

RURAL AND NEW TOWN PLANNING COMMITTEE OF THE TOWN PLANNING BOARD

**RNTPC Paper No. 12/14
For Consideration by the
Rural and New Town Planning Committee on 17.10.2014**

**PROPOSED AMENDEMTNS TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN NO. S/NE-SSH/9**

**PROPOSED AMENDMENTS TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN NO. S/NE-SSH/9**

1. Introduction

This paper is to seek Members' agreement that:

- (a) the proposed amendments to the approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/9 as shown on the draft OZP No. S/NE-SSH/9B (**Attachment II**) and its Notes (**Attachment III**) are suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) the revised Explanatory Statement (ES) of the draft OZP (**Attachment IV**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the OZP and is suitable to be published together with the draft OZP and its Notes.

2. Status of the Current OZP

- 2.1 On 2.12.2008, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Shap Sz Heung OZP, which was subsequently renumbered as S/NE-SSH/9. On 12.12.2008, the approved Shap Sz Heung OZP No. S/NE-SSH/9 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.2 On 18.2.2014, the CE in C referred the approved Shap Sz Heung OZP No. S/NE-SSH/9 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 28.2.2014 under section 12(2) of the Ordinance.

3. The Proposed Amendment

- 3.1 On 9.11.2012 and 19.7.2013, the Rural and New Town Planning Committee (the Committee) of the Board agreed to two s.12A applications (No. Y/NE-SSH/1 and 2 respectively) for rezoning an area (with a total area of about 98m²) located on the northern periphery of Kei Ling Ha Lo Wai from "Conservation Area" ("CA") to "Village Type Development" ("V") for house developments permitted under the leases.
- 3.2 The subject area, consisting two building lots (part), is adjoining the "V" zone of Kei Ling Ha Lo Wai and has building entitlement for residential building developments of not more than 2 storeys or 25 feet (7.62m). The Committee noted that there was no

provision under the Notes of the “CA” zone for house development and rezoning the area from “CA” to “V” would be required to allow development of houses as permitted under the lease. The Committee considered that unless there is an overriding public need, it was the Committee’s usual practice to respect the development right of a landowner. In view of the unique planning circumstances, the Committee agreed to the two rezoning applications.

- 3.3 It is proposed to rezone the area to “V” to take forward the decision of the Board. Minor technical amendment would also be incorporated to rationalise the zoning boundaries (**Plans 1a to 2**).

4. **Proposed Amendment to Matters Shown on the Plan**

The following proposed amendment to the approved OZP is shown on the draft Shap Sz Heung OZP No. S/NE-SSH/9B (**Attachment II**):

- (a) **Amendment Item A** – Rezoning an area of about 103m² from “CA” to “V”

5. **Proposed Amendments to the Notes of the Approved Shap Sz Heung OZP**

There is no proposed amendment to the Notes of the OZP in association with Amendment Item A. Technical amendments to update the Notes have been included and are shown in **Attachment III** (with additions in *bold and italics* and deletions in ~~crossed-out~~).

6. **Proposed Amendments to the Explanatory Statement of the OZP**

- 6.1 The ES of the OZP is proposed to be revised to reflect the proposed amendments and changing circumstances as appropriate. Opportunity has also been taken to update the general information for the various land use zones to reflect the latest status and planning circumstances of the OZP.
- 6.2 Copy of the revised ES (with additions in *bold and italics* and deletions in ~~crossed out~~) is attached at **Attachment IV** for Members’ consideration.

7. **Plan Number**

Upon gazetting, the OZP will be re-numbered as S/NE-SSH/10.

8. **Consultation**

Departmental Consultation

- 8.1 The following Government bureaux/departments have been consulted and have no objection to/no adverse comment on the proposed amendments to the OZP. Their

comments have been duly incorporated into the amendments, Notes and ES of the OZP, where appropriate:

- District Lands Officer/Tai Po, Lands Department
- Commissioner for Transport
- Director of Environmental Protection
- Chief Engineer/Mainland North, Drainage Services Department
- Director of Agriculture, Fisheries and Conservation
- Chief Town Planner/Urban Design and Landscape, Planning Department
- Director of Fire Services
- District Officer/Tai Po, Home Affairs Department
- Director of Electrical and Mechanical Services
- Head of Geotechnical Engineering Office, Civil Engineering and Development Department
- Chief Engineer/Development(2), Water Supplies Department
- Project Manager/New Territories East, Civil Engineering and Development Department

Consultation with Rural Committee and District Council

- 8.2 The Tai Po District Council (TPDC) (or its sub-committee) and Sai Kung North Rural Committee will be consulted on the proposed amendment during the exhibition period of the draft Shap Sz Heung OZP No. S/NE-SSH/9B (to be renumbered to S/NE-SSH/10 upon exhibition) for public inspection under section 5 of the Ordinance (i.e. after the gazettal of the draft plan).

9. Decision Sought

Members are invited to:

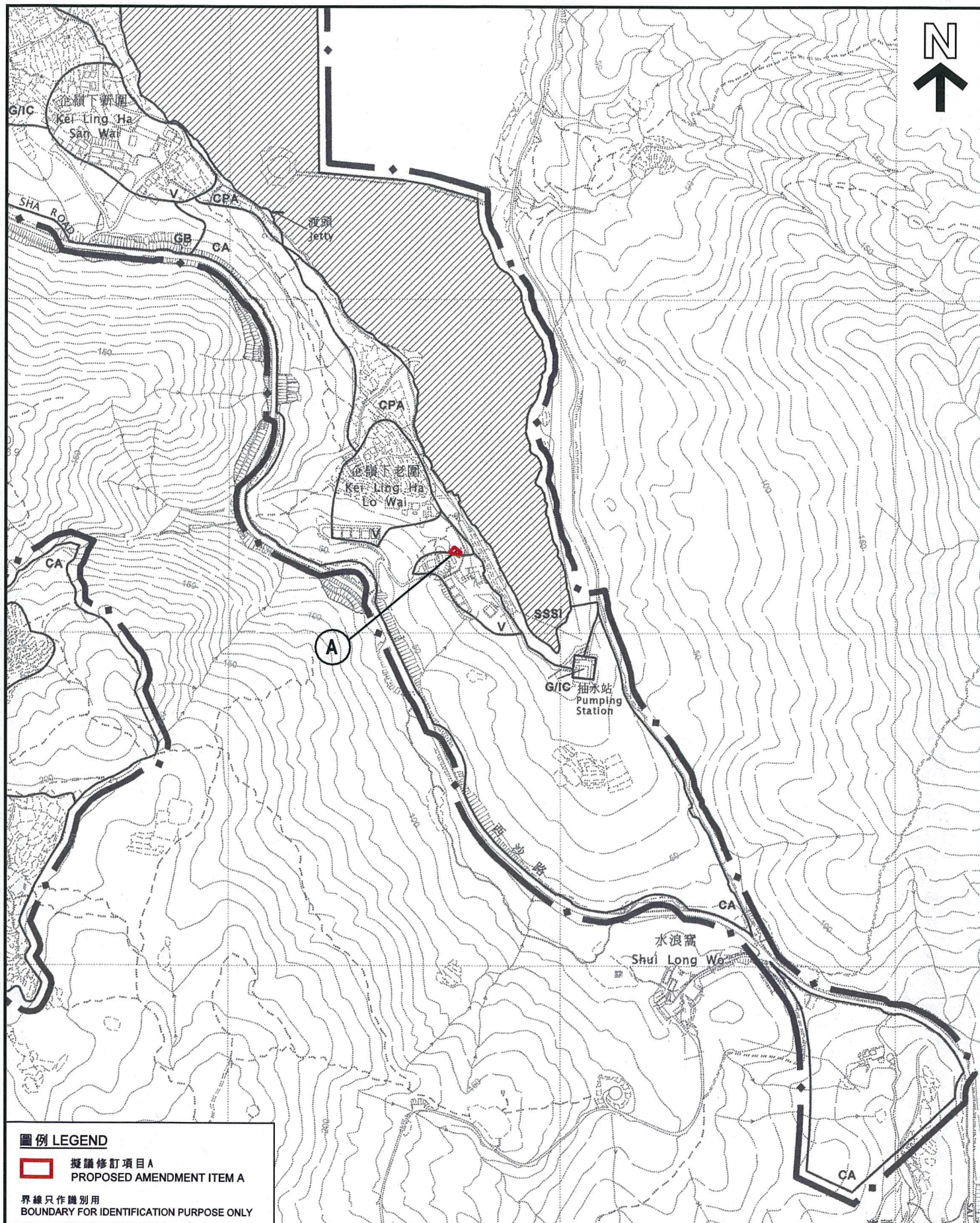
- (a) agree to the proposed amendments to the approved Shap Sz Heung OZP No. S/NE-SSH/9 as described in paragraphs 4 and 5 above and that the draft Shap Sz Heung OZP No. S/NE-SSH/9B at **Attachment II** (to be renumbered to S/NE-SSH/10 upon exhibition) and its Notes at **Attachment III** are suitable for exhibition under section 5 of the Ordinance;
- (b) adopt the revised ES at **Attachment IV** for the draft Shap Sz Heung OZP No. S/NE-SSH/9B as an expression of the planning intentions and objectives of the Board for various land use zones on the OZP; and
- (c) agree that the revised ES is suitable for exhibition together with the draft Shap Sz Heung OZP No. S/NE-SSH/9B (to be renumbered as S/NE-SSH/10 upon exhibition) and issued under the name of the Board together with the OZP.

