

TOWN PLANNING BOARD

**TPB PAPER NO. 9373
FOR CONSIDERATION BY
THE TOWN PLANNING BOARD
ON 28.6.2013**

**DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN (OZP)
NO. S/NE-TKLN/D
FURTHER CONSIDERATION OF A NEW PLAN**

**DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN NO.
S/NE-TKLN/D
FURTHER CONSIDERATION OF A NEW PLAN**

1. Introduction

The purposes of this paper are to:

- (a) report on the results of the consultation with the North District Council (NDC) and the Ta Kwu Ling District Rural Committee (TKLDRC), and other public views on the draft Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/C; and
- (b) seek Members' agreement that the draft Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/D, its Notes and Explanatory Statement (**Attachments I to III**) are suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance) for public exhibition.

2. Background

2.1 On 30.7.2010, the draft Ta Kwu Ling North Development Permission Area (DPA) Plan No. DPA/NE-TKLN/1 was exhibited for public inspection under section 5 of the Ordinance. In accordance with section 20(5) of the Ordinance, the DPA Plan is effective for three years until 30.7.2013 unless an extension is obtained from the Chief Executive in Council. Opportunities were taken to review the land use zonings in Ta Kwu Ling North Area and the findings of the reviews were presented to the Town Planning Board (the Board) on 26.4.2013 for preliminary consideration to the draft Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/C (TPB Paper No. 9328). The Board agreed that the draft OZP was suitable for submission to the NDC and the TKLDRC for consultation. An extract of the minutes of the Board's meeting held on 26.4.2013 and TPB Paper No. 9328 are at **Attachments IV and V** for Members' reference.

2.2 For Members' easy reference, major land use proposals of the draft OZP as

compared to the existing DPA Plan have been highlighted in The TPB Paper No. 9328 and are recapitulated below:

Review of “Village Type Development” (“V”) Zone (**Plans 1 and 2**)

- (a) the “V” zone of Kan Tau Wai Village has been expanded from the current area of about 3.07 ha to about 5.53 ha (i.e. to increase the “V” zone by about 2.46 ha) to cater for the updated Small House demand provided by the village representative (VR) in 2012 and the area is equivalent to that of the village ‘environs’ (‘VE’) in accordance with the criteria agreed by the Board during the hearing in 2011.
- (b) no change has been proposed for the “V” zones of Heung Yuen Wai (including Ha Heung Yuen) and Tsung Yuen Ha as the areas of these “V” zones are already equivalent to the areas of the ‘VE’ of the respective villages. For Tong Fong, there is no change to its “V” zone within the Ta Kwu Ling North OZP but as the surroundings are not suitable for further expansion, it may be possible to extend the village zone to the south of the village in the Ping Che and Ta Kwu Ling OZP when the said OZP is to be reviewed;
- (c) for New Chuk Yuen Village, the “V” zone was designated for the relocation of the village affected by the Liantang / Heung Yuen Wai Boundary Control Point (LT/HYW BCP) project and its further expansion. As sufficient land has already been reserved in the New Chuk Yuen Village to accommodate the demand, no change has been proposed for the “V” zone of New Chuk Yuen Village (**Plan 6**);

Nature Conservation

Heung Yuen Wai Stream and its Riparian Area

- (d) although Heung Yuen Wai Stream is not designated as a Site of Special Scientific Interest (SSSI) or an ecologically important stream (EIS), the undisturbed upper section of Heung Yuen Wai Stream has a high ecological value in accordance with the “Land Use Planning for the ‘Closed Area’ – Feasibility Study” (the FCA Study). In view of the ecological significance of the upper course of the stream, the Board agreed to rezone a strip of land (**Site A in Plan 2**) of about 0.59 ha along the natural stream course at Heung

Yuen Wai between the north of Heung Yuen Wai and Ha Heung Yuen from “Recreation” (“REC”) to “Agriculture” (“AGR”) and a piece of land of about 0.31 ha east of Heung Yuen Wai (**Site B** in **Plan 2**) from “REC” to “Green Belt” (“GB”) within which there is a general presumption against development (**Plan 2**);

Ping Yuen River and its Riparian Area

- (e) in view that the upper section of Ping Yuen River has moderate ecological value in accordance with the FCA Study (**Plan 1**), and that the ‘Remarks’ of the Notes have already stipulated that any diversion of streams or filling of pond in area zoned “REC” to effect a change of use to any of those specified in Columns 1 and 2, 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 require planning permission from the Board, it was agreed to retain the “REC” zone along the upper section of Ping Yuen River;

