation for Private Project
Research, Design and Development Centre	Zoo
Rural Committee/Village Office	
School	
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

**Planning Intention**

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

- (a) 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 building height as specified for each sub-area as set out below or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater:

<b>Sub-areas</b>	<b>Number of Storeys</b>	<b>Building Height</b>
G/IC(1) Area (a)	14 Storeys	-
G/IC(1) Areas (b) and (d)	8 Storeys	-
G/IC(1) Area (c)	6 Storeys	-
G/IC(2)	-	30m
G/IC(3)	-	18m
G/IC(4)	-	7.62m

- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

**GOVERNMENT, INSTITUTION OR COMMUNITY (5)**

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 Eating Place (Canteen only) Government Use Hospital Public Clinic Public Utility Installation Shop and Services Social Welfare Facility Utility Installation for Private Project

**Planning Intention**

This zone is intended primarily for the provision of hospital 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 hospital providing medical services to meet community needs.

**Remarks**

- (a) 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 1.5, a maximum site coverage of 30% and a maximum building height of 150mPD.
- (b) In determining the maximum plot ratio/site coverage for the purposes of paragraph (a) 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/site coverage/building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

**GOVERNMENT, INSTITUTION OR COMMUNITY (6)**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Government Use House (Staff Quarters only) Public Utility Installation Shop and Services Social Welfare Facility Utility Installation for Private Project

**Planning Intention**

This zone is intended to provide land for staff quarters use directly related to or in support of the hospital providing medical services to meet community needs.

**Remarks**

- (a) 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 0.4, a maximum site coverage of 20% and a maximum building height of 3 storeys including carport.
- (b) In determining the maximum plot ratio/site coverage for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker's office and caretaker's quarters, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/site coverage/building height restrictions stated in paragraph (a) 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 Bathing Beach Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Pier 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 'Petrol Filling Station' Only**

Petrol Filling Station

Government Use  
Public Utility Installation**Planning Intention**

This zone is intended primarily for the provision of petrol filling station serving the needs of the community.



**GREEN BELT**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Government Use (Police Reporting Centre only)	Burial Ground
Nature Reserve	Columbarium (within a Religious Institution or extension of existing Columbarium only)
Nature Trail	Crematorium (within a Religious Institution or extension of existing Crematorium only)
On-Farm Domestic Structure	Field Study/Education/Visitor Centre
Picnic Area	Government Refuse Collection Point
Public Convenience	Government Use (not elsewhere specified)
Tent Camping Ground	Holiday Camp
Wild Animals Protection Area	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Petrol Filling Station
	Place of Recreation, Sports or Culture
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Religious Institution
	Residential Institution
	Rural Committee/Village Office
	School
	Service Reservoir
	Social Welfare Facility
	Utility Installation for Private Project

**Planning Intention**

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

(Please see next page)

**GREEN BELT** (cont'd)Remarks

- (a) Any excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (b) Any filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN/1 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**CONSERVATION AREA**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Field Study /Education/Visitor Centre
Country Park*	Government Refuse Collection Point
Nature Reserve	Government Use (not elsewhere specified)
Nature Trail	House (Redevelopment only)
On-Farm Domestic Structure	Public Convenience
Picnic Area	Public Utility Installation
Wild Animals Protection Area	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground
	Utility Installation for Private Project

- \* Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

**Planning Intention**

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

**CONSERVATION AREA** (cont'd)Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of stream or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (c) Any filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN/1 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**COASTAL PROTECTION AREA**

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Field Study/Education/Visitor Centre
Barbecue Spot	Government Use
Country Park*	Holiday Camp
Nature Reserve	House (Redevelopment only)
Nature Trail	Pier
On-Farm Domestic Structure	Public Convenience
Picnic Area	Public Utility Installation
Wild Animals Protection Area	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Tent Camping Ground
	Utility Installation for Private Project

- \* Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

**Planning Intention**

This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

**COASTAL PROTECTION AREA** (cont'd)Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of stream or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (c) Any filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance or repair works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Clear Water Bay Peninsula North Outline Zoning Plan No. S/SK-CWBN/1 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**COUNTRY PARK**

Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Town Planning Board is not required.

**DRAFT CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

**EXPLANATORY STATEMENT**



**DRAFT CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

**EXPLANATORY STATEMENT**

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**DRAFT CLEAR WATER BAY PENINSULA NORTH  
OUTLINE ZONING PLAN NO. S/SK-CWBN/7**

(Being a Draft 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 draft Clear Water Bay Peninsula North Outline Zoning Plan (OZP) No. S/SK-CWBN/7. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings of the Plan.

