

DRAFT MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN NO.
S/YL-MP/7

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO
THE APPROVED MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN
NO. S/YL-MP/6
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendments to Matters shown on the Plan

- Item A1 – Incorporation of an area from the north-western part of the approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8 into the planning scheme area and rezoning of such area as “Other Specified Uses” annotated “Wetland Conservation Park” (“OU(WCP)”).
- Item A2 – Incorporation of an area from the north-western part of the approved San Tin OZP No. S/YL-ST/8 into the planning scheme area with the zoning retained as “Conservation Area” (“CA”).
- Item B – Rezoning of an area to the north of Fairview Park and to the east of Mai Po Nature Reserve from “CA”, “OU(Comprehensive Development to include Wetland Restoration Area)” (“OU(CDWRA)”) and “Recreation” (“REC”) to “OU(WCP)”.

II. Amendments to the Notes of the Plan

- (a) Revision to the covering Notes to reflect the incorporation of areas previously falling within the boundaries of the interim development permission area (IDPA) plan for San Tin; and to specify the areas previously falling within the boundaries of the IDPA plan for Mai Po and Fairview Park or the IDPA plan for Nam Sang Wai.
- (b) Revision to the Remarks of the Notes for “Commercial/Residential” (“C/R”) zone to specify the areas previously falling within the boundaries of the IDPA plan for Mai Po and Fairview Park or the IDPA plan for Nam Sang Wai.
- (c) Revision to the Remarks of the Notes for “CA” zone to specify the areas previously falling within the boundaries of the IDPA plan for Mai Po and Fairview Park or the IDPA plan for San Tin.
- (d) Revision to the Remarks of the Notes for “Residential (Group C)” (“R(C)”), “Residential (Group D)” (“R(D)”), “Village Type Development” (“V”), “Open Space”, “REC”, “OU(CDWRA)”, “OU(Comprehensive Development and Wetland Protection Area)” (“OU(CDWPA)”), “Site of Special Scientific Interest” (“SSSI”) and “SSSI(1)” zones to specify the areas previously falling within the boundaries of the IDPA plan for Mai Po and Fairview Park.
- (e) Incorporation of a new set of Notes for the “OU(WCP)” zone.
- (f) Revision to the Notes for “Government, Institution or Community” (“G/IC”) zone on planning intention.

- (g) Revision to the Remarks of the Notes for “OU(CDWRA)”, “OU(CDWPA)” and “CA” zones on filling of land/pond and excavation of land clause in accordance with the Master Schedule of Notes to Statutory Plans.
- (h) Revision to the Remarks of the Notes for “C/R”, “R(C)”, “R(D)”, “REC” and “OU(CDWRA)” zones on minor relaxation clause.
- (i) Deletion of ‘Market’ from Column 1 of the Notes for “C/R” zone and Column 2 of the Notes for “R(D)” and “V” zones.
- (j) Revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ under Column 2 of the Notes for “G/IC” zone.
- (k) 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.
- (l) Incorporation of ‘Field Study/Education/Visitor Centre’ and ‘Hotel (Holiday House only)’ under Column 2 of the Notes for “V” zone.

Town Planning Board

8 March 2024

DRAFT MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN NO. S/YL-MP/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 interim development permission area (IDPA) plan for Mai Po and Fairview Park, the IDPA plan for Nam Sang Wai or the IDPA plan for San Tin, whichever the case may be, 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 the IDPA plan for Mai Po and Fairview Park, the IDPA plan for Nam Sang Wai or the IDPA plan for San Tin, whichever the case may be, 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 IDPA plan for Mai Po and Fairview Park, the IDPA plan for Nam Sang Wai or the IDPA plan for San Tin, whichever the case may be, 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 IDPA plan for Mai Po and

Fairview Park, the IDPA plan for Nam Sang Wai or the IDPA plan for San Tin, whichever the case may be, 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 railway tracks, 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 “Site of Special Scientific Interest” or “Site of Special Scientific Interest (1)” or “Conservation Area” or “Other Specified Uses” annotated “Comprehensive Development and Wetland 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, railway track, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the IDPA plan for Mai Po and Fairview Park, the IDPA plan for Nam Sang Wai or the IDPA plan for San Tin, 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 “Site of Special Scientific Interest” or “Site of Special Scientific Interest (1)” or “Conservation Area” or “Other Specified Uses” annotated “Comprehensive Development and Wetland 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, toll plaza, on-street vehicle park, railway station and railway track.

(11) (a) Except in areas zoned “Site of Special Scientific Interest” or “Site of Special Scientific Interest (1)” or “Conservation Area” or “Other Specified Uses” annotated “Comprehensive Development and Wetland 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) above, and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “Site of Special Scientific Interest” or “Site of Special Scientific Interest (1)” or “Conservation Area” or “Other Specified Uses” annotated “Comprehensive Development and Wetland Protection Area” or “Other Specified Uses” annotated “Wetland Conservation Park”, 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, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.

“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 MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN NO. S/YL-MP/7

Schedule of Uses

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COMMERCIAL/RESIDENTIAL

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 Educational Institution # Flat Government Use (not elsewhere specified) # House Library Place of Entertainment Private Club Public Clinic Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Residential Institution Shop and Services Social Welfare Facility # Utility Installation for Private Project	Broadcasting, Television and/or Film Studio Commercial Bathhouse/Massage Establishment Government Refuse Collection Point Off-course Betting Centre Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Recyclable Collection Centre Religious Institution # School #

Planning Intention

This zone is intended primarily for commercial and/or residential development. A selected range of commercial uses are always permitted to serve the local community.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building, except to those annotated with #, 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 (9m), 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 interim development permission area (IDPA) plan for Mai Po and Fairview Park or the IDPA plan for Nam Sang Wai (whichever the case may be), whichever is the greater.

(Please see next page)

COMMERCIAL/RESIDENTIAL (cont'd)

Remarks (cont'd)

- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and/or 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.

- (c) In determining the maximum plot ratio and 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, or 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.

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	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Library Petrol Filling Station 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 Residential Institution Rural Committee/Village Office School Shops and Services Social Welfare Facility Training Centre

(Please see next page)

RESIDENTIAL (GROUP C) (cont'd)

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.

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 and a maximum building height of 3 storeys (9m) including car park, 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 interim development permission area plan for Mai Po and Fairview Park, whichever is the greater.
- (b) In determining the maximum plot ratio 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, or 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 and/or 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 D)

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 Government Use (Police Reporting Centre, Post Office only) House (Redevelopment; Addition, Alteration and/or Modification to existing house only) On-Farm Domestic Structure Rural Committee/Village Office	Eating Place Flat Government Refuse Collection Point Government Use (not elsewhere specified) # House (not elsewhere specified) Institutional Use (not elsewhere specified) # Library Petrol Filling Station Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation # Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution # 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

(Please see next page)

RESIDENTIAL (GROUP D) (cont'd)

Planning Intention

This zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board.