Attachments

- | | |
|--------------------------|---|
| Plans 1a & 1b | Location plan and comparison of existing OZP to the proposed Amendment Item A |
|--------------------------|---|

Plan 2	Site Plan
Plan 3	Aerial photo with the proposed Amendment Item A
Plan 4	Site photos
Attachment I	Approved Shap Sz Heung OZP No. S/NE-SSH/9 (reduced size)
Attachment II	Draft Shap Sz Heung OZP No. S/NE-SSH/9B
Attachment III	Revised Notes of the Draft Shap Sz Heung OZP No. S/NE-SSH/9B
Attachment IV	Revised Explanatory Statement of the Draft Shap Sz Heung OZP No. S/NE-SSH/9B

**PLANNING DEPARTMENT
OCTOBER 2014**



圖例 LEGEND

- 擬議修訂項目A
PROPOSED AMENDMENT ITEM A
- 界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

本摘要圖於2014年9月17日擬備，
所根據的資料為於2008年12月2日核准的
分區計劃大綱圖編號S/NE-SSH/9

EXTRACT PLAN PREPARED ON 17.9.2014
BASED ON OUTLINE ZONING PLAN
No. S/NE-SSH/9 APPROVED ON 2.12.2008

擬議修訂
十四鄉分區計劃大綱核准圖編號S/NE-SSH/9
PROPOSED AMENDMENT TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN
No. S/NE-SSH/9