**2. AUTHORITY FOR THE PLAN AND PROCEDURE**

- 2.1 The land within the Clear Water Bay Peninsula North OZP was previously included in the draft Clear Water Bay Peninsula North Development Permission Area (DPA) Plan No. DPA/SK-CWBN/1, which was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 22 March 2002.
- 2.2 On 1 April 2003, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Clear Water Bay Peninsula North DPA Plan which was subsequently renumbered as DPA/SK-CWBN/2. On 11 April 2003, the approved Clear Water Bay Peninsula North DPA Plan No. DPA/SK-CWBN/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.3 On 19 March 2004, under the power delegated by the CE, the then Secretary for Housing, Planning and Lands directed the Board under section 3(1)(a) of the Ordinance, to prepare an OZP for the Clear Water Bay Peninsula North area.
- 2.4 On 18 March 2005, the draft Clear Water Bay Peninsula North OZP No. S/SK-CWBN/1 was exhibited for public inspection under section 5 of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 7 of the Ordinance.
- 2.5 On 31 October 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Clear Water Bay Peninsula North OZP, which was subsequently renumbered as S/SK-CWBN/3. On 10 November 2006, the approved Clear Water Bay Peninsula North OZP No. S/SK-CWBN/3 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.6 Pursuant to the Court's order on judicial reviews in respect of the draft OZP No. S/SK-CWBN/1, the Board reconsidered the concerned objection on 31 July

2009 under section 6(6) of the Ordinance, and decided to propose amendments to the draft Clear Water Bay Peninsula North OZP No. S/SK-CWBN/1 to partially meet the objection. The proposed amendments mainly involved the rezoning of an area between Clear Water Bay Road and Pik Shui Sun Tsuen from “Conservation Area” (“CA”) to “Government, Institution or Community (5)” (“G/IC(5)”) primarily for the provision of hospital facilities, and rezoning of another area between University Road and Staff Quarters of the Hong Kong University of Science and Technology (HKUST) from “CA” to “G/IC(6)” primarily for the provision of hospital staff quarters. On 29 January 2010, the proposed amendments shown on the Amendment Plan No. O/S/SK-CWBN/1-A1 were notified under section 6(7) of the Ordinance for two weeks up to 12 February 2010. Upon expiry of the notification period, seven further objections (FOs) were received. On 16 April 2010, the Board considered the FOs under section 6(8) of the Ordinance and decided not to uphold the FOs. The Board also agreed that the further amendment to the OZP No. S/SK-CWBN/1 as contained in Amendment Plan No. O/S/SK-CWBN/1-A1 in respect of the proposed amendments should be considered as amendments made by the Board under section 6(9) of the Ordinance.

- 2.7 On 6 July 2010, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Clear Water Bay Peninsula North OZP, which was subsequently renumbered as S/SK-CWBN/4. On 17 September 2010, the approved Clear Water Bay Peninsula North OZP No. S/SK-CWBN/4 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 On 4 December 2012, the CE in C referred the approved OZP No. S/SK-CWBN/4 to the Board for amendments under section 12(1)(b)(ii) of the Ordinance. The reference was notified in the Gazette on 14 December 2012 under section 12(2) of the Ordinance. The OZP was subsequently amended and exhibited for public inspection under section 5 of the Ordinance.
- 2.9 On 3 December 2013, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Clear Water Bay Peninsula North OZP, which was subsequently renumbered as S/SK-CWBN/6. On 13 December 2013, the approved Clear Water Bay Peninsula North OZP No. S/SK-CWBN/6 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.10 On 28 September 2021, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the approved OZP was notified in the Gazette on 8 October 2021 under section 12(2) of the Ordinance.
- 2.11 On 26 September 2025, the draft Clear Water Bay Peninsula North OZP No. S/SK-CWBN/7 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The amendments incorporated on the Plan mainly involved rezoning of a site near the junction of Clear Water Bay Road and Ngan Ying Road from “Green Belt” to “Government, Institution or Community (1)”; and rezoning of a site in Tai Po Tsai from “Comprehensive Development Area (1)” to “Residential (Group B)”.

### **3. OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land-use zonings and major transport networks for the Clear Water Bay Peninsula North area so that development and redevelopment within the Planning Scheme Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans, which forms the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development within the Planning Scheme Area. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor adjustments as detailed planning and development proceed.
- 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 as non-building area or 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 Clear Water Bay Peninsula North area and not to overload its road network.

### **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 Planning Scheme Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in landuse 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 <https://www.tpb.gov.hk>.