Remarks

- (a) No addition, alteration and/or modification to or in-situ redevelopment of an existing temporary structure or an existing building (except to 'New Territories Exempted House' or to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m) or the building area and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area (IDPA) plan for Mai Po and Fairview Park, whichever is the greater.
- (b) No development including redevelopment for 'Flat' and 'House' (except 'New Territories Exempted House') uses, other than those to which paragraph (a) above shall apply, shall result in a development and/or redevelopment in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m).
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or building height restrictions stated in paragraph (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (d) In determining the maximum plot ratio for the purposes of paragraph (b) 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, or 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.
- (e) Any filling of land/pond or excavation of land necessary 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 IDPA plan for Mai Po and Fairview Park without the permission from the Town Planning Board 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 Government Refuse Collection Point Government Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Burial Ground Eating Place Field Study/Education/Visitor Centre Flat Government Use (not elsewhere specified) # Hotel (Holiday House only) House (not elsewhere specified) Institutional Use (not elsewhere specified) # Petrol Filling Station Place of Recreation, Sports or Culture Private Club 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

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VILLAGE TYPE DEVELOPMENT (cont'd)

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.

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 interim development permission area (IDPA) plan for Mai Po and Fairview Park, 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.
- (c) Any filling of land/pond or excavation of land necessary 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 IDPA plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

OPEN STORAGE

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 Cargo Handling and Forwarding Facility (not elsewhere specified) Eating Place (Canteen only) Government Refuse Collection Point Government Use (not elsewhere specified) On-Farm Domestic Structure Open Storage (not elsewhere specified) Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Rural Workshop Shop and Services (Service Trades Only) Utility Installation for Private Project Vehicle Repair Workshop Warehouse (excluding Dangerous Goods Godown)	Cargo Handling and Forwarding Facility (Container Freight Station, Logistics Centre only) Cement Manufacturing Concrete Batching Plant Container Storage/Repair Yard Container Vehicle Park/ Container Vehicle Repair Yard Dangerous Goods Godown Eating Place (not elsewhere specified) Industrial Use (not elsewhere specified) Open Storage of Cement/Sand Open Storage of Chemical Products/ Dangerous Goods Petrol Filling Station Shop and Services (not elsewhere specified) Vehicle Stripping/Breaking Yard Wholesale Trade

Planning Intention

This zone is intended primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses which cannot be accommodated in conventional godown premises.

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 Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre Rural Committee/Village Office School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Flat Funeral Facility Helicopter Landing Pad Holiday Camp 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) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project Zoo

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, or other institutional establishments.

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 Promenade Public Convenience Sitting Out Area Zoo	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp 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 space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

Remarks

Any filling of land/pond or excavation of land necessary 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 interim development permission area plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

RECREATION

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 Barbecue Spot Field Study/Education/Visitor Centre Government Use (Police Reporting Centre only) Holiday Camp On-Farm Domestic Structure Picnic Area Place of Recreation, Sports or Culture Public Convenience Rural Committee/Village Office Tent Camping Ground	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Cable Car Route and Terminal Building Eating Place Flat Golf Course Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad 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) Place of Entertainment Private Club Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution Shop and Services Theme Park Utility Installation for Private Project Zoo

Planning Intention

This zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

(Please see next page)

RECREATION (cont'd)

Remarks

- (a) No residential development (except 'New Territories Exempted House') shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys (6m).
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or 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.
- (c) Any filling of land/pond or excavation of land necessary 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 interim development permission area plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

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
<u>For “Comprehensive Development to include Wetland Restoration Area” only</u>	
Agricultural Use Barbecue Spot Field Study/Education/Visitor Centre Nature Trail On-Farm Domestic Structure Picnic Area Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Eating Place # Flat Golf Course Government Refuse Collection Point # Government Use (not elsewhere specified) # Holiday Camp 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) # Nature Reserve Place of Recreation, Sports or Culture Private Club Public Clinic # Public Convenience # Public Transport Terminus or Station Public Utility Installation # Religious Institution (not elsewhere specified) Residential Institution School # Shop and Services # Social Welfare Facility # Tent Camping Ground # Theme Park Utility Installation for Private Project Wetland Habitat Zoo

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OTHER SPECIFIED USES (cont'd)

For "Comprehensive Development to include Wetland Restoration Area" only (cont'd)

Planning Intention

This zone is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.

Remarks

- (a) Application for permission of use or development, except as otherwise specified in paragraph (b) below, shall be in the form of a comprehensive development scheme to include wetland restoration proposal. An applicant shall prepare a layout plan and other documents showing the following information for consideration of the Town Planning Board:
- (i) the proposed land uses, development parameters, the nature, position and heights of all buildings to be erected in the area;
 - (ii) a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
 - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development or redevelopment during construction and after completion and the proposed mitigation measures to tackle them;
 - (iv) landscape proposals;
 - (v) a traffic impact study report to examine any possible traffic problems that may be caused by the proposed development or redevelopment and the proposed measures to tackle them;
 - (vi) a drainage and sewerage impact study report to examine any possible flooding, drainage, sewerage and associated problems that may be caused to or by the proposed development or redevelopment and the proposed mitigation measures to tackle them;

(Please see next page)

OTHER SPECIFIED USES (cont'd)

For "Comprehensive Development to include Wetland Restoration Area" only (cont'd)

Remarks (cont'd)

- (vii) programming, phasing and implementation schedule of each component of the proposed development or redevelopment (including the wetland restoration and/or creation scheme); and
- (viii) such other information as may be required by the Town Planning Board.
- (b) For application for uses annotated with #, if developed individually and not forming part of a comprehensive development scheme, the requirement of the provision of wetland restoration proposal and the submission of layout plan as required under paragraph (a) above may be exempted.
- (c) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to 'New Territories Exempted House') shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 6 storeys including car park, 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 interim development permission area (IDPA) plan for Mai Po and Fairview Park, whichever is the greater.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and/or 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.
- (e) In determining the maximum plot ratio for the purposes of paragraph (c) 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, or 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) Any filling of land/pond or excavation of land necessary to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or development 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 IDPA plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

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 “Comprehensive Development and Wetland Protection Area” only

Agricultural Use (Fish Pond Culture only)	Eating Place Field Study/Education/Visitor Centre Flat Government Refuse Collection Point Government Use (not elsewhere specified) House (other than New Territories Exempted House) Nature Reserve Nature Trail Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Religious Institution School Shop and Services Social Welfare Facility Utility Installation for Private Project Wetland Habitat
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Planning Intention

The planning intention of this zone is to allow the consideration of comprehensive low-density residential development or redevelopment provided that all the existing continuous and contiguous fish ponds within the zone are protected and conserved. The “no-net-loss in wetland” principle is adopted for any change in use within the zone. Development or redevelopment within this zone should involve no pond filling and no decline in wetland function of the fish ponds. Any new development should be located on the formed land and as far away from the existing fish pond within the development site.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

For "Comprehensive Development and Wetland Protection Area" only (cont'd)

Remarks

- (a) Application for permission of use or development shall be in the form of a comprehensive development scheme with no pond filling and no decline in the wetland function of the fish ponds within and near the development site. An applicant shall prepare a layout plan and other documents showing the following information for consideration of the Town Planning Board:
- (i) the proposed land uses, development parameters, the nature, position and heights of all buildings to be erected in the area;
 - (ii) a wetland conservation and restoration scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
 - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development or redevelopment during construction and after completion and the proposed mitigation measures to tackle them;
 - (iv) landscape proposals;
 - (v) a traffic impact study report to examine any possible traffic problems that may be caused by the proposed development or redevelopment and the proposed measures to tackle them;
 - (vi) a drainage and sewerage impact study report to examine any possible flooding, drainage, sewerage and associated problems that may be caused to or by the proposed development or redevelopment and the proposed mitigation measures to tackle them;
 - (vii) programming, phasing and implementation schedule of each component of the proposed development or redevelopment (including the wetland conservation and restoration scheme); and
 - (viii) such other information as may be required by the Town Planning Board.