SCALE 1:7 500 比例尺
米 100 0 100 200 300 米
METRES

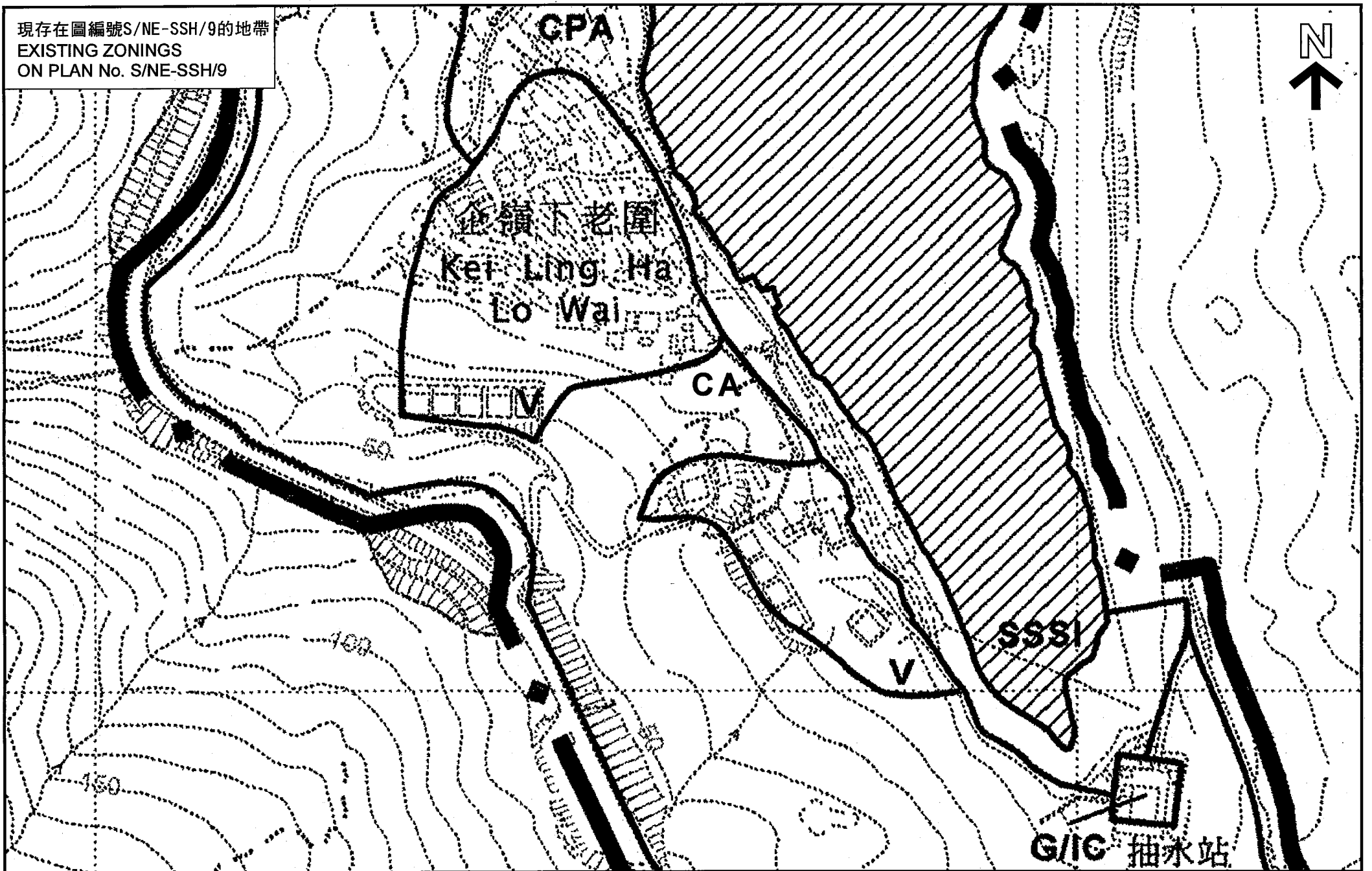
規劃署
PLANNING
DEPARTMENT



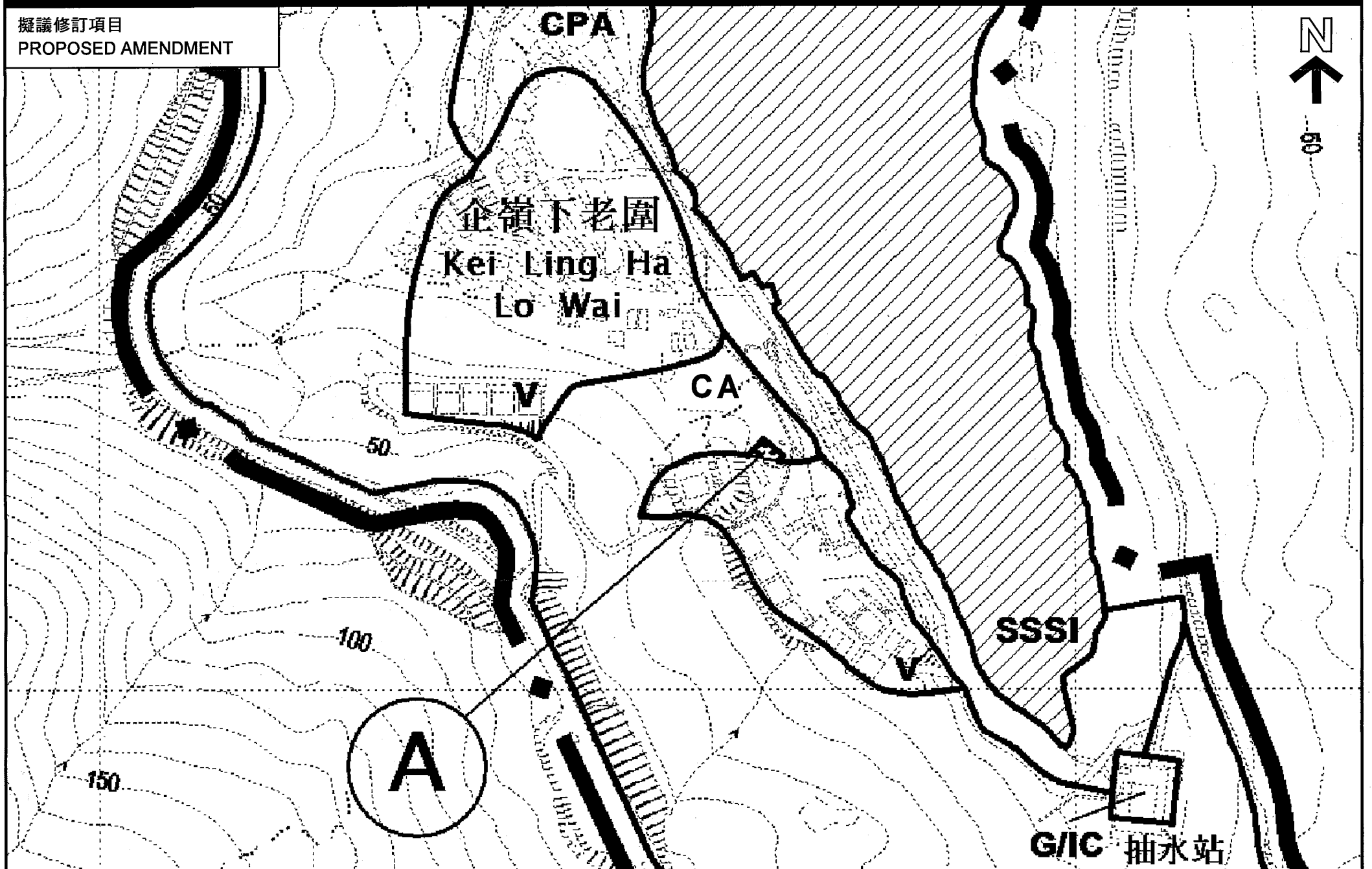
參考編號
REFERENCE No.
M/NE/13/230B

圖 PLAN
1a

現存在圖編號S/NE-SSH/9的地帶
EXISTING ZONINGS
ON PLAN No. S/NE-SSH/9



擬議修訂項目
PROPOSED AMENDMENT



本摘要圖於2014年9月17日擬備
EXTRACT PLAN PREPARED ON 17.9.2014

擬議修訂
十四鄉分區計劃大綱核准圖編號S/NE-SSH/9
PROPOSED AMENDMENT TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN No. S/NE-SSH/9

SCALE 1:2 500 比例尺
0 50 100
米 METRES

PLANNING
DEPARTMENT

參考編號
REFERENCE No.
M/NE/13/230B

圖 PLAN
1b



圖例 LEGEND

- 項目 ITEM A
擬議由「自然保育區」地帶
修訂為「鄉村式發展」地帶
PROPOSED FROM "CA"
TO "V" ZONE
- V** 鄉村式發展
VILLAGE TYPE DEVELOPMENT
- CA** 自然保育區
CONSERVATION AREA
- CPA** 海岸保護區
COASTAL PROTECTION AREA
- SSSI** 具特殊科學價值地點
SITE OF SPECIAL SCIENTIFIC
INTEREST
- ①** 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

平面圖 SITE PLAN

本摘要圖於2014年9月17日擬備，
所根據的資料為測量圖編號8-NW-21D
EXTRACT PLAN PREPARED ON 17.9.2014
BASED ON SURVEY SHEET No. 8-NW-21D

擬議修訂
十四鄉分區計劃大綱核准圖編號S/NE-SSH/9
PROPOSED AMENDMENT TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN
No. S/NE-SSH/9

SCALE 1: 500 比例尺
0 10 20 米 METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/13/230B

圖 PLAN
2



圖例 LEGEND



項目 ITEM A
擬議由「自然保育區」地帶
修訂為「鄉村式發展」地帶
PROPOSED FROM "CA" TO "V" ZONE
(界線只作識別用)
(BOUNDARY FOR IDENTIFICATION
PURPOSE ONLY)

本摘要圖於2014年9月17日擬備，
所根據的資料為地政總署
於2014年3月23日拍得的航攝照片
編號CS49899
EXTRACT PLAN PREPARED ON 17.9.2014
BASED ON AERIAL PHOTO No. CS49899
TAKEN ON 23.3.2014 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

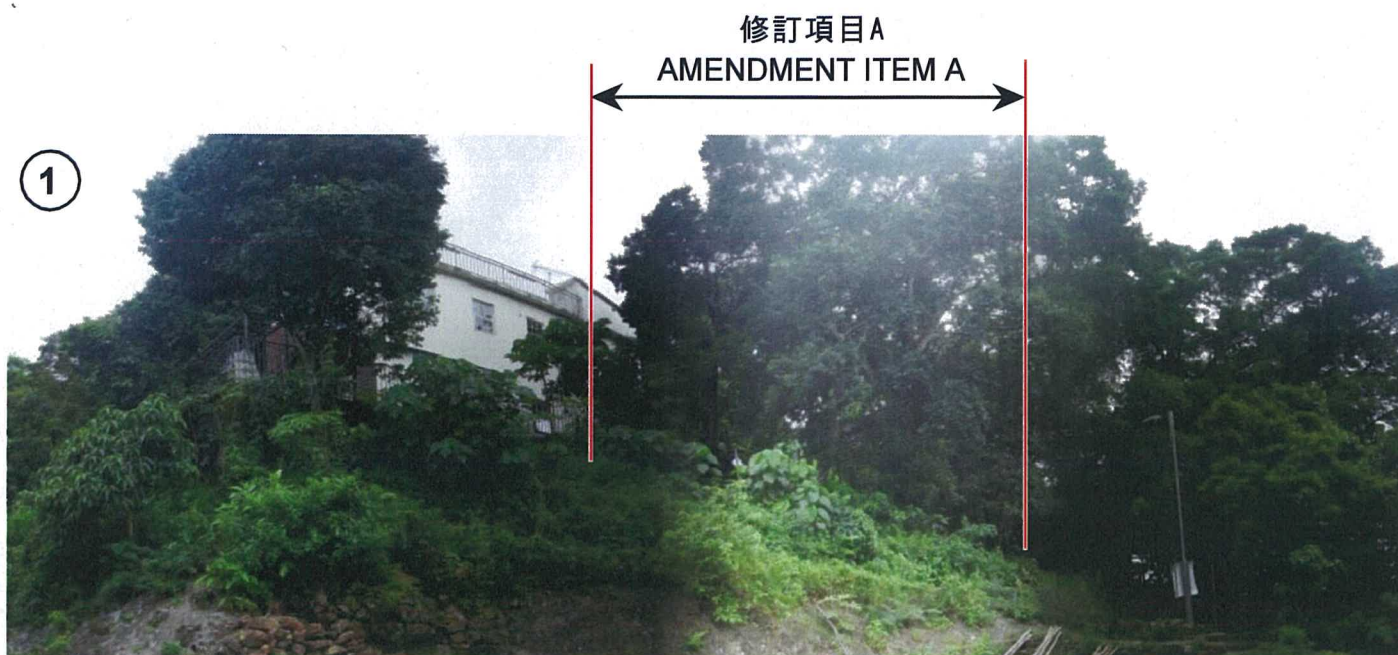
擬議修訂
十四鄉分區計劃大綱核准圖編號S/NE-SSH/9
PROPOSED AMENDMENT TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN
No. S/NE-SSH/9

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/13/230B

圖 PLAN
3



實地照片 SITE PHOTOS

本圖於2014年9月17日擬備，所根據的資料為攝於2013年5月10日的實地照片
PLAN PREPARED ON 17.9.2014 BASED ON SITE PHOTOS TAKEN ON 10.5.2013