### **5. THE PLANNING SCHEME AREA**

- 5.1 The Planning Scheme Area (the Area), covering a total land area of about 498 hectares (ha), is located to the immediate east of Tseung Kwan O New Town separated by the steep slopes of Razor Hill and Sheung Yeung Shan. It is fronting Port Shelter (Ngau Mei Hoi) in the east and bounded by steep wooded hillslopes in the north, west and south. The northern part of the Area, comprising the Tai Po Tsai, Silverstrand and Hang Hau Wing Lung Road areas, is characterized by clusters of village houses and low-rise residential developments. The only major development in the Area is the HKUST. The southern part of the Area, covering Mang Kung Uk, Pan Long Wan and Sheung Yeung, is generally rural and natural in character with villages scattered on

foothills and valley floors. The Plan covers a small portion of the Clear Water Bay Country Park.

- 5.2 Residential developments in the Area are generally low-rise and low-density in character. The planning intention is to maintain it as a high-class residential area and to avoid overtaxing Clear Water Bay Road and other infrastructure. The major high-class residential developments are located in the northern part of the Area in Tai Po Tsai, Silverstrand and Hang Hau Wing Lung Road. Other residential developments are scattered along Clear Water Bay Road, Ah Kung Wan Road and Pak To Avenue.

## **6. POPULATION**

Based on the 2021 Population Census, the population of the Area as estimated by the Planning Department was about 13,400. It is estimated that the planned population of the Area would be about 16,900.

## **7. OPPORTUNITIES AND CONSTRAINTS**

- 7.1 The Area, including the part within the Clear Water Bay Country Park, comprises large tracts of natural woodland which are worthy of conservation. They serve as a counterbalance to the developments in the surrounding area and provide scope for compatible recreational use.
- 7.2 The long stretch of scenic coastline as well as Country Park areas are well endowed with recreational potential for both shore-based and land-based recreational activities. Silverstrand Beach is one of the popular gazetted beaches in Sai Kung. Other non-gazetted beaches, in particular the Little Palm Beach near Ng Fai Tin, which is a nursery diving area and the base of the Hong Kong Sail Training Association Training Centre, are also very popular for various kinds of water-sports. The Clear Water Bay Country Park and the surrounding countryside are mainly used for land-based recreational activities, such as hiking.
- 7.3 With a long stretch of coastline and a scenic mountain backdrop, the Area has a high potential for high-class housing. However, in order to preserve the views from different parts of the Area, to complement with the surrounding rural landscape and not to overload the limited traffic capacity of Clear Water Bay Road and other infrastructural provision, residential developments in the Area have to be low-rise and low-density.
- 7.4 Clear Water Bay Road connects the Area to East Kowloon, Tseung Kwan O New Town and Sai Kung Town, where its section in the Area is a single two-lane carriageway. Its design capacity would not be able to cope with substantial increase in traffic due to the unplanned residential developments. Most of the local roads in the Area are substandard, narrow and winding with limited room for upgrading due to site constraints. As some of them, such as those in Silverstrand, are under private ownership, there are problems in effecting their future improvement.

- 7.5 Apart from areas near Silverstrand and areas adjoining the Ex-Shaw Brothers' Studio, where public sewerage is available, most of the areas covered by the Plan are still unsewered. Septic tanks and soakaway pits, which are generally used in traditional villages, would only be able to satisfy the requirements of individual dispersed plots while large-scale residential developments have to rely on package sewage treatment plants for proper sewage disposal.
- 7.6 A large portion of the undeveloped land covered by the Plan consists of steep natural hillslopes. In order to ensure safety of future development in these areas, assessments of the potential hazards from the natural terrain may be required in connection with major developments.
- 7.7 The five designated burial grounds in Tai Po Tsai, Ng Fai Tin, Mang Kung Uk and Sheung Yeung for indigenous villagers are not suitable for any development.

## **8. GENERAL PLANNING INTENTION**

- 8.1 The general planning intention of the Area is to conserve the undisturbed woodland, long stretch of natural coastline and rural character by protecting the natural landscape, topographical features and ecologically sensitive areas from encroachment by development.
- 8.2 It is also the planning intention to preserve the predominant low-rise, low-density character of development and to avoid overtaxing the limited infrastructure in the Area by confining residential developments to the already established areas and maintaining such developments to their existing and committed development intensities. Moreover, the Area plays an important role in serving the educational and recreational needs for the territory and suitable sites have been demarcated for such purposes.
- 8.3 It is also intended to concentrate village developments around the existing villages for a more orderly development pattern, and economic and efficient use of land, infrastructure and services. In this regard, the Plan has reserved sufficient land for such development in the Area.