(Please see next page)

OTHER SPECIFIED USES (cont'd)

For "Comprehensive Development and Wetland Protection Area" only (cont'd)

Remarks (cont'd)

- (b) 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 0.2 and a maximum building height of 3 storeys including car park, 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 interim development permission area (IDPA) plan for Mai Po and Fairview Park, whichever is the greater.
- (c) In determining the maximum plot ratio for the purposes of paragraph (b) 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, or 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.
- (d) Any filling of land/pond or excavation of land necessary 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 IDPA plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

OTHER SPECIFIED USES (Cont'd)

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 “Wetland Conservation Park” only

Wetland Conservation Park	Field Study/Education/Visitor Centre
Agricultural Use (Fish Pond Culture only)	Government Refuse Collection Point
Nature Reserve	Government Use (not elsewhere specified)
On-Farm Domestic Structure	House (Redevelopment only)
Wetland Habitat	Nature Trail
Wild Animals Protection Area	Public Convenience
	Public Utility Installation
	Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the development of a Wetland Conservation Park by the Government to conserve the wetlands with ecological/conservation values and safeguard the integrity of the wetland system; compensate for the impact on ecological and fisheries resources arising from the development of the San Tin/Lok Ma Chau area of the San Tin Technopole, thereby achieving ‘co-existence of development and conservation’; provide eco-education and eco-recreation facilities for the public; and promote scientific research on aquaculture and develop modernized aquaculture industry.

Remarks

Any filling of land/pond 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 all works as required/co-ordinated/implemented by the Government), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area (IDPA) plan for Mai Po and Fairview Park or the IDPA plan for San Tin, whichever the case may be, 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 (Fish Pond Culture only) Nature Reserve On-Farm Domestic Structure Wetland Habitat Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (Redevelopment only) Nature Trail Public Convenience Public Utility Installation Utility Installation for Private Project

Planning Intention

The planning intention of this zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.

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 interim development permission area (IDPA) plan for Mai Po and Fairview Park or the IDPA plan for San Tin, whichever the case may be.
- (b) Any filling of land/pond or excavation of land necessary 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 IDPA plan for Mai Po and Fairview Park or the IDPA plan for San Tin, whichever the case may be, without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

SITE OF SPECIAL SCIENTIFIC INTEREST

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Wild Animals Protection Area	Agricultural Use Field Study/Education/Visitor Centre Government Use Nature Reserve Nature Trail On-Farm Domestic Structure Public Convenience Public Utility Installation Utility Installation for Private Project

Planning Intention

The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as Site of Special Scientific Interest (SSSI). It intends to deter human activities or developments within the SSSI.

There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.

Remarks

Any filling of land/pond or excavation of land necessary 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 shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

SITE OF SPECIAL SCIENTIFIC INTEREST (1)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Agriculture Use (Fish Pond Culture only) Field Study/Education/Visitor Centre Government Use Nature Reserve Nature Trail On-Farm Domestic Structure Public Convenience Public Utility Installation Wild Animals Protection Area

Planning Intention

The planning intention of this zone is to conserve the ecological value and function of the existing fish ponds within this zone and to deter development (other than those which are necessary to sustain or enhance the ecological value of the fish ponds within the zone or to serve educational or research purpose) within this zone.

Remarks

- (a) Application for permission of use or development shall be in the form of a comprehensive wetland conservation plan to include a wetland enhancement scheme with no decline in the wetland function of the fish ponds within and near the site. An applicant shall prepare a layout plan and other documents showing the following information for consideration of the Town Planning Board:
 - (i) the proposed land uses and a schematic layout;
 - (ii) a wetland conservation and enhancement scheme, including its detailed design, wetland buffer proposals, a long-term maintenance and management plan, and monitoring and implementation mechanism;
 - (iii) an environmental impact study report, including but not limiting to an ecological impact assessment and a visual impact assessment, to examine any possible environmental, ecological and visual problems that may be caused to or by the proposed development or redevelopment during construction and after completion and the proposed mitigation measures to tackle them;

(Please see next page)

SITE OF SPECIAL SCIENTIFIC INTEREST (1) (cont'd)

Remarks (cont'd)

- (iv) landscape proposals;
 - (v) a drainage impact study report to examine any possible flooding, drainage, and associated problems that may be caused to or by the proposed development or redevelopment and the proposed mitigation measures to tackle them;
 - (vi) programming, phasing and implementation schedule of each component of the wetland conservation and enhancement scheme; and
 - (vii) such other information as may be required by the Town Planning Board.
- (b) Any development and/or redevelopment within the “Site of Special Scientific Interest (1)” (“SSSI(1)”) zone is required to be developed together with the “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area 1” (“OU(CDWEA1)”) zone on the Nam Sang Wai Outline Zoning Plan in a comprehensive and integrated manner. An applicant shall submit a layout plan covering the whole of the “SSSI(1)” zone and the “OU(CDWEA1)” zone for the consideration of the Town Planning Board in accordance with the provisions of the Notes of both zones.
- (c) Any filling of land/pond or excavation of land necessary to effect a change of use to any of those specified in Column 2 above or the uses or developments always permitted under the covering Notes shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan for Mai Po and Fairview Park without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT MAI PO AND FAIRVIEW PARK
OUTLINE ZONING PLAN NO. S/YL-MP/7

EXPLANATORY STATEMENT

EXPLANATORY STATEMENT

DRAFT MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN NO. S/YL-MP/7

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DRAFT MAI PO AND FAIRVIEW PARK OUTLINE ZONING PLAN NO. S/YL-MP/7

(Being a Draft Plan for the Purpose 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 draft plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/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 covered by the approved Mai Po and Fairview Park OZP, other than an area located at the south-eastern end of Fairview Park Boulevard which was previously included in the Nam Sang Wai Interim Development Permission Area (IDPA) Plan gazetted on 17 August 1990, and an area located in Sam Po Shue which was previously included in the San Tin IDPA Plan also gazetted on 17 August 1990, was previously included in the Mai Po and Fairview Park IDPA Plan and the draft Mai Po and Fairview Park Development Permission Area (DPA) Plan.
- 2.2 On 17 August 1990, the Mai Po and Fairview Park IDPA Plan No. IDPA/YL-MP/1 prepared by the Director of Planning was notified in the Gazette.
- 2.3 On 12 July 1991, the draft Mai Po and Fairview Park DPA Plan No. DPA/YL-MP/1 including land previously within the Mai Po and Fairview Park IDPA Plan was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance).
- 2.4 On 10 May 1994, the draft Mai Po and Fairview Park DPA Plan was approved by the then Governor in Council under section 9(1)(a) of the Ordinance and renumbered as DPA/YL-MP/2.
- 2.5 On 17 May 1993, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP for the area of Mai Po and Fairview Park.
- 2.6 On 3 June 1994, the draft Mai Po and Fairview Park OZP No. S/YL-MP/1 was exhibited under section 5 of the Ordinance. Subsequently, the draft OZP was amended twice and exhibited for public inspection under section 7 of the Ordinance. On 5 February 2002, the Chief Executive in Council (CE in C),

under section 9(1)(a) of the Ordinance, approved the draft Mai Po and Fairview Park OZP, which was subsequently renumbered as S/YL-MP/4.