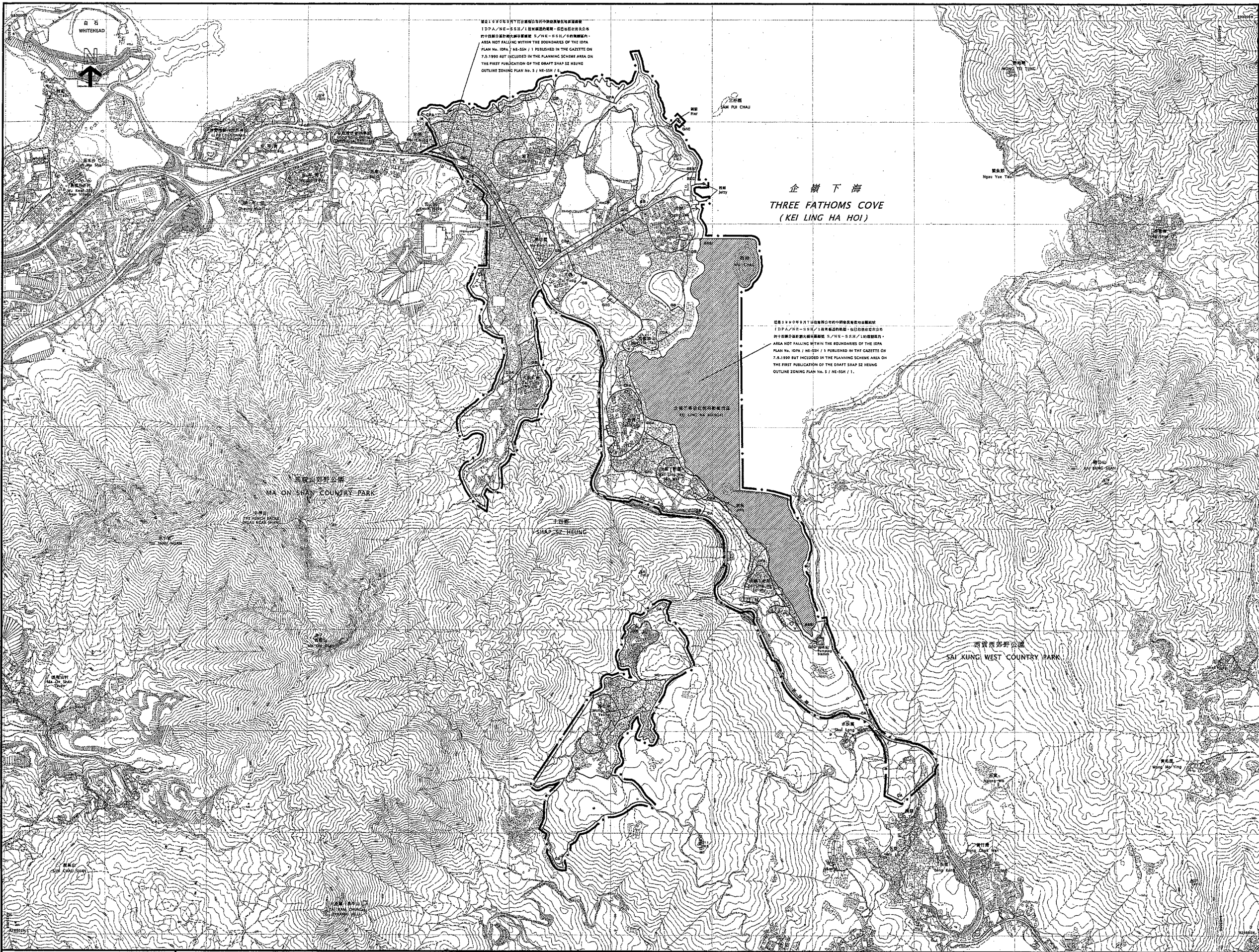
擬議修訂
十四鄉分區計劃大綱核准圖編號S/NE-SSH/9
PROPOSED AMENDMENT TO
THE APPROVED SHAP SZ HEUNG OUTLINE ZONING PLAN
No. S/NE-SSH/9

規 劃 署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
M/NE/13/230B

圖 PLAN
4



圖例
NOTATION

ZONES		地帶
COMPREHENSIVE DEVELOPMENT AREA	CDA	綜合發展區
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
OPEN SPACE	O	休憩用地
RECREATION	REC	康樂
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COASTAL PROTECTION AREA	CDA	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	SSSI	具特殊科學價值地點

COMMUNICATIONS	交通
MAJOR ROAD AND JUNCTION	主要道路及路口

MISCELLANEOUS	其他
BOUNDARY OF PLANNING SCHEME	規劃範圍界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

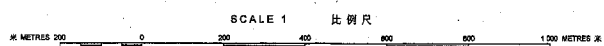
USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	%	
COMPREHENSIVE DEVELOPMENT AREA	64.68	22.34	綜合發展區
VILLAGE TYPE DEVELOPMENT	33.70	11.06	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	6.26	2.17	政府、機構或社區
OPEN SPACE	0.78	0.26	休憩用地
RECREATION	2.42	0.84	康樂
GREEN BELT	47.32	16.40	綠化地帶
CONSERVATION AREA	66.68	19.64	自然保育區
COASTAL PROTECTION AREA	15.42	5.34	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	57.36	19.88	具特殊科學價值地點
MAJOR ROAD ETC.	4.18	1.45	主要道路等
TOTAL PLANNING SCHEME AREA	288.57	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

行政局會同行政會議於2008年12月2日 根據城市規劃條例第9(1)(a)條核准的圖則
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON 2 DECEMBER 2008

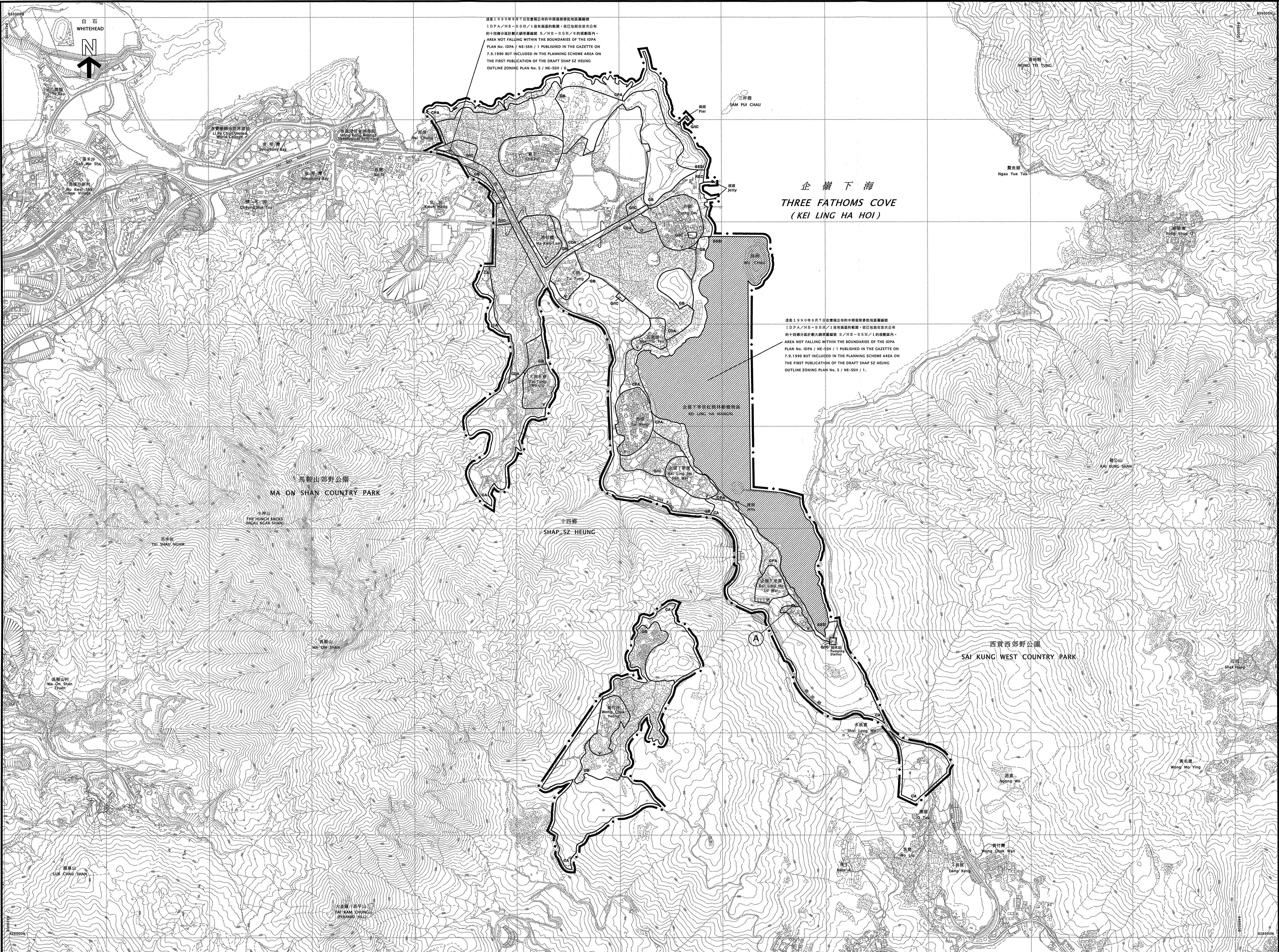
Me Manda CHAN 陳詠雯女士
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

香港城市規劃委員會依據城市規劃條例擬備的十四鄉分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SHAP SZ HEUNG - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/NE-SSH/9