## **9. LAND USE ZONINGS**

- 9.1 Commercial ("C") : Total Area 0.27 ha
- 9.1.1 The planning intention of this zone is primarily for commercial developments, which may include shop, services and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood.
- 9.1.2 The existing commercial block near the car park of Silverstrand Beach is zoned "C(1)" and the existing commercial complex at the junction of Clear Water Bay Road and Silver Cape Road is zoned "C(2)". In order to preserve the low-rise and low-density character of the neighbourhood, developments in this zone are subject to gross floor

area (GFA) and building height restrictions which are in line with the leases and existing scale of the two commercial developments. The restrictions are stipulated in the Notes of the Plan.

## 9.2 Comprehensive Development Area (“CDA”) : Total Area 7.85 ha

- 9.2.1 The planning intention of this zone is 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. The Ex-Shaw Brothers’ Studio site is under this zoning. Comprehensive development of the site is necessary to blend in with the surrounding areas and to avoid overtaxing the infrastructure.
- 9.2.2 The “CDA(2)” site is for the redevelopment of the Ex-Shaw Brothers’ Studio at Ngan Ying Road. With the relocation of the TV and film studios, the site has potential for redevelopment into low-density residential use. Besides, the redevelopment would also include a local service centre for the Area.
- 9.2.3 The site, covering about 7.85 ha, is divided into 3 sub-areas for different land uses. Area (a) includes the Shaw Villa and the area intended for private residential development with an overall domestic plot ratio (PR) of 1.5. Area (b) is intended for commercial use and comprises the existing Shaw House, which is a commercial block with car-parking facilities, and a proposed retail block. The total GFA for this commercial sub-area is restricted to a maximum of 23,720 m<sup>2</sup>. A kindergarten should be included in Area (b) to serve the residents. Area (c) is for residential institution use with a maximum GFA of 4,000m<sup>2</sup>. The residential institution block is intended for hostel use under central management. The maximum total site coverage (SC) of the Ex-Shaw Brothers’ Studio redevelopment in the “CDA(2)” site is 35%.
- 9.2.4 Within the “CDA(2)” site, a stepped building height profile with the height decreasing from the central part of the site towards the coast and the peripheries should be adopted. Buildings in Area(a)(i) in the west and north are planned for a maximum height of 8 storeys (24m) excluding basement(s) whereas buildings in Area (a)(ii) in the eastern and southern fringe areas are planned for a maximum height of 6 storeys (18m) excluding basement(s). The height of the existing Shaw Villa site in Area(a)(iii) is restricted to a maximum of 3 storeys (9m) excluding basement(s). Moreover, in Area (a), lower heights should be adopted for the visually prominent platforms at the peripheries, close to the natural slopes in the south-eastern part of the site, and along the Clear Water Bay Road frontage so as to reduce the visual impact. The retail blocks proposed at the western fringe of the site, i.e. Area (b), is restricted to a maximum height of 5 storeys (22m) excluding basement(s) upon redevelopment. The height for the proposed residential institution in Area (c) is restricted to a maximum

of 4 storeys (12m) excluding basement(s).

- 9.2.5 The planning brief for the “CDA(2)” site setting out the planning parameters, the special design requirements to integrate the development with the sub-urban character of the area and the provision of buffer open space between the development and the adjacent Silver Bay Garden was endorsed by the Board on 19 September 2003 to guide the future development of the site.
- 9.2.6 The phasing of the development at the “CDA(2)” site should tie in with the upgrading of the water supply system in the Area.
- 9.2.7 Pursuant to section 4A(1) of the Ordinance, development/redevelopment within this zone is subject to the approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan (MLP) should be submitted together with the landscape master plan and relevant assessment reports and other materials as specified in the Notes of the Plan for the approval of the Board under section 4A(2) of the Ordinance. Development/redevelopment will be in accordance with an approved MLP and it should be ensured that the nature and scale of new development will be in keeping with the surrounding natural and rural landscape and land uses and will not exert adverse impact on the limited road and other infrastructural provisions in the Area. A copy of the approved MLP shall be made available for public inspection in the Land Registry pursuant to section 4A(3) of the Ordinance.

### 9.3 Residential (Group B) (“R(B)”): Total Area 6.68 ha

- 9.3.1 The planning intention of this zone is primarily for medium-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. Mount Pavilia, which is a medium-density residential development with a retail block in Tai Po Tsai, is under this zoning.
- 9.3.2 Development in this zone is subject to a maximum domestic GFA of 98,200m<sup>2</sup> and a maximum non-domestic GFA of 2,000m<sup>2</sup>. To achieve a stepped building height profile with decreasing heights towards the site peripheries and to avoid creating adverse visual impact, this zone is divided into two sub-areas with different height restrictions. Buildings in the central part of the site, i.e. Area (a), is subject to a building height restriction of 24m so as to avoid breaching the berm separating the development and HKUST. Notwithstanding, in order to create a more interesting roof-line, there should be variation in heights among the building blocks. View corridors should be provided between the building clusters. Buildings in Area (b) at the northern and western parts of the site abutting University Road and Clear Water Bay Road are subject to a building height restriction of 18m, with an intention to reduce visual impact along the road frontages. In determining the relevant maximum building height, any basement floor(s) may be disregarded.