- 2.7 On 8 July 2003, the CE in C referred the approved Mai Po and Fairview Park OZP No. S/YL-MP/4 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 26 March 2004, the draft Mai Po and Fairview Park OZP No. S/YL-MP/5 was exhibited for public inspection under section 5 of the Ordinance. On 1 February 2005, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mai Po and Fairview Park OZP, which was subsequently renumbered as S/YL-MP/6. The approved Mai Po and Fairview Park OZP No. S/YL-MP/6 was exhibited for public inspection under section 9(5) of the Ordinance on 18 February 2005.
- 2.8 On 13 March 2018, the CE in C referred the approved Mai Po and Fairview Park OZP No. S/YL-MP/6 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 8 March 2024, the draft Mai Po and Fairview Park OZP No. S/YL-MP/7 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The major amendments on the Plan included (a) incorporating north-western part of the San Tin OZP into the planning scheme area, with a major part rezoned from “Conservation Area” (“CA”) and “Other Specified Uses” (“OU”) annotated “Comprehensive Development and Wetland Enhancement Area” to “OU” annotated “Wetland Conservation Park” (“OU(WCP)”) and the remaining part retained as “CA” zone; (b) rezoning the area around Tam Kon Chau, Pak Hok Chau and Yau Mei San Tsuen from “CA”, “Recreation”, and “OU” annotated “Comprehensive Development to include Wetland Restoration Area” to “OU(WCP)”; and (c) other technical amendments to the Notes of the OZP.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate a broad land-use zoning for the area so that development and redevelopment within the area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and control only. It is a small-scale plan and the transport alignments and boundaries between the land-use zones may be subject to minor adjustments as detailed planning proceeds.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of development which are always permitted within the Planning Scheme Area (the 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 land use 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 <http://www.tpb.gov.hk>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area covered by the Plan is about 1,148 ha. It is bounded by San Tin Highway, the San Tin Technopole (the Technopole) and the Ngau Tam Mei area to the east, Shenzhen River to the north, Mai Po Nature Reserve (MPNR) to the west and Nam Sang Wai area to the south. The boundary of the Area is shown in a heavy broken line on the Plan.
- 5.2 The boundary of the Area is delineated having regard to physical and topographical features such as roads, drainage channels and hills. Therefore, the Area boundary does not necessarily follow the Heung boundaries which are used for administration purpose only. Also, the name of the Plan is geographical in nature and should not have implications on development rights, particularly Small House applications.
- 5.3 The Area is situated in the North West New Territories (NWNT). It is predominantly low-lying and in a form of a series of broad alluvial floors draining into the Deep Bay. The Area consists of a considerable amount of fish ponds falling within the Wetland of International Importance under the Ramsar Convention, a few parcels of farmland, clusters of villages and large scale private residential developments, namely Fairview Park, Palm Springs and Royal Palms. Besides, a large part of the Area is proposed to be the future Sam Po Shue Wetland Conservation Park (SPS WCP).

6. POPULATION

Based on the 2021 Population Census, the population of the Area was estimated by the Planning Department as about 23,700 persons. It is estimated that the total planned population in the Area will reach would be about 25,400 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

- 7.1.1 The "Study on the Ecological Value of Fish Ponds in Deep Bay Area" (the Fish Pond Study) completed in 1997 has confirmed the unique international and regional importance of the fish pond system in the Deep Bay Area particularly for ardeids. It has established that the fish pond areas in Mai Po form an integral part of the Deep Bay Area wetland ecosystem, and have significant ecological value. With the support of scientific surveys and analysis, the Fish Pond Study sets out the principles of "precautionary approach" and "no-net-loss in wetland"

which present opportunities to prevent/enhance these natural resources, and to restore some of the degraded areas.

- 7.1.2 The MPNR is designated as restricted area under Chapter 170 - Wild Animals Protection Ordinance and it is currently managed by the Agriculture, Fisheries and Conservation Department (AFCD) and the World Wide Fund for Nature Hong Kong. Whilst conservation of the MPNR imposes a constraint on development, it presents opportunities to preserve this natural resource for territory-wide educational purpose, scientific research as well as eco-tourism and development of compatible recreational uses for the general public.
- 7.1.3 The Chief Executive's 2023 Policy Address stipulated that the Government would establish the SPS WCP. The "Strategic Feasibility Study on the Development of the WCPs System under the Northern Metropolis Development Strategy" (the WCP Study) commissioned by AFCD recommended to develop this park first, given that its proposed location is situated along the core section of the flight path for migratory birds, in close proximity to the MPNR and other wetlands, and has large areas of productive fishponds. According to AFCD, establishing this WCP first with the theme 'Biodiversity and Aquaculture in Harmony' would enable the protection of the flight path for migratory birds as soon as possible, while creating synergy with the existing conservation areas, thereby conserving the wetland ecosystem in the Deep Bay Area more effectively, facilitating the modernization of aquaculture industry, and providing eco-education and eco-recreation facilities and experiences for public enjoyment. At the same time, the SPS WCP could also compensate for the impact on ecological and fisheries resources arising from the development of the San Tin/Lok Ma Chau (STLMC) area of the Technopole, in order to achieve no-net-loss in ecological function and capacity of the wetlands concerned as suggested in the Environmental Impact Assessment (EIA) report prepared under the study "First Phase Development of the New Territories North – STLMC Development Node" (STLMC Study) commissioned by the Government in October 2021.
- 7.1.4 The WCP Study proposed the area of SPS WCP to be approximately 338 ha, subject to further studies, which is five times the size of the existing Hong Kong Wetland Park. Within the proposed area, 328 ha will be used for implementation of ecological and fisheries enhancement measures for the development at STLMC area, while the remaining 10 ha is tentatively reserved for eco-education, eco-recreation and eco-tourism facilities. Examples of eco-education and eco-recreation facilities include visitor centre, outdoor classrooms, bird hides, visitor trails, restaurants, and open public spaces (e.g. picnic areas), etc. Relevant details of these facilities would be planned and designed during the next stages of studies for SPS WCP.
- 7.1.5 According to the EIA report for the STLMC Study, among the 328 ha of SPS WCP proposed to be used for implementation of ecological and fisheries enhancement measures, the Government will enhance the

ecological function and capacity of 288 ha of wetlands and fisheries resources of 40 ha of fishponds with active conservation management and modernized aquaculture to compensate for the loss of wetland habitats and fisheries resources arising from the development of STLMC area and to achieve no-net-loss in ecological function and capacity of the wetlands concerned. Enhancement measures proposed in the EIA Report could include:

- (a) increase in pond area and enhance connectivity;
- (b) physical modification of pond habitats to increase environmental carrying capacity;
- (c) managing and sequencing pond drain down across multiple ponds in the dry season to maximise feeding opportunities for avifauna and other wildlife;
- (d) providing fencing/controlling access to reduce disturbance from human activities and also prevent disturbance and predation of wildlife by feral dogs;
- (e) removal of existing bird scaring devices at actively managed ponds, where appropriate; and
- (f) stocking ponds with suitable prey items (i.e. trash-fish) for target wildlife species.