圖例
NOTATION

ZONES		地帶
COMPREHENSIVE DEVELOPMENT AREA	CDA	綜合發展區
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
OPEN SPACE	O	休憩用地
RECREATION	REC	康樂
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COASTAL PROTECTION AREA	CPA	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	SSSI	具特殊科學價值地點
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分比	
COMPREHENSIVE DEVELOPMENT AREA	64.48	22.34	綜合發展區
VILLAGE TYPE DEVELOPMENT	33.71	11.68	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	6.25	2.17	政府、機構或社區
OPEN SPACE	0.76	0.26	休憩用地
RECREATION	2.42	0.84	康樂
GREEN BELT	47.32	16.40	綠化地帶
CONSERVATION AREA	56.67	19.64	自然保育區
COASTAL PROTECTION AREA	15.42	5.34	海岸保護區
SITE OF SPECIAL SCIENTIFIC INTEREST	57.36	19.88	具特殊科學價值地點
MAJOR ROAD ETC.	4.18	1.45	主要道路等
TOTAL PLANNING SCHEME AREA	288.57	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分，
現經修訂並按照城市規劃條例第 5 條展示。
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN
AND HAVE BEEN AMENDED FOR EXHIBITION UNDER
SECTION 5 OF THE TOWN PLANNING ORDINANCE

核准圖編號 S/NE-SSH/9 的修訂
AMENDMENT TO APPROVED PLAN No. S/NE-SSH/9

AMENDMENT EXHIBITED UNDER SECTION 5
OF THE TOWN PLANNING ORDINANCE

按照城市規劃條例第 5 條
展示的修訂

AMENDMENT ITEM A

(參看附表)
(SEE ATTACHED SCHEDULE)

香港城市規劃委員會依據城市規劃條例擬備的十四鄉分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
SHAP SZ HEUNG - OUTLINE ZONING PLAN

SCALE 1:7500 比例尺
METRES 200 0 200 400 600 800 1000 METRES 米

圖則編號
PLAN No. S/NE-SSH/9B

規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD



APPROVED DRAFT SHAP SZ HEUNG OUTLINE ZONING PLAN NO. S/NE-SSH/9B(Being an ~~Approved~~ *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 a draft plan including interim development permission area plan covering any such land or building 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 interim development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the interim development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without permission from the Town Planning Board.

- (6) Except to the extent that paragraph (4) applies, any use or development of land or building falling within the boundaries of the Plan but not within the boundaries of the interim development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date when such land or building was first included within the boundaries of the Plan or an earlier draft or approved outline zoning plan published by notice in the Gazette without permission from the Town Planning Board.
- (7) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (8) Road junctions, alignment of roads, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (9) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (10) in relation to areas zoned "Site of Special Scientific Interest" or "Conservation Area" or "Coastal Protection Area":
 - (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of a draft plan including interim development permission area plan covering such building, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.

(10) In areas zoned “Site of Special Scientific Interest” or “Conservation Area” or “Coastal Protection Area”,

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

- (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
- (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
- (iii) provision of amenity planting by Government; and

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

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

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

road and on-street vehicle park.

(12) (a) Except in areas zoned “Site of Special Scientific Interest” or “Conservation Area” or “Coastal Protection Area”, temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below :

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

(b) Except as otherwise provided in paragraph 12(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned “Site of Special Scientific Interest” or “Conservation Area” or “Coastal Protection Area”, temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.
- (13) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (14) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

“Existing building” means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

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

APPROVED DRAFT SHAP SZ HEUNG OUTLINE ZONING PLAN NO.
S/NE-SSH/9B

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COMPREHENSIVE DEVELOPMENT AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Agricultural Use (Plant Nursery only) Eating Place Educational Institution Flat Golf Course Government Refuse Collection Point Government Use (not elsewhere specified) Hotel House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Library Market Off-course Betting Centre Office Open Space (Playground/Playing Field only) Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution Rural Committee/Village Office School Shop and Services Social Welfare Facility Utility Installation for Private Project

Planning Intention

This zone is intended for comprehensive development of the area for residential, commercial and recreational uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks

- (a) Pursuant to section 4A(2) of the Town Planning Ordinance, and except as otherwise expressly provided that it is not required by the Town Planning Board, an applicant for permission for development on land designated "Comprehensive Development Area" shall prepare a Master Layout Plan for the approval of the Town Planning Board and include therein the following information :
- (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings to be erected in the area;
 - (ii) the proposed total site area and gross floor area for various uses, total number of flats and flat size, where applicable;
 - (iii) the details and extent of Government, institution or community (GIC) and recreational facilities, public transport and parking facilities, and open space to be provided within the area;
 - (iv) the alignment, widths and levels of any roads proposed to be constructed within the area;
 - (v) the landscape and urban design proposals within the area;
 - (vi) programmes of development in detail;
 - (vii) an environmental assessment report to examine any possible environmental problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
 - (viii) a drainage and sewerage impact assessment report to examine any possible drainage and sewerage problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (ix) a traffic impact assessment report to examine any possible traffic problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (x) a hazard assessment report to examine any potential risk from the nearby Ma On Shan Water Treatment Works and the proposed mitigation measures to tackle them; and
 - (xi) such other information as may be required by the Town Planning Board.
- (b) The Master Layout Plan should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, major development parameters, design population, types of GIC facilities, and recreational and open space facilities.

(Please see next page)

COMPREHENSIVE DEVELOPMENT AREA (Cont'd)

Remarks (Cont'd)

- (c) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area of 448,576m², a maximum gross floor area of 8,957m² for residents' club, a maximum gross floor area of 9,290m² for commercial facilities including kindergarten/nursery and church, and a maximum building height of 24 residential storeys over one storey of residential entrance lobby and a maximum 3 levels for ancillary car park, if the residential building is constructed above the car park.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area/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 gross floor area 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 or caretaker's office and caretaker's quarters, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

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 Use (Police Reporting Centre, Post Office only) House (New Territories Exempted House only) On-Farm Domestic Structure Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Burial Ground Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) # House (not elsewhere specified) Institutional Use (not elsewhere specified) # 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) Religious Institution (not elsewhere specified) # Residential Institution # School # Shop and Services Social Welfare Facility # Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

Eating Place
 Library
 School
 Shop and Services

Planning Intention

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

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p>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 Pier 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</p>	<p>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 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 Refuse Disposal Installation (Refuse Transfer Station only) Residential Institution Sewage Treatment/Screening Plant Shop and Services Utility Installation for Private Project Zoo</p>

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

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 public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

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 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) Marina Pier 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.

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/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.

GREEN BELT

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

Planning Intention

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

(Please see next page)

GREEN BELT (Cont'd)

Remarks

Any filling 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 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 Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Tent Camping Ground Utility Installation for Private Project

Planning Intention

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

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

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 plan.
- (b) Any filling 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 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

COASTAL PROTECTION AREA

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

Planning Intention

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

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

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 plan.
- (b) Any filling 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 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

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

- (a) On land falling within the boundaries of the interim development permission area plan, any filling 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 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (b) On land not falling within the boundaries of the interim development permission area plan, any filling 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 first outline zoning plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

~~APPROVED DRAFT~~ SHAP SZ HEUNG
OUTLINE ZONING PLAN NO. S/NE-SSH/9B

EXPLANATORY STATEMENT

APPROVED DRAFT SHAP SZ HEUNG OUTLINE ZONING PLAN NO.
S/NE-SSH/9B

EXPLANATORY STATEMENT

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APPROVED DRAFT SHAP SZ HEUNG OUTLINE ZONING PLAN NO. S/NE-SSH/9B

(Being an Approved *Draft* Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the approved *draft* Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/9B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 The land within the Shap Sz Heung OZP except the "Site of Special Scientific Interest" for Kei Ling Ha Mangal and a piece of land zoned "Government, Institution or Community" near Nai Chung Village, was previously included in the draft Shap Sz Heung Interim Development Permission Area (IDPA) Plan No. IDPA/NE-SSH/1 which was prepared by the Director of Planning and notified in the Gazette on 7 September 1990. The land within the IDPA Plan was subsequently included in the draft Shap Sz Heung Development Permission Area (DPA) Plan No. DPA/NE-SSH/1 which was prepared by the Board and notified in the Gazette on 12 July 1991.
- 2.2 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 Town Planning Ordinance (the Ordinance) to prepare an OZP for the area of Shap Sz Heung.
- 2.3 On 20 April 1994, under the power delegated by the then Governor, the then Secretary for Planning, Environment and Lands directed the Board to extend the boundary extension of the draft Shap Sz Heung OZP to cover Kei Ling Ha Mangal, a designated Site of Special Scientific Interest located in the south-western part of Three Fathoms Cove (Kei Ling Ha Hoi).
- 2.4 On 1 July 1994, the draft Shap Sz Heung OZP No. S/NE-SSH/1 was exhibited for public inspection under section 5 of the Ordinance. Since the exhibition of the draft Shap Sz Heung OZP No. S/NE-SSH/1, the OZP has been amended and exhibited several times to reflect the changing circumstances.
- 2.5 On 19 June 2001, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Shap Sz Heung OZP, which was subsequently renumbered as S/NE-SSH/5. On 8 July 2003, the CE in C referred the approved OZP to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. Since then, the OZP had been amended once and exhibited for public inspection under section 5 of the Ordinance.