#### 9.4 Residential (Group C) (“R(C)”) : Total Area 37.26 ha

9.4.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. With reference to the development parameters of the existing and committed residential developments, this zone can be divided into ten sub-areas :

- (a) “Residential (Group C)1” (“R(C)1”) – residential developments in this sub-area are subject to a maximum PR of 1, a maximum SC of 50% and a building height not exceeding 9m and 3 storeys including carport.

This sub-area includes various residential sites mainly found along Clear Water Bay Road near and to the west of the Ex-Shaw Brothers’ Studio site, to the north of Pak To Avenue and at the end of Pik Sha Road.

- (b) “Residential (Group C)2” (“R(C)2”) – residential developments in this sub-area are subject to a maximum PR of 0.75, a maximum SC of 37.5% and a building height not exceeding 9m and 3 storeys including carport.

This sub-area includes various residential sites mainly found along Silverstrand Beach Road near the car park for Silverstrand Beach and a site along Silver Terrace Road.

- (c) “Residential (Group C)3” (“R(C)3”) – residential developments in this sub-area are subject to a maximum PR of 0.6, a maximum SC of 30% and a building height not exceeding 9m and 3 storeys including carport.

Existing residential sites within this sub-area are mainly found along Silver Cape Road, Pik Sha Road and Hang Hau Wing Lung Road. A proposed residential site to the immediate south of the HKUST also falls within this sub-area.

- (d) “Residential (Group C)4” (“R(C)4”) – residential developments in this sub-area are subject to a maximum PR of 0.5, a maximum SC of 25% and a building height not exceeding 9m and 3 storeys including carport.

Sites under this sub-area are mainly found along Silver Cape Road and scattered along the entire stretch of Clear Water Bay Road.

- (e) “Residential (Group C)5” (“R(C)5”) – residential developments in this sub-area are subject to a maximum PR of 0.4, a maximum SC of 20% and a building height not exceeding 9m and 3 storeys including carport.

Existing residential sites within this sub-area include those at Ah Kung Wan Road, Silver Terrace Road and Pik Sha Road.

- (f) “Residential (Group C)6” (“R(C)6”) – residential developments in this sub-area are subject to a maximum PR of 0.3, a maximum SC of 20% and a building height not exceeding 9m and 3 storeys including carport.

Existing residential sites within this sub-area are mainly found along Silver Crest Road and Silver Terrace Road.

- (g) “Residential (Group C)7” (“R(C)7”) – residential developments in this sub-area are subject to a maximum PR of 0.2, a maximum SC of 20% and a building height not exceeding 9m and 3 storeys including carport.

Existing residential sites in this sub-area are mainly found along Silver Terrace Road.

- (h) “Residential (Group C)8” (“R(C)8”) – the only residential development in this sub-area is the existing semi-detached houses, namely Silver Crest Villa, at Silver Crest Road. It is subject to a maximum PR of 0.4, a maximum SC of 20% and a building height not exceeding 9.55m and 3 storeys including carport. The height restriction is to ensure that view from the sloping Silver Crest Road will not be blocked.
- (i) “Residential (Group C)9” (“R(C)9”) – the only residential development in this sub-area is the existing mixed town house and flat development, known as The Portofino, at Pak To Avenue. It is subject to a maximum PR of 0.4, a maximum SC of 20% and a building height not exceeding 16.7m and 5 storeys including carport.
- (j) “Residential (Group C)10” (“R(C)10”) – residential development in this sub-area is subject to a maximum PR of 0.6, a maximum SC of 30% and a building height not exceeding 3 storeys including carport.

A residential site at the junction of Pik Sha Road and Clear Water Bay Road falls within this sub-area.

9.4.2 The above sub-areas mainly reflect the existing character and development intensity. The development restrictions are mainly to conserve the existing character and intensity of the developments so as to blend in well with the surrounding natural environment and rural character as well as not to overload the limited infrastructural facilities, particularly the transport network in the Area.

9.4.3 Notwithstanding, it is worthy to note that some scattered areas outside existing private residential lots, though falling within this zone, may not be suitable for residential development. Their suitability for

development or inclusion into adjoining lots for development would be assessed individually at the land administration stage based on their visual and amenity value, accessibility and geotechnical, environmental, infrastructure and traffic impacts.