7.1.6 According to AFCD, the proposed SPS WCP will be developed in phases, where the first phase is suggested to start with the fishponds and wetlands in the northern part, thereby conserving the core bird flight path as a matter of priority. It is expected to commence the construction works of the first phase in 2026/2027 for completion in 2031 tentatively. The target is to complete the works for the entire SPS WCP before or at the time as the full operation of the Technopole (tentatively scheduled for 2039).

7.1.7 Opportunities for developments in the Area are expected to be concentrated at the existing less ecologically sensitive flat land, capitalising on the close proximity of the Area to the Technopole and the improved accessibility to be brought by several strategic transport links including the existing San Tin Highway, and Northern Metropolis Highway as well as the Northern Link Main Line under planning.

7.2 Development Constraints

7.2.1 The existing MPNR, Mai Po Egrettry and the adjoining fish ponds together with the proposed SPS WCP would form part of the wetland system and wildlife habitats in the Deep Bay Area where an extensive area of unaffected feeding and resting habitats are provided ideally for thousands of migratory birds. In order to preserve and sustain the wildlife habitats in the Area, new development proposals should not be allowed to proceed unless it is required to support the conservation of the above.

7.2.2 The Area is low-lying in terrain. Over the past decades, substantial modifications of the floodplain have taken place which have reduced the

flood storage capacity and affected floodways and watercourses in the Area. These changes have caused substantial increase of flooding hazards and flood damages to the Area. To relieve the regional flooding, construction of Ngau Tam Mei drainage channel was completed in 2005. However, there is still some local residual flooding which occurs at low-lying areas. Mitigation measures against flooding should be assured for every development to be carried out in this Area.

7.2.3 With the rapid growth of Yuen Long, the committed/approved developments in Mai Po, Ngau Tam Mei and Nam Sang Wai areas and the proposed Technopole, traffic flow on the subject section of Castle Peak Road is estimated to be very high and there is not much capacity being left to cater for new development proposals. This imposes a constraint on future development proposals in the Area and improvement to the road infrastructure would be required. While there is the existing San Tin Highway serving the Area, in the long term, addition of a new strategic road such as Northern Metropolis Highway is needed.

7.2.4 Existing water treatment works capacity for the NWNT has already been committed. Part of the fresh water supply to the future developments in the adjoining STLMC area of the Technopole would be from Sheung Shui Water Treatment Works in the North East New Territories. As such, extension of water supply system will be required if there is a substantial increase in the future water demand arising from development proposals for large residential developments in the Area.

8. GENERAL PLANNING INTENTION

8.1 In the light of the findings and recommendations of the earlier Fish Pond Study and the Government's recent initiative to establish SPS WCP, the general planning intention for the Area is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The existing and contiguous, active or abandoned fish ponds in the Deep Bay Area should all be conserved. Moreover, the loss of fish ponds and habitat fragmentation should be avoided and any negative impacts arising from undesirable land-uses and human disturbance should be mitigated.

8.2 In order to achieve the conservation objectives, a "precautionary approach" and the principle of "no-net-loss in wetland" have been adopted. New development within the fish pond areas would not be allowed unless it is required to support or to enhance the ecological value of the area, or the development is an essential infrastructural project with overriding public interest.

8.3 The planning intention of the area further away from the fish ponds is to protect the ecological integrity of the wetland ecosystem, and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds. Application for new open storage or container back-up uses would normally not be allowed.

- 8.4 In the designation of various zones in the Area, other than the recommendation of the earlier Fish Pond Study and the proposal of establishing SPS WCP, consideration has been given to the physical landform, existing settlements, land status, availability of infrastructure, local development pressures, and the latest territorial spatial development strategy (i.e. the Hong Kong 2030+ : Towards a Planning Vision and Strategy Transcending 2030 promulgated in October 2021). In addition, buildings and places of historical and archaeological interest in the Area would be preserved as far as possible.
- 8.5 In order to provide better control of building height of developments in the Area, building height restrictions are imposed for the development zones on the Plan. A minor relaxation clause on planning application in respect of the building height restrictions is incorporated into the Notes of the Plan in order to provide incentive for developments/redevelopment with planning and design merits and to address individual circumstances of each development/redevelopment proposal. Each application will be considered under section 16 of the Ordinance on its own merits.

9. LAND-USE ZONINGS

9.1 Commercial/Residential (“C/R”) (Total Area 5.78 ha)

- 9.1.1 The planning intention of this zone is primarily for commercial and/or residential development. A selected range of commercial uses are always permitted to serve the local community.
- 9.1.2 Under this zoning, sites may be redeveloped for either residential or commercial use, or composite building containing both commercial and residential uses. To be compatible with the rural character of the surrounding areas, developments in this zone are restricted to a maximum plot ratio of 0.4, a maximum site coverage of 20% and a maximum building height of 3 storeys (9m). Minor relaxation of the plot ratio, site coverage and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 9.1.3 The area under this zoning is located to the east of Fairview Park and along both sides of Fairview Park Boulevard. It is an area mixed with low-rise residential developments, temporary structures, open storage and workshop uses. Commercial uses such as eating places, estate agents and stores are also found. Some commercial uses are on the lower floors of buildings while the upper floors are for residential use.

9.2 Residential (Group C) (“R(C)”) (Total Area 159.09 ha)

9.2.1 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 Board.

9.2.2 Under this zoning, residential developments are restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including car park. All commercial developments within this zone are subject to the approval of the Board on application under section 16 of the Ordinance. Development will be in accordance with an approved planning brief to ensure that the nature and scale of new development will be in keeping with the natural landscape of Inner Deep Bay Area and that the effluent and waste disposal will have no adverse impact on the water quality of the Inner Deep Bay Area. Minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.

9.2.3 Residential sites within this zone are located in the southern and eastern parts of the Area. They are the existing Fairview Park, Palm Springs and Royal Palms.

9.3 Residential (Group D) (“R(D)”) (Total Area 14.93 ha)

9.3.1 The planning intention of this zone is primarily to improve and upgrade the existing temporary structures within the rural area to permanent buildings. Replacement housing for temporary structures shall not result in a total redevelopment in excess of a maximum building area of 37.2m² and a maximum building height of 2 storeys (6m).

9.3.2 Apart from the intention of residential upgrading, low-rise and low-density residential development may be permitted on application under section 16 of the Ordinance to the Board. To be in line with the development intensity of existing domestic accommodation in the area, residential development other than New Territories Exempted House shall not result in a total development in excess of a plot ratio of 0.2 and a maximum building height of 2 storeys (6m). Generally, the applicant has to prove to the Board that the proposed development would have no or minimal adverse impact on the environment. Minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.

9.3.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.3.4 The area under this zone lies between Chuk Yuen Tsuen to the east and Fairview Park to the west. It consists of a mixture of fallow agricultural land, fish ponds and scattered temporary structures.

9.4 Village Type Development (“V”) (Total Area 35.54 ha)

9.4.1 The planning intention of this zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and re-provisioning 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 under section 16 of the Ordinance to the Board.

9.4.2 The boundaries of the “V” zones are drawn up having regard to the existing village “environs”, outstanding Small House demands for the next ten years, topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans whenever applicable.