- 2.6 On 6 October 2003, under the power delegated by the CE, the then Secretary for Housing, Planning and Lands directed the Board under section 3(1)(a) of the Ordinance to include an area near Nai Chung Village into the planning scheme boundary of the Shap Sz Heung OZP.
- 2.7 On 7 December 2004, the CE in C under section 9(1)(a) of the Ordinance, approved the draft Shap Sz Heung OZP, which was subsequently renumbered as S/NE-SSH/7. On 17 December 2004, the approved Shap Sz Heung OZP No. S/NE-SSH/7 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 On 19 February 2008, the CE in C referred the approved Shap Sz Heung OZP No. S/NE-SSH/7 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 14 March 2008 under section 12(2) of the Ordinance.
- 2.9 On 13 June 2008, the draft Shap Sz Heung OZP No. S/NE-SSH/8, incorporating mainly amendments to the Notes of the "Comprehensive Development Area" zone in respect of the development restrictions, was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, no representation was received.
- 2.10 On 2 December 2008, the CE in C under section 9(1)(a) of the Ordinance, approved the draft Shap Sz Heung OZP, which was subsequently renumbered as S/NE-SSH/9. On 12 December 2008, the approved Shap Sz Heung OZP No. S/NE-SSH/9 (~~the Plan~~) was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.11 *On 18 February 2014, the CE in C referred the approved Shap Sz Heung OZP No. S/NE-SSH/9 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 28 February 2014 under section 12(2) of the Ordinance.*
- 2.12 *On xx October 2014, the draft Shap Sz Heung OZP No. S/NE-SSH/10 (the Plan), incorporating an amendment to rezone an area at Kei Ling Ha Lo Wai from "Conservation Area" to "Village Type Development" was exhibited for public inspection under section 5 of the Ordinance.*

3. **OBJECT OF THE PLAN**

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Shap Sz Heung so that development and redevelopment within the area of Shap Sz Heung 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 planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

- 3.3 Since the Plan is to show broad land use zonings, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculations. Development within zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Shap Sz Heung area and not to overload the road network in this area.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land-use planning and control of development to meet the 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.info.gov.hk/tpb/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) covered by the Plan is about 289 hectares. It is bounded by Three Fathoms Cove in the north and east, Sai Kung West Country Park in the southeast, lower slopes of Ma On Shan and Sai Sha Road in the west. Wong Chuk Yeung which is located to the south of the Area is enclosed by the Ma On Shan Country Park. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 The Area is predominantly rural in character and can be divided into two physical areas, namely Shap Sz Heung Lowland and Wong Chuk Yeung. Shap Sz Heung Lowland is basically a piece of relatively flat alluvial plain which is more extensive in the northern part than the southern part and is sandwiched between Three Fathoms Cove to the east and the lower foot slopes of Ma On Shan to the west. Wong Chuk Yeung is detached from the coastal lowland with a large piece of relatively flat alluvial plain at +200mPD.
- 5.3 The existing predominant use in the Area is village development which is mainly located on the alluvial plain. There are two sites of archaeological interest falling within two villages of the Area. They are Che Ha Archaeological Site and Tai Tung Archaeological Site. Upon completion of the proposed residential development in the "Comprehensive Development Area" zone, the predominant uses of the Area will be residential intermixed with recreation and village developments.

6. POPULATION

According to the ~~2011~~ 2006 By-Census, the total population within the Area was about ~~5,400~~6,900 persons. It is expected that the total planned population of the Area would be about ~~20,600~~19,100 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Locational Advantage

Due to the proximity of the Area to Sha Tin and Ma On Shan new towns, the Area can share using some of the major facilities and infrastructure provided in the new towns. Likewise, the Area can provide opportunities for the provision of rural recreational facilities for the new town residents. The Area has good potential to be developed as a water transport node mainly to cater for recreational trips in view of its availability of marine access and relatively short nautical distance to Sai Kung West Peninsula.

7.1.2 Pleasant Natural Landscape and Topography

The surrounding hilly backdrop of Ma On Shan and Sai Kung West Country Parks, the scenic view of Three Fathoms Cove and the natural rural landscape of the Area have created a pleasant environment for various types of recreational developments, particularly water sports activities. The availability of a large piece of flat land of good accessibility in northern Shap Sz Heung can provide a land base for a variety of recreational developments as well as residential developments which would be compatible with the adjoining natural and village environment.

7.2 Constraints

7.2.1 Geotechnical Constraints

According to the Geotechnical Land Use Map (GLUM) as contained in the Geotechnical Area Studies Programme Report IX, the Area mainly falls within GLUM Class II and is of moderate to low suitability for development. There are very few physical constraints to development except potential flooding and high groundwater levels. The depth of weathered rock on the low angle side slopes and the unconsolidated sediments of floodplain may require deep foundations.

7.2.2 Flooding Risk

According to the Territorial Land Drainage and Flood Control Strategy Study - Phase I, Shap Sz Heung Lowland is subject to overland flow and inundation during heavy rainfall. Some of the streams are also subject to large flows after heavy rainfall. The drainage impacts of any proposed developments need to be properly assessed and proper drainage mitigation measures should be identified for implementation in conjunction with these developments in order to avoid aggravating flooding risk in the Area. ***Drainage Impact Assessment should be submitted to Drainage Services Department for comment and approval as required at planning stage to evaluate flooding risks and to plan adequate drainage systems/provision for the development and associated areas.***

7.2.3 Capacity of External Transportation Link

External transportation link to the Metroplan area would be via either the main transport network of Sha Tin/Ma On Shan in the west or that of Sai Kung in the east. As development in Sha Tin/Ma On Shan and Sai Kung progresses, the overall capacity of these external links is approaching a saturated level which significantly constrains the development capacity of the Area. Unless there is significant improvement in external links, developments involving substantial population intake would be constrained.

7.2.4 Road Traffic Noise

Noise sensitive developments along Sai Sha Road would be subject to severe traffic noise impact. Adequate setback of noise sensitive development from Sai Sha Road and provision of noise mitigation measures to the satisfaction of the Environmental Protection Department (EPD) are required.

7.2.5 Risk Implication of the Water Treatment Works at Kwun Hang

Development in the northwestern part of the Area would be affected by the Water Treatment Works at Kwun Hang. As the water treatment works is classified as a potentially hazardous installation (PHI), any development proposals which would incur an increase in both transient and resident population except village population within the 1,000m radius consultation zone of the water treatment works should require a hazard assessment study to be prepared to the satisfaction of the EPD and its approval by the Co-ordinating Committee on Land Use Planning and Control to Potentially Hazardous Installations (CCPHI). The areas of Che Ha, Ma Kwu Lam, Tai Tung and Tai Tung Wo Liu which fall within the consultation zone would be affected.

7.2.6 Limited Infrastructure

The provisions of drainage and sewerage are generally lacking in the Area. Any major development proposals in the Area would require substantial upgrading of public sewerage facilities. On-site sewage treatment and disposal into Three Fathoms Cove or elsewhere in Tolo Harbour and its catchments for any major developments, even as an interim measures, would not be acceptable to the EPD.

7.2.7 Water Gathering Grounds

The whole Wong Chuk Yeung area and areas to the southeast of Kei Ling Ha Lo Wai fall within the upper or lower indirect water gathering grounds. Development in these areas should be strictly controlled in order to maintain the water quality of these areas.

7.2.8 Burial Grounds

According to the record of the District Lands Officer/Tai Po, four traditional burial grounds are located on the foot slopes and isolated knolls in the vicinity of the villages of Tseng Tau, Tai Tung, Nga Yiu Tau and Kei Ling Ha San Wai. Incorporation of these areas for development and conservation are constrained by the presence of these burial grounds. In addition, any development affecting the old graves and shrines within the Area should be subject to consultation of the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD).

7.2.9 Land Status

Except steep slopes, wooded areas and seashores, the majority of the Area is under private ownership. Land resumption for comprehensive development by Government would be costly and therefore development will largely be dependent on private initiatives.