#### 9.5 Village Type Development (“V”) : Total Area 39.52 ha

- 9.5.1 The planning intention of this zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 9.5.2 The boundaries of the “V” zones are drawn up with regard to the existing village ‘environs’, outstanding Small House applications, the Small House demand forecast, topography and other site constraints. Areas of difficult terrain, dense vegetation, streamcourses and burial grounds are not included in this zone. Since parts of the “V” zones are adjacent to steep natural terrain and may be affected by natural terrain hazards, a natural terrain hazard study and provision of necessary hazard mitigation measures may be required for Small House developments in these areas.
- 9.5.3 This zone includes the four recognized villages in the Area, namely Tai Po Tsai, Mang Kung Uk, Pan Long Wan (including Ng Fai Tin) as well as Sheung Yeung. Pik Shui Sun Tsuen in the north, which is not a recognized village, is also zoned “V” to preserve the existing village character.
- 9.5.4 All villages are accessible via either public road, sub-standard vehicular access roads or footpath, and are supplied with potable water, electricity and telephone services. As public sewerage system is not available in most of the areas at present, sewage disposal shall be treated by septic tanks and soakaway system.

#### 9.6 Government, Institution or Community (“G/IC”) : Total Area 70.41 ha

- 9.6.1 The planning intention of this zone is primarily for the provision of Government, institution or community (GIC) 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.

- 9.6.2 To preserve the existing and proposed scale of development and to ensure compatibility with the surrounding natural landscape and character, this zone is divided into four sub-areas with variations in height restrictions. On land under this zoning, any development or redevelopment should not exceed the maximum building height as set out in the Notes of the Plan.
- 9.6.3 The largest existing GIC use in the Area is the HKUST which together with the associated staff quarters are within the “G/IC(1)” sub-area. The northern core of the existing main campus in Area (a) is subject to a maximum building height of 14 storeys. The remaining part of the main campus in Area (b) is subject to a maximum building height of 8 storeys. These building height restrictions generally reflect the existing heights of the main campus. The main campus covers an extensive hilly area overlooking Port Shelter. Lower heights should therefore be adopted for the visually prominent platforms and the coastal areas to create a stepped building height profile. The existing staff quarters near the junction of Clear Water Bay Road and University Road in Area (c) are subject to a maximum building height of 6 storeys. A site at the junction of Clear Water Bay Road and Ngan Ying Road falling within Area (d) is for HKUST campus extension with a maximum building height of 8 storeys and GFA of about 45,300m<sup>2</sup>. As part of the campus extension project, the section of Clear Water Bay Road abutting this site will be widened.
- 9.6.4 The proposed Hang Hau Fire Station to the south of Tai Po Tsai Village is zoned “G/IC(2)” subject to a maximum building height of 30m.
- 9.6.5 The existing GIC uses which are zoned “G/IC(3)” are subject to a maximum building height of 18m. Educational facilities fall within the “G/IC(3)” sub-area include Clearwater Bay School at Ngan Ying Road, Hong Kong Adventist College and Hong Kong Adventist Academy at Pak To Avenue, and the Hong Kong Sail Training Association Training Centre at Little Palm Beach. Other existing developments within the “G/IC(3)” sub-area include the telephone exchange building near the junction of Clear Water Bay Road and the Hiram’s Highway, the JC Studio, a television uplink and downlink centre at Pak To Avenue, and two religious establishments which are the “P.I.M.E. House” in Silverstrand and a Buddhist monastery in Sheung Yeung.
- 9.6.6 Government uses within the “G/IC(4)” sub-area with a building height restriction of 7.62m include five existing Government sewage pumping stations. Four of them are located in the Silverstrand area while the remaining one is at Ngan Ying Road. A planned Government refuse collection point and a Government refuse collection point in Mang Kung Uk are also under this sub-area. The remaining existing GIC uses within this sub-area include the dormitories of the Seventh Day Adventists at Pak To Avenue.
- 9.6.7 The “G/IC(5)” and “G/IC(6)” zones near Pik Shui Sun Tsuen and the

Staff Quarters of HKUST are intended for private hospital and associated staff quarters uses respectively. Development in the “G/IC(5)” zone is restricted to a maximum PR of 1.5, a maximum SC of 30% and a maximum building height of 150mPD while development in the “G/IC(6)” zone is restricted to a maximum PR of 0.4, a maximum SC of 20% and a maximum building height of 3 storeys including carport.

- 9.6.8 An existing refuse collection point near the junction of Pik Sha Road and Clear Water Bay Road is under the “G/IC” zoning.

9.7 Open Space (“O”) : Total Area 1.53 ha

- 9.7.1 The planning intention of this zone is 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.
- 9.7.2 Sites zoned “O” include Silverstrand Beach which is a gazetted beach, a soccer pitch at Tai Po Tsai, the waterfront promenade at Bayside Beach and Silver Cape Road Sitting-out Area at the junction of Clear Water Bay Road and Silver Cape Road which is a gazetted venue, and two proposed open spaces at Ngan Ying Road.