9.4.3 The recognized villages in the Area include Mai Po Tsuen (Lo Wai & San Tsuen), Chuk Yuen Tsuen, Sheung San Wai Tsuen and Ha San Wai Tsuen. They are located along the western side of the San Tin Highway and Castle Peak Road (Mai Po Section). Since the areas along these roads would be subject to traffic noise impact, any proposed Small House development near the roads should provide adequate mitigation measures to minimize such impact.

9.4.4 Minor relaxation of building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of such application. Each application will be considered on its own merits.

9.4.5 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.5 Open Storage (“OS”) (Total Area 3.10 ha)

9.5.1 The planning intention of this zone is primarily to provide land for appropriate open storage uses and to regularize the already haphazard

proliferation of open storage uses within this zone. This zoning also provides for the orderly development of land for open storage uses which cannot be accommodated in conventional godown premises.

9.5.2 Specified open storage uses such as container storage, vehicle stripping/breaking yard, and storage of dangerous goods which may cause environmental nuisance, safety hazards or transport problems require permission on application under section 16 of the Ordinance from the Board. Development proposals for such purposes have to clearly demonstrate that they would have no adverse environmental, drainage, traffic and other impacts on the surroundings. Other open storage uses (not elsewhere specified), such as storage of agricultural products, construction materials (except storage of cement/sand) and equipment, which would unlikely cause adverse environmental, drainage or transport problems are always permitted in this zone.

9.5.3 The area bounded by San Tin Highway and Castle Peak Road is zoned "OS". It is very accessible by vehicles and some open storage uses are found. The area should be properly paved and landscaped to reduce the visual impact.

9.6 Government, Institution or Community ("G/IC") (Total Area 1.01 ha)

9.6.1 This zone is intended primarily for the provision of Government, institution and 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.

9.6.2 The existing telephone exchange near Chuk Yuen Tsuen and a police post together with a field study centre at Tam Kon Chau are zoned "G/IC" to reflect the current uses.

9.7 Open Space ("O") (Total Area 6.35 ha)

9.7.1 The planning intention of this zone is to provide outdoor open-air space for the development of active and/or passive recreational uses serving the local residents and the general public.

9.7.2 The strip of land to the east of the Royal Palms is zoned "O" to provide local recreation facilities to the existing villages and residential developments in the vicinity such as Fairview Park, Palm Springs and Royal Palms as well as to create a buffer from San Tin Highway.

9.7.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.8 Recreation (“REC”) (Total Area 18.40 ha)

- 9.8.1 This zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission under section 16 of the Ordinance.
- 9.8.2 Under this zoning, residential development which should be ancillary to recreational use may be permitted on application under section 16 of the Ordinance to the Board. The development intensity should be in line with rural setting and shall not result in a total development in excess of a maximum plot ratio of 0.2, and a maximum building height of 2 storeys (6m). Generally, the applicant has to prove to the Board that the proposed development would have no or minimal adverse effects on the environment including the ecology of the area and infrastructural provision. Minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 9.8.3 Two areas to the east of Fairview Park and to the south-east of Palm Springs are zoned “REC”. The former is temporarily used for light public housing development, while the latter is partly occupied by rural settlements and brownfield sites. In view of the presence of the ecological sensitive areas in the Area, developments of eco-tourism and compatible recreational developments are preferable within the “REC” zone.
- 9.8.4 Since the area zoned for this purpose has a bearing on the overall amenity and water quality of the existing MPNR and Site of Special Scientific Interest (SSSI), and the proposed SPS WCP in the Area, new development within this zone would not normally be allowed unless the applicant could demonstrate that the proposed development would have insignificant impact on environment, drainage, transportation and ecology in the area.
- 9.8.5 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.9 Other Specified Uses (“OU”) (Total Area 378.45 ha)

The sites zoned “OU” on the Plan include the following as annotated on the Plan:

“OU(Comprehensive Development to include Wetland Restoration Area)” (“OU(CDWRA)”) (Total Area 21.51 ha)

- 9.9.1 The planning intention of this zone is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds and to encourage the phasing out of sporadic open storage and port back-up uses on degraded wetland. This can be achieved through comprehensive residential and/or recreational development to include wetland restoration area. Development or redevelopment schemes on the degraded wetlands directly adjoining the existing continuous and contiguous fish ponds should include wetland restoration and buffer proposals to separate the development from and minimize its impact on the fish pond areas. Any new building should be located farthest away from Deep Bay.
- 9.9.2 To ensure that development or redevelopment which requires planning permission should be developed in a comprehensive manner, an applicant should submit to the Board a development or redevelopment proposal in the form of a comprehensive development scheme to include a layout plan with supporting documents, including an environmental impact study report which should include, inter alia, an Ecological Impact Assessment (EcoIA) and a Visual Impact Assessment (VIA); and traffic impact, drainage and sewerage impacts study reports as well as information on programming, phasing and implementation schedule of the development. The applicant should also submit a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals to mitigate the potential impact on the nearby existing wetland, a maintenance and management plan with implementation details, arrangement of funding and monitoring programme to ensure the long-term management of the restored wetland. The EcoIA should demonstrate that any negative ecological impacts on the area can be fully mitigated through positive measures. The submission should demonstrate that the development or redevelopment would not cause a net increase of pollution load into Deep Bay.
- 9.9.3 To be in line with the rural setting which is mainly village houses, to minimize visual impact and to take into account the capacities of local road network and infrastructure in this area, development or redevelopment shall not result in a total development or redevelopment intensity in excess of a total plot ratio of 0.4 and a maximum building height of 6 storeys including car park. Minor relaxation of the plot ratio and/or building height restrictions may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraph 8.5 above would be relevant for the assessment of minor

relaxation of building height restrictions. Each application will be considered on its own merits.

- 9.9.4 It is recognized that the degraded wetlands within the zone may not be developed as a whole and the objectives of comprehensive development to include wetland restoration may take time to materialize. To provide flexibility in the planning application system, certain uses or developments, which are small-scale and have insignificant environmental impacts, may be permitted as interim development on an individual basis on application to the Board. Application for such uses or developments may be exempted from the requirement of the provision of wetland restoration proposal and the submission of layout plan.
- 9.9.5 Within the “OU(CDWRA)” zone, while open storage and port back-up uses that existed immediately before the first publication in the Gazette of the notice of the Mai Po and Fairview Park IDPA Plan and those with planning permission from the Board are tolerated, new temporary open storage and port back-up uses would not be allowed by the Board.
- 9.9.6 The area at Wo Shang Wai to the north of Royal Palms and Palm Springs is zoned “OU(CDWRA)”. This area comprises formed land, fish ponds filled prior to the publication of the Mai Po and Fairview Park IDPA Plan, and fragmented and partially filled marshland.
- 9.9.7 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

“OU(Comprehensive Development and Wetland Protection Area)”
“OU(CDWPA)” (Total Area 8.31 ha)

- 9.9.8 Within the “OU(CDWPA)” zone, all the existing continuous and contiguous fish ponds should be conserved and the “precautionary approach” and “no-net-loss in wetland” principle shall apply. According to the “precautionary approach”, these existing continuous and contiguous fish ponds are to be protected and conserved in order to maintain the ecological integrity of the Deep Bay wetland ecosystem as a whole. “No-net-loss in wetland” can refer to no decline in wetland or ecological functions served by the existing fish ponds.
- 9.9.9 The “OU(CDWPA)” zone partly comprises fish ponds which form an integral part of the Deep Bay wetland ecosystem and partly comprises formed land and fish ponds filled prior to the publication of the Mai Po and Fairview Park IDPA Plan. The planning intention of the “OU(CDWPA)” zone is to allow the consideration of comprehensive low-density residential development or redevelopment provided that all the existing continuous and contiguous fish ponds within the zone are protected and conserved. Development or redevelopment within this zone should involve no pond filling and no decline in wetland functions of the fish ponds. Any new development should be located on the

formed land and as far away from the existing fish ponds within the development site.