7.2.10 Sensitive Natural Environment

The Area is of high landscape and aesthetic value. Some geological and ecological features such as the sedimentary rocks demonstrating dip, strike, folding and faulting along the coast in the vicinity of Tseng Tau, and the mangrove colony along the coast between Tseng Tau and Kei Ling Ha Lo Wai, and Tai Tung Wo Liu Valley are of conservation and education value. Measures should be provided to protect these features from development pressures. The surrounding waters in Three Fathoms Cove fringing the coast of the Area fall within the Tolo Harbour Water Control Zone. Yung Shue O Marine Fish Culture Zone is also located in the vicinity. Storm/waste water discharging into the surrounding waters should be strictly controlled in order to prevent the environmental degradation of its marine ecology and hence affect the economic activities within the nearby Yung Shue O Marine Fish Culture Zone. The maintenance of the quality of offshore waters and streams to meet appropriate standards for recreational use is also

important as Three Fathoms Cove is popular for water-based recreational activities.

7.2.11 Gas Safety

An existing underground high-pressure town gas transmission pipeline is installed along Sai Sha Road. *For any development that will result in a significant increase in population in the vicinity of the pipeline, a risk assessment would be required from the project proponent to assess the potential risk associated with the gas installation having considered the proposed development.* From gas safety point of view, development project proponent/consultant shall include the requirements of the Electrical and Mechanical Services Department's Code of Practice on Avoiding Danger From Gas Pipes and maintain liaison and coordination with the Hong Kong and China Gas Company in respect of the existing and planned gas pipes routed/gas installations along Sai Sha Road and the minimum set back distance away from the gas pipeline during the design stage of developments.

8. GENERAL PLANNING INTENTION

- 8.1 The planning intention for the Area is primarily to enhance landscape and nature conservation by preserving features of visual, ecological and geological significance; to allow for village expansion in areas where development is considered appropriate; and to identify areas with potential for recreation and private residential developments which are compatible with the surrounding rural and natural environment.
- 8.2 In the designation of various zones in the Area, considerations have been given to the natural environment, physical landform, existing settlements, availability of infrastructure and local development pressures. In addition, buildings and places of historical and archaeological interest should be preserved as far as possible.

9. LAND-USE ZONINGS

9.1 Comprehensive Development Area ("CDA") : Total Area 64.48 ha

- 9.1.1 This zone is intended for comprehensive development of the area for residential, commercial and recreational uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. In order to ensure proper planning control over the design, layout and monitoring of the environmental, hazard and traffic impacts as well as the provision of facilities, any development/redevelopment proposal on sites under this zoning should be submitted to the Board in the form of a Master Layout Plan (MLP) accompanying with engineering feasibility studies, environmental assessment and hazard assessment reports, etc. for

consideration. A copy of the approved MLP shall be made available in the Land Registry for public inspection pursuant to section 4A(3) of the Ordinance.

- 9.1.2 This zoning comprises three sites near Che Ha, Tseng Tau and Tai Tung Wo Liu Villages. These three sites are identified to be suitable for recreation and residential developments taking the advantage of the landscape backdrop of Ma On Shan Country Park and the proximity to the scenic coastal area. It is intended that these three sites to be developed in a comprehensive manner by integrating recreational development with residential elements. Development within the "CDA" zone is subject to a maximum domestic gross floor area (GFA) of 448,576m², a maximum GFA of 8,957m² for residents' club, a maximum GFA of 9,290m² for commercial facilities including kindergarten/nursery and church, and a maximum building height of 24 storeys over one storey of residential entrance lobby and a maximum 3 levels for ancillary car park, if the residential building is constructed above the car park.
- 9.1.3 The intensity and scale of any proposed developments should be in keeping with the surrounding natural and rural settings. Developments should take into account the environmental and infrastructural constraints in the "CDA" including road traffic noise from Sai Sha Road, flooding risk on the floodplain, limited capacity of existing external transportation links, lack of sewerage and drainage, etc. Major developments should require substantial upgrading of infrastructural provisions in the Area.
- 9.1.4 In order to maintain the environmental quality of the Area, the form of development within the "CDA" zone should be compatible with the surrounding natural landscape and topography. Landscape treatment for recreational facilities should be provided to minimise the impacts of artificial structures. Careful design consideration should be taken on the architectural treatment and massing of buildings so as to reduce any adverse environmental and visual impacts of the development on the present rural setting of the Area.
- 9.1.5 The majority of the "CDA" zone falls within the 1,000m radius consultation zone of the Water Treatment Works at Kwun Hang, which is classified as a PHI. Any development proposals which would incur an increase in both transient and resident population within the consultation zone of the PHI should require a hazard assessment to be prepared to the satisfaction of the EPD and its approval by the CCPHI.
- 9.1.6 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the gross floor area/building height restriction stated in the Notes may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.2 Village Type Development ("V") : Total Area 33.701 ha

- 9.2.1 The planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 9.2.2 The boundaries of the "V" zones are drawn up having regard to the existing village "environs", outstanding Small House applications, Small House demand forecast, topography and site constraints. Areas of difficult terrain, dense vegetation, and stream courses have been avoided as far as possible. Village expansion areas and other infrastructural improvements will be guided by detailed layout plans.
- 9.2.3 There are 9 recognized villages within the Area including Che Ha, Ma Kwu Lam, Tseng Tau, Tai Tung, Tai Tung Wo Liu, Sai Keng, Kei Ling Ha San Wai, Kei Ling Ha Lo Wai and Wong Chuk Yeung. Adequate areas for expansion of these villages to meet the expected Small House demand are reserved.
- 9.2.4 These villages are only accessible by van tracks and footpaths at present. With the exception of Wong Chuk Yeung Village, most of the villages are located on the floodplain of Shap Sz Heung Lowland which possesses very few physical constraints to development except potential flooding and high ground water levels during wet season. As Tai Tung Wo Liu, Kei Ling Ha San Wai and Kei Ling Ha Lo Wai Villages are situated near wooded slopes, village expansion areas for these villages have avoided most of these slopes in order to preserve the natural landscape of the hillside areas which are important scenic backdrop in the Area. Some wooded areas mainly on Government land interspersed within the "V" zone should be preserved to provide amenity or passive open space for the villages.
- 9.2.5 Water supply is available to all the villages except Wong Chuk Yeung Village in view of its remote location. Electricity is supplied to and telephone lines are connected to these villages. Sewerage is generally lacking in the Area. As developments progress, upgrading of accesses, provisions for drainage, sewerage, utility and other transport facilities would be required.
- 9.2.6 There are buildings of historical interest in Che Ha, Ma Kwu Lam, Tseng Tau, Wong Chuk Yeung, Kei Ling Ha Lo Wai, Kei Ling Ha San Wai, Sai Keng and Tai Tung Wo Liu. Any development or redevelopment proposals affecting these buildings should be forwarded to the AMO of LCSD for comment well in advance.

9.2.7 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction stated in the Notes may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

9.3 Government, Institution or Community ("G/IC") : Total Area 6.25 ha

9.3.1 This zone is intended primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. As detailed planning proceeds, other land may be designated from other uses to this category to meet the envisaged demand of the growing population of the Area.

9.3.2 Existing GIC facilities include the pier to the north of Tseng Tau, the Kei Ling Ha Lowland Pumping Station at Shui Long Wo, Yat Sun School at Tseng Tau and a church between Nga Yiu Tau and Tai Tung.

9.3.3 Four additional GIC sites, including a site to the east of Nai Chung along Sai Sha Road, a site to the west of Sai Sha Road near Kwun Hang, a site to the north-west of Tseng Tau and a site located between Sai Keng and Kei Ling Ha San Wai, are reserved to meet the future needs of local population and weekend visitors. A fire station will be provided to serve the future population.

9.3.4 Further provision and upgrading of GIC facilities would be necessary to cater for additional demand if the proposed "CDA" development were to be implemented. Most of these additional GIC facilities would need to be provided within the "CDA" zone.

9.4 Open Space ("O") : Total Area 0.76 ha

This zone is intended for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. A piece of land to the northwest of Tseng Tau is reserved for this purpose. More provision of local open spaces within the "V" and "CDA" zones would be provided to meet the demand for the increase in population.

9.5 Recreation ("REC") : Total Area 2.42 ha

9.5.1 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.

- 9.5.2 There is only one site under this zoning. It is located at the coastal area of Tseng Tau. A major portion of the zoned area is occupied by an organic farm which provides passive recreational facilities to the public. The site as well as its adjoining hinterland and marine water have good potential for development as a territorial water sports centre enhancing water sports activities such as rowing, wind surfing, yachting and sailing, etc.