9.8 Other Specified Uses (“OU”) : Total Area 0.16 ha

This zone denotes land allocated or reserved for specified uses. The planning intention of this zone is primarily for the provision of petrol filling station serving the needs of the community. The only “OU” site in the Area is the petrol filling station at the junction of Clear Water Bay Road and Ngan Ying Road. The site also includes liquefied petroleum gas filling facilities.

9.9 Green Belt (“GB”) : Total Area 33.29 ha

- 9.9.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. Development within this zone will be strictly controlled. Any building development will require permission from the Board and development proposals will be considered on their individual merits taking into account the relevant Guidelines published by the Board.
- 9.9.2 The sites zoned “GB” include the heavily vegetated areas in Tai Po Tsai, east of HKUST, Silverstrand, Mang Kung Uk, Pan Long Wan (including Ng Fai Tin) and Sheung Yeung. Some areas under this zoning also serve as amenity buffer separating developments from the roads.
- 9.9.3 As filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.10 Conservation Area (“CA”) : Total Area 215.39 ha

- 9.10.1 The planning intention of this zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the areas, or are essential infrastructure projects with overriding public interest may be permitted.
- 9.10.2 The steep hillslopes to the south of Chuk Kok and west of Pak Shui Wun form part of a largely unspoilt range dividing the northern and southern parts of the Sai Kung hinterland. This natural landscape resource should be protected. Besides, the steep hillslopes with dense vegetation, to the north and south of Silverstrand, which are natural in character, are worthy of conservation.
- 9.10.3 The undisturbed natural woodland in Pan Long Wan (including Ng Fai Tin) and the fung-shui woods in Pan Long Wan and Mang Kung Uk are also worthy of conservation.
- 9.10.4 Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

9.11 Coastal Protection Area (“CPA”) : Total Area 22.43 ha

- 9.11.1 The planning intention of this zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 9.11.2 There are a great variety of coastal features in the Area such as headland, rocky cliffs, rock outcrops, sandy bay, tombolo, caves and small coves, which are unique natural assets and/or features of high scenic value. The “CPA” zone also covers the unspoilt coastal areas near Pak Shui Wun and Silverstrand, and the rocky shore and bay area leading from the headland near Bayside Beach to Sheung Sze Wan.

- 9.11.3 To safeguard the ecology and character of the natural shoreline, no new residential development is permitted and any redevelopment of houses requires permission from the Board.
- 9.11.4 Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.
- 9.12 Country Park (“CP”) : Total Area 45.33 ha
  - 9.12.1 Country Park means a country park or special area as designated under the Country Parks Ordinance (Cap. 208). All uses and developments require consent from the Country and Marine Parks Authority and approval from the Board is not required.
  - 9.12.2 The boundary of the “CP” zone follows that of the gazetted Clear Water Bay Country Park. The zone covers the densely vegetated hillslopes in the southern end of the Area. Within the country park, there are educational and recreational facilities for visitors, picnic sites, tree walk and family trails.
- 9.13 For the zones where minor relaxation of relevant restrictions is applicable, based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/GFA/building height/SC restrictions as stated in the relevant paragraph(s) above may be considered by the Board on application under section 16 of the Ordinance. Each application will be considered on its own merits.

## **10. COMMUNICATIONS**

### **10.1 Road Network**

- 10.1.1 The Area is currently served by Clear Water Bay Road, which is the major distributor linking the Area with Sai Kung in the north via Hiram’s Highway and Tseung Kwan O New Town in the west via Ying Yip Road and Hang Hau Road.
- 10.1.2 The section of Clear Water Bay Road in the Area is currently a single two-lane road. The need and the programme of various road improvement projects have been actively reviewed by relevant government departments based on the latest circumstances and up-to-date traffic figures.
- 10.1.3 There are other minor road works to improve the traffic in the Area. The Rural Planning and Improvement Strategy project “Mang Kung Uk – Improvement of Village Access Roads” has been completed. Land has also been reserved for the improvement of junctions and local access roads.

## 10.2 Transport Provision

The Area is served by public transport including franchised buses and mini-buses running along Clear Water Bay Road to and from Sai Kung Town, Tseung Kwan O New Town and East Kowloon. Many parts of the Area are accessible by taxis.

# 11. UTILITY SERVICES

## 11.1 Sewerage

11.1.1 Public sewerage is now available for areas near Silverstrand and areas adjoining the Ex-Shaw Brothers' Studio. For those unsewered parts in the Area, septic tanks and soakaway pits are generally used in traditional villages and communal septic tanks and private sewage treatment works are installed by large-scale residential developments.