9.9.10 New development or redevelopment should be developed in a comprehensive manner and would require planning permission from the Board under section 16 of the Ordinance to ensure that such development or redevelopment would adhere to the “precautionary approach” and “no-net-loss in wetland” principle. An applicant should submit to the Board a development or redevelopment proposal in the form of a comprehensive development scheme to include a layout plan with supporting documents, including an environmental impact study report which should include, inter alia, an EcoIA and a VIA; and traffic impact, drainage and sewerage impacts study reports as well as information on programming, phasing and implementation schedule of the development. The applicant should also submit a wetland conservation and restoration scheme, including its detailed design, wetland buffer proposals to mitigate the potential impacts on the existing wetland, a maintenance and management plan with implementation details, arrangements of funding, and monitoring programme to ensure the long-term management of the wetland within the zone. The EcoIA should demonstrate that such development or redevelopment proposal would require no pond filling and would not result in, or be able to fully compensate for, any loss of the total ecological function of the original fish ponds on the development site, and that any negative ecological impacts on the area could be fully mitigated through positive measures. The submission should also demonstrate that the development or redevelopment would not cause a net increase of pollution load into Deep Bay.

9.9.11 To be in line with the rural setting which are mainly low-rise houses, scattered village houses and cultivated farmland, to minimize visual impact and to take into account the capacities of local road network and infrastructure in the area, development or redevelopment shall not result in a total development intensity in excess of a maximum plot ratio of 0.2 and a maximum building height of 3 storeys including car park.

9.9.12 An area near Yau Mei San Tsuen located to the south of Palm Springs is zoned “OU(CDWPA)”. The northern portion of this area comprises fish ponds which form an integral part of the Deep Bay wetland ecosystem. The southern portion of this area comprises mostly of cultivated land with some on-farm domestic structures and a few temporary structures.

9.9.13 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

“OU(Wetland Conservation Park)” (“OU(WCP)”) (Total Area 348.63 ha)

9.9.14 The planning intention of this zone is for development of a WCP, namely the SPS WCP, to conserve the wetlands with ecological/conservation

values and safeguard the integrity of the wetland systems; compensate for the impact on ecological and fisheries resources arising from the development of the STLMC area of the Technopole, thereby achieving ‘co-existence of development and conservation’; provide eco-education and eco-recreation facilities for the public; and promote scientific research on aquaculture and develop modernized aquaculture industry.

9.9.15 The zone includes the proposed SPS WCP recommended in AFCD’s WCP Study (as explained in paragraphs 7.1.3 and 7.1.4 above) and areas of wetland (about 10 ha) to the south-west of Lok Ma Chau Station which are existing compensatory wetlands. AFCD will be the sponsoring department for both parts of the wetland.

9.9.16 The detailed boundary and design of the SPS WCP are still subject to further studies by AFCD. Preliminarily, about 328 ha of the proposed area will be used for implementation of ecological and fisheries enhancement measures for the development at STLMC area of the Technopole (see details of the possible enhancement measures and examples in paragraph 7.1.5 above), while another 10 ha will be for eco-education, eco-recreation and eco-tourism facilities (see examples detailed in paragraph 7.1.4 above). According to the Environment and Ecology Bureau and AFCD, the SPS WCP will be developed in phases. The construction works of the first phase is expected to commence in 2026/2027 the earliest for completion in 2031. The Government’s target is to complete the works for the entire SPS WCP before or at the same time as the full operation of the Technopole (tentatively scheduled for 2039).

9.9.17 The area at Mai Po and Sam Po Shue to the north of Fairview Park and Palm Springs and to the west of proposed Technopole is zoned “OU(WCP)”. This area mainly comprises fish ponds which form an integral part of the Deep Bay Area wetland ecosystem.

9.9.18 Wetland conservation park (including its eco-education, eco-recreation and eco-tourism facilities, as well as other supporting uses and facilities) and fish pond culture are always permitted in the “OU(WCP)” zone. It is recognized that the SPS WCP will be developed in phases and the objectives of the zone will take time to materialize.

9.9.19 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.10 Conservation Area (“CA”) (Total Area 72.90 ha)

9.10.1 The planning intention of this zone is to conserve the ecological value of the wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area and function as a substantial source of food supply for birds and as an important habitat for roosting and foraging of waterbirds. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. “No-net-loss in wetland”

can refer to no decline in wetland or ecological functions served by the existing fish ponds. Fragmentation of continuous and contiguous fishpond habitats within the “CA” zone should be avoided.

9.10.2 The existing fish pond culture within this zone should be maintained and its continuous operation is encouraged. Conservation management activities which will enhance the overall Deep Bay wetland ecosystem are also promoted. The primary intention of this zone is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructural project with overriding public interest. Alternative beneficial uses to fish ponds such as nature reserve or wetland habitat are permitted as of right within the zone. For those developments which may be permitted on application to the Board, such application should be supported by an EcoIA and a management plan to demonstrate that the development would not result in any net loss in wetland function and negative disturbance impact. Such development should also be compatible with the conservation objectives of the wetland in the Deep Bay Area and should be appropriate as well as be able to enhance the visual and landscape quality of the area. Wetland compensation is required for any development involving pond filling and mitigation measures against any disturbance would be necessary. Certain uses/facilities that are of small scale or necessary to serve the local needs may also be considered on application to the Board.

9.10.3 This zone comprises the existing contiguous and continuous fish ponds to the south of MPNR and a section of the Shenzhen River adjacent to the northern part proposed SPS WCP.

9.10.4 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.11 Site of Special Scientific Interest (“SSSI”) (Total Area 376.96 ha)

9.11.1 The planning intention of this zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as SSSI. It intends to deter human activities or developments within the SSSI. There is a general presumption against development in this zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in the SSSI, to maintain and protect the existing character of the SSSI, or for educational and research purposes.

9.11.2 There are two SSSIs in the Area, namely the MPNR and the Mai Po Egret. Together with the Inner Deep Bay SSSI, which is located to the immediate west and south-west of the Area, these SSSIs form a comprehensive wetland system that is important to wildlife habitats in the Area and are of international importance. The MPNR SSSI

(excluding Lut Chau) covers an area of about 372 ha of which 55 per cent are gei wais and bunds, the rest being tidal creeks and mangroves. With this geographical and man-made setting, this SSSI provides a rich food source for thousands of migratory birds and nesting habitats for a number of species. The Mai Po Egrettry SSSI is located to the east of Mai Po Tsuen. It covers an area of about 5 ha of undisturbed woodland suitable for egrettry with a large concentration of egrets nesting and breeding in the woodland.