9.6 Green Belt ("GB") : Total Area 47.32 ha

- 9.6.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. Nevertheless, limited developments may be permitted if they are justified on strong planning grounds. Developments requiring planning permission from the Board will be assessed on their individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.6.2 Some wooded slopes and isolated knolls in the vicinity of the villages of Tseng Tau, Tai Tung and Kei Ling Ha San Wai form the significant integral parts of the whole landscape in the Area. For the preservation of natural landscape of these areas on one hand and to respect the traditional burial requirements of the indigenous villagers and locally based fishermen on the other, burial activities are to be permitted in the existing designated burial grounds but any further extension of the burial grounds would require planning permission from the Board.
- 9.6.3 The woodland as well as the natural stream running through it to the northeast of Che Ha are intended to be preserved and to provide for passive recreational use.
- 9.6.4 The stream habitat and the agricultural land at the lower stream valley of Tai Tung Wo Liu down to Ma Kwu Lam should be preserved. They can serve as buffer areas between villages and "CDA" zone and form a transition to the conservation area.
- 9.6.5 Two areas are reserved to the north and south of Kwun Hang and Ma Kwu Lam Villages respectively to provide buffer from Sai Sha Road.
- 9.6.6 As filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activity/activities.

9.7 Conservation Area ("CA") : Total Area 56.687 ha

- 9.7.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest

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

9.7.2 The woodland and scrubland on the foot slopes to the southeast of Kei Ling Ha San Wai Village, Wong Chuk Yeung and Tai Tung Wo Liu Valley are proposed to be conserved as they are of high landscape value. These areas can complement the surrounding scenic landscape of Ma On Shan and Sai Kung West Country Parks as well as Three Fathoms Cove.

9.7.3 In view of the remoteness of the area and sensitiveness of the surrounding natural environment, there is a general presumption against development in the area in order to retain the natural and rural character of the area. Non-intensive countryside-based recreational development complementary to the surrounding country park environment may be considered.

9.7.4 Filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activity/activities.

9.8 Coastal Protection Area ("CPA") : Total Area 15.42 ha

9.8.1 This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or the development is an essential infrastructure project with overriding public interest may be permitted.

9.8.2 This zoning covers the majority of the coastal land in the Area. They include rocky/boulder shore in Nai Chung East and the immediate hinterland of Kei Ling Ha Mangal. The bedrock conglomerate and quartzite are interesting geological features along the coast of Nai Chung East. The marine habitat supported by the rocky/boulder shore is also of significant ecological value in view of its biological diversity.

9.8.3 As these coastal features within and in the vicinity of the areas have considerable value for educational purposes, field study centres could be established at suitable locations within the areas. Non-intensive recreational uses such as coastal trails, cycle track, lookout points and

picnic areas might also be considered along the coastal areas. Nevertheless, planning control has to be strengthened to ensure that the area can withstand the anticipated increase in public usage.

- 9.8.4 Filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activity/activities.

9.9 Site of Special Scientific Interest ("SSSI") : Total Area 57.36 ha

- 9.9.1 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.

- 9.9.2 The following two sites are within this zone :

(a) Tseng Tau Coast

An area covering a coastal area of about 1km near Tseng Tau displaying excellent exposure of folded and faulted sedimentary rocks. It is of high educational and scientific value. Therefore, it is widely visited by students for studies and has been the subject of extensive palaeontological research.

(b) Kei Ling Ha Mangal

The site includes the mangal community and mudflat along the coastal area between Tseng Tau South and Kei Ling Ha Lo Wai incorporating the inner bay of Three Fathoms Cove to the south of Wu Chau. The mangroves over there are rather distinctive in terms of scale, sandy substrata and well-developed zonation of species. The mangroves provide a habitat for marine life. Therefore, it serves as a good comparative site for studying mangal ecology, especially the part near Sai Keng. The mudflat outside the mangrove marsh is also of biological importance forming an integral part of the mangal ecology. As the mangroves of Kei Ling Ha Mangal are rather sensitive to environmental changes, uses and activities that would result in the environmental degradation of the coastal area have to be strictly controlled. Other positive management procedures such as restricting and controlling access to the area should be adopted to ensure the protection and survival of the mangrove marsh from littering and trampling by visitors.

9.9.3 Filling and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activity/activities.

10. COMMUNICATIONS

10.1 Road Network

The Area is mainly served by Sai Sha Road which connects with the transport network of Ma On Shan new town in the west and Hiram's Highway to Sai Kung in the east. Reserves are provided on either side of Sai Sha Road to enable future provision of bus bays, footpaths, cycle tracks, roadside amenity or local transport infrastructure as appropriate. Existing van tracks for access to villages would need to be improved while new access roads are required to be constructed in new development areas. Ma On Shan Bypass (formerly known as Road T7), a dual two-lane trunk road connecting Sai Sha Road at Cheung Muk Tau, was opened in August 2004.

10.2 Transport Provision

The Area is accessible by public transport including bus, public light bus and taxi. There is no planned provision of railway network within the Area. The Ma On Shan Rail, which was commissioned in December 2004, provides a transport link from the Area to Sha Tin.

11. UTILITY SERVICES

11.1 Water Supply

Fresh water supply and sea water supply for flushing are generally available to low lying areas in the Area. Water supply to the Area is divided into two zones. For the northern part (Sai Keng and northward), supply of fresh water is provided by Ma On Shan Water Treatment Works via Ma On Shan Fresh Water Primary and Secondary Service Reservoirs. Sea water supply is provided by Sha Tin Seafront Salt Water Pumping Station via Ma On Shan Salt Water Service Reservoir. For the southern part (Kei Ling Ha San Wai and southward), supply of fresh water is provided by Pak Kong Water Treatment Works via Pak Kong Au Fresh Water Service Reservoir. Currently, temporary mains fresh water for flushing is provided to the southern area as supply of seawater for flushing is not available.

11.2 Sewerage System

As the Shatin Sewage Treatment Works (STW) serving the bulk of Ma On Shan including the Area has been overloaded, **extended and upgraded** by Drainage Services Department is now implementing **under** the project 'Shatin Sewage Treatment Works Stage 3'. ~~which includes extension and upgrading~~

~~works of the Shatin STW. Upon its completion, which is scheduled in end 2010, Shatin STW will be able to handle about 830,000 permanent residential population in the Shatin and Ma On Shan areas. *Public sewerage systems at the villages around Shap Sz Heung, including Cheung Muk Tau, Sai O, Nai Chung, Che Ha, Kwun Hang, Ma Kwu Lam, Tseng Tau, Tai Tung, Nga Yiu Tau, Sai Keng, Kei Ling Ha San Wai and Kei Ling Ha Lo Wai, are planned to be implemented under the project "Tolo Harbour Sewerage of Unsewered Areas Stage 2".*~~

11.3 Drainage System

The Area is not yet provided with public drains. The streams are subject to large flows at Shap Sz Heung Lowland. Adequate drainage system should be provided for large-scale developments, e.g. the "CDA" development, to avoid flooding.

11.4 Electricity and Telephone

Electricity is supplied to all the villages in the Area through the network of overhead transmission lines. Villages in the Area are also adequately connected to telephone exchanges. However, it will be necessary to upgrade these facilities for the proposed "CDA" development.

12. CULTURAL HERITAGE

There are two sites of archaeological interest falling within the Area. They are Che Ha Archaeological Site and Tai Tung Archaeological Site. Moreover, there are buildings of historical interest in Che Ha, Ma Kwu Lam, Tseng Tau, Wong Chuk Yeung, Kei Ling Ha Lo Wai, Kei Ling Ha San Wai, Sai Keng and Tai Tung Wo Liu. The AMO of LCSD should be consulted on any development or redevelopment proposals which might affect these sites and their immediate environs. If disturbance to the archaeological sites and sites of archaeological potential is unavoidable, a detailed Archaeological Impact Assessment (AIA) conducted by a qualified archaeologist is required for development works within the sites. The archaeologist shall apply for a licence to conduct the AIA under Antiquities and Monuments Ordinance (Cap. 53). A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for a licence.

13. IMPLEMENTATION

13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.

13.2 At present there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.

- 13.3 Notwithstanding the above, minor improvement works, e.g. road widening and laying of utility 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 uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted 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 IDPA Plan and which are not in compliance with the terms of the Plan may have adverse impacts 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 the departmental plans and guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.
- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on or after 7 September 1990 on land included in a plan of the Shap Sz Heung 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.

TOWN PLANNING BOARD

| ~~DECEMBER 2008~~ OCTOBER 2014