11.1.2 The Area has been included in the various stages of the Port Shelter Sewerage Master Plan (SMP) sewerage works. Areas near Silverstrand and areas adjoining the Ex-Shaw Brothers' Studio site are included in Stage 1 works which have been completed. The sewerage works under Stage 1, part of Stage 2 and part of Stage 3 as recommended under the SMP, which include the provision of sewerage in Tan Cheung, Po Lo Che, Tui Min Hoi, Sai Kung Old Town, Silverstrand, Tai Wan, Sha Kok Mei and Mang Kung Uk as well as the Phase I upgrading of the Sai Kung Sewage Treatment Works, were already completed. The sewage collected from these areas is being discharged to Sai Kung Sewage Treatment Works or Tseung Kwan O Sewage Treatment Works for treatment and disposal. The construction of sewerage works under part of "Port Shelter Sewerage Stage 2" and part of "Port Shelter Sewerage Stage 3" which include the provision of sewerage in Wong Chuk Wan, Wo Mei, Heung Chung, Tseng Lan Shue, Sam Long, Tai Po Tsai and Po Toi O are underway.

## 11.2 Water Supply

Potable water supply is available in most parts of the Area and is served by the Tai Po Tsai Fresh Water Service Reservoir. The capacity of this reservoir and the associated water works installation may need to be upgraded to cater for the increase in the planned population upon full development. Temporary fresh water mains for flushing is provided as supply of seawater for flushing is not available.

## 11.3 Electricity, Telephone and Gas

The Area is served with electricity and gas supplies. Local distribution lines are mainly overhead cable mounted on poles. The existing telephone network well serves the Area.



## **12. CULTURAL HERITAGE**

- 12.1 Within the boundary of the Area, there is Pak Shui Wun Site of Archaeological Interest (SAI) and a number of graded historic buildings, including the Staff and Teaching Building of Sam Yuk Middle School (Grade 2), College & Administration Block (Grade 2), Boys' Dormitory of Hong Kong Adventist College (Grade 2), One-Unit Staff Quarters of Hong Kong Adventist College (Grade 2) and Five-Unit Staff Quarters of Hong Kong Adventist College (Grade 2) in Hong Kong Adventist College and Sam Yuk Middle School Compound, No. 93 and 94 Ng Fai Tin (Grade 2), Lau Ancestral Hall (Grade 3) and Shing Study Hall (Grade 3) at Yu Uk Village, and 11 graded buildings within Shaw Studio Compound (Grade 1), namely Administration Building (Grade 1), Film Store and Dubbing (Grade 2), Sound Stage I (Grade 2), Shaw Villa (Grade 2), Colour Laboratory (Grade 2), Production Department (Grade 2), Dormitory No. 3 (alias Tun Ho Building) (Grade 2), Dormitory No. 4 (Grade 2), Costume Store (Grade 3), Administrative Staff Quarters (Grade 3) and Guard House (Grade 3).
- 12.2 The lists of declared monuments, historic buildings and sites graded by the Antiquities Advisory Board (AAB), new items pending grading assessment, Government historic sites identified by the Antiquities and Monuments Office of the Development Bureau (AMO) and SAIs are published on AMO's website at <https://www.amo.gov.hk/en/historic-buildings/heritage-sites-lists/index.html>. The lists will be updated from time to time.
- 12.3 Prior consultation with AMO should be made for any works, development, redevelopment or rezoning proposals that may affect the declared monuments, proposed monuments, historic buildings and sites graded by AAB, new items pending grading assessment, Government historic sites identified by AMO, SAIs, or any other buildings/structures identified with heritage value, both at grade and underground, and the immediate environs of the aforementioned items.

## **13. IMPLEMENTATION**

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. road widening have been and will be implemented through the Local Public Works Programme, the District Minor Works Programme and the Rural Public Works Programme as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zonings indicated on the Plan, provided that their proposals meet Government requirements.

## **14. PLANNING CONTROL**

- 14.1 The types of permitted developments and uses within the Area are set out in the Notes to the Plan. 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.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA plan covering such land or building and which are not in compliance with the terms of the Plan may have adverse impact on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, 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, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering planning applications, will take into account all relevant planning considerations which may include the departmental plans and guidelines published by the Board. 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 application 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.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 22 March 2002 on land included in the plan of the Clear Water Bay Peninsula North DPA, may be subject to enforcement proceedings under the Ordinance. Any diversion of stream, filling of land/pond or excavation of land in the relevant zones on or after the exhibition of the specific plan referred to in the Notes of the relevant zones without the permission from the Board may also be subject to enforcement proceedings.