9.11.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

9.12 Site of Special Scientific Interest (1) (“SSSI(1)”) (Total Area 55.45 ha)

9.12.1 The planning intention of the “SSSI(1)” is to conserve the ecological value and function of the existing fish ponds within this zone and to deter development (other than those which are necessary to sustain or enhance the ecological value of the fish ponds within the zone or to serve educational or research purpose) within this zone.

9.12.2 New development or redevelopment should be in a comprehensive manner and would require planning permission from the Board under section 16 of the Ordinance. Alternative ecologically beneficial uses to existing fish ponds in the form of a nature reserve which would perform ecological functions similar to or better than the existing fish ponds and compatible with the conservation objectives of the wetland in Deep Bay Area may be considered on application to the Board under section 16 of the Ordinance.

9.12.3 Any application for permission under section 16 of the Ordinance should be in the form of a comprehensive wetland conservation and enhancement scheme to include a layout plan with supporting documents, including an environmental impact study report which should include, inter alia, an EcoIA and a VIA; as well as drainage impact study report. The wetland conservation and enhancement scheme should provide detailed design, wetland buffer proposals, a maintenance and management plan with details on implementation mechanism, arrangements of funding, and monitoring programme to ensure the long-term management of the wetland within the zone. The EcoIA should demonstrate that the development would not result in any decline in the wetland function of the original fish ponds within and near the zone.

9.12.4 Any development or redevelopment within the “SSSI(1)” zone on this Plan is required to be developed in a comprehensive and integrated manner with the “Other Specified Uses” annotated “Comprehensive Development and Wetland Enhancement Area 1” (“OU(CDWEA1)”) zone on the Nam Sang Wai OZP. An applicant for development or redevelopment in the “SSSI(1)” zone is required to submit a layout plan with supporting documents and a wetland conservation and enhancement scheme which should provide details on the management

and monitoring plan as well as implementation mechanism for both the whole of “SSSI(1)” zone and the whole of said “OU(CDWEA1)” zone for the consideration of the Board under section 16 of the Ordinance.

- 9.12.5 This zone comprises the existing contiguous and continuous, active or abandoned, fish ponds and gei wais at Lut Chau to the south of MPNR which are part of the SSSI.
- 9.12.6 The “SSSI(1)” zone on this Plan and the “OU(CDWEA1)” zone on Nam Sang Wai OZP are to primarily facilitate the proposed residential development at Nam Sang Wai with a nature reserve at Lut Chau in Mai Po allowed by the Town Planning Appeal Board in 1994 and upheld by the Privy Council in 1996, taking into account the Town Planning Board Guidelines for “Applications for Development within Deep Bay Area”. The proposed nature reserve at Lut Chau should form part of the above development at Nam Sang Wai.
- 9.12.7 As filling of land/pond and excavation of land may cause adverse drainage impacts on the areas and adverse impacts on the environment, permission from the Board is required for such activities.

10. TRANSPORT AND COMMUNICATION

10.1 Road Network

- 10.1.1 San Tin Highway, as part of Route 9 (i.e. New Territories Circular Route), is an expressway connecting the Area to various districts in New Territories, such as Yuen Long and Lok Ma Chau. Castle Peak Road, which is an important local distributor connecting to San Tin Highway, provides pedestrian and secondary vehicular access. Fairview Park Boulevard, Royal Palms Boulevard and Kam Pok Road provide vehicular link from Castle Peak Road to Fairview Park, Palm Springs and Royal Palms. Further away from Mai Po, Tsing Long Highway is a main trunk road which connects NWNT with the urban area.
- 10.1.2 Village settlements within the Area are linked up by sub-standard tracks which will be improved or upgraded whenever possible and whenever there is such need under the Rural Public Works. Apart from the Rural Public Works, such sub-standard tracks may also be improved or upgraded by other Government’s works programmes when appropriate.

10.2 Railway

The proposed Northern Link Main Line will run to the east of the Area with intermediate stations at Ngau Tam Mei and San Tin. This railway is planned at provide interchange service with the existing Tuen Ma Line and East Rail Line at Kam Sheung Road Station and Kwu Tung Station respectively connecting to the metro areas of Hong Kong.

10.3 Public Transport

Apart from bus and public light bus services operating between Yuen Long and Sheung Shui New Towns through the Area, there are several green minibus routes serving the Area and its neighbourhoods. Other shuttle buses are also being operated from Fairview Park, Palm Springs and Royal Palms to other parts of the Territory.

11. UTILITY SERVICES

11.1 Water Supply

The capacity of the existing water treatment works available in the NWNT has already been fully committed. Further treatment works capacity, if required, will be made available from the future extension to Ngau Tam Mei Water Treatment Works.

11.2 Sewerage and Sewage Treatment

11.2.1 At present, there is no public sewer serving the Area. There are however private sewerage systems serving residential developments which include Fairview Park, Palm Springs and Royal Palms.

11.2.2 Private residential developments in the Area must contain suitable and satisfactory on-site sewage treatment facilities to achieve the requirements of “no-net-increase in pollution load to Deep Bay” and make connections to a public sewer once it is in place.

11.3 Electricity

The Area has long been supplied with electricity. The electricity supply is reinforced by the 132 kV network.

11.4 Gas

Whilst gas pipes have already been laid from Tai Po to Yuen Long along San Tin Highway, Fairview Park basically relies on bottled gas. Piped gas supply has been made available in the Area by the pressure reduction station at Fairview Park Boulevard.

12. CULTURAL HERITAGE

12.1 Within the boundary of the Area, there is a graded historic building, namely MacIntosh Fort (Pak Hok Chau). The list of graded buildings will be updated from time to time.

12.2 On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 buildings, and accorded grading to some buildings/structures within the Area. The AAB also released a number of new items pending grading

assessment by the AAB. Details of the list of 1,444 buildings and the new items have been uploaded onto the official website of AAB at <https://www.aab.gov.hk/en/historic-buildings/results-of-the-assessment/index.html>.

- 12.3 Prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau should be made, if any works, development, redevelopment or rezoning proposals may affect declared monuments, proposed monuments, historic buildings and sites graded by AAB, site of archaeological interest, or Government historic sites identified by AMO; the new items mentioned in 12.2 above; or any other buildings/structures identified with heritage value, both at grade and underground, and their immediate environs. Information of the declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest and Government historic sites identified by AMO are available on the website of AMO: <https://www.amo.gov.hk/en/historic-buildings/hia/index.html>.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land use framework for development control and implementation of planning proposals. 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 The provision of infrastructure, e.g. road widening and laying of services, will be implemented through the Public Works Programme and the Rural Public Works 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 zoned use indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted development and uses within the Area are listed in the Notes of the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses 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 relevant IDPA plans 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 an 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 the planning applications, will take into account all relevant planning considerations which may include departmental outline development plans and layout plans, and guidelines published by the Board. The outline development plans and layout plans are available for public inspection at the Planning Department. 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 applications can be downloaded from the Board's website and are available from the Secretariat of the Board, and the Technical Services Division and relevant District Planning Offices 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 17 August 1990 on land included in the plans of the Mai Po and Fairview Park IDPA, Nam Sang Wai IDPA and San Tin IDPA may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond and 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.