Lowland Habitats between Kan Tau Wai and Heung Yuen Wai

- (f) according to the FCA Study, the current “REC” zone between Kan Tau Wai and Heung Yuen Wai (**Plan 7**) which comprises lowland grassland and grassland/shrubland, is of low to moderate ecological value. The Board considered that it is appropriate to retain the “REC” zone for the lowland habitats between Kan Tau Wai and Heung Yuen Wai considering that the “REC” zone is in line with the recommendation of the FCA Study;

Potential Impact of Small House Development within “V” Zone on Streams

- (g) regarding the Green Groups’ concerns on potential impacts of developments, in particular small houses within “V” zone, on existing stream courses in the Area, the current administrative practice to consult concerned departments including AFCD and Planning Department (PlanD) on Small House applications in close proximity to existing stream course will be clearly stated in the Explanatory Statement of the draft OZP. Besides, any diversion of streams or filling of ponds to effect any permitted uses would also require permission from the Board in accordance with the Notes of the “V” zone;

Area North of Pak Fu Shan

- (h) in view that the area is predominantly covered with trees and shrubs, and there is limited infrastructure and no active recreational and other uses identified in the area, the Board considered that it is appropriate to retain the “GB” zone for the area north of Pak Fu Shan (**Plan 3**); and

Boundary Crossing Point Project

- (i) to address the public aspiration and to cater for the future public need at the proposed LT/HYW BCP, the Board agreed the proposal to add ‘Public Vehicle Park (excluding container vehicles)’ use in Column 1 under the “OU (Boundary Crossing Facilities)” zone (**Attachment II**).

3. Public Consultation

- 3.1 The NDC and TKLDRC were consulted on the draft OZP on 20.5.2013 and 24.5.2013 respectively. While NDC has no objection to the draft OZP, TKLDRC has expressed resentment in-principle. The TKLDRC has expressed concerns on the lack of sufficient access roads, and no footpaths / cycle tracks have been proposed in the Lin Ma Hang Road Widening Project currently undertaken by Highways Department.
- 3.2 The NDC’s and TKLDRC’s major concerns are summarized below:

General Issues

Existing Agricultural Policy

- (a) TKLDRC raised concern on the existing Government policy on agriculture and queried how the Government would assist the villagers in agricultural rehabilitation in the view that there are land zoned “AGR” in Ta Kwu Ling North but relevant measures and guidance are unclear;

Development within “Recreation” Zone

- (b) TKLDRC queried the suitable mode of development of “REC” zone in the area and the prospect of its implementation.

“Green Belt” (“GB”) Zone North of Pak Fu Shan

- (c) TKLDRC commented that part of the area to the north of Pak Fu Shan (**Plan 3**) currently zoned “GB” on the Ta Kwu Ling DPA Plan is mainly flat agricultural land under cultivation and under private ownership. It is suggested to rezone the area to “AGR”;

“AGR” Zone North of Nga Yiu Ha

- (d) TKLDRC suggested that a piece of land currently zoned “AGR” in the south of the Ta Kwu Ling North area (**Plan 4**) should be rezoned to “V” to reflect Nga Yiu Ha Village, the majority of which is included within the boundary of the adjoining Wo Keng Shan Outline Zoning Plan;

Expansion of the “V” Zone for New Chuk Yuen Village

- (e) TKLDRC commented that the “V” zone of New Chuk Yuen Village (**Plan 6**) is insufficient to meet the Small House demand and requested to expand the “V” zone;

Provision of Access Roads, Footpaths and Cycle Tracks

- (f) TKLDRC expressed concerns that there is insufficient / lack of access road, footpaths and cycle tracks, particularly along Lin Ma Hang Road and considered that the timely provision of access roads, footpaths and cycle tracks is necessary to cope with the expected increase in traffic upon opening up of Ta Kwu Ling North area in mid 2015. In particular, NDC requested for the widening of Lin Ma Hang Road and Ping Che Road.

- 3.3 A meeting between Planning Department and the Green Groups (including World Wide Fund for Nature Hong Kong (WWF), Kadoorie Farm and Botanic Garden (KFBG), the Conservancy Association (CA), Green Power (GP) and Designing Hong Kong (DHK)) was held on 2.5.2013 to seek their views on the land use proposals of the draft Ta Kwu Ling North OZP. Comments and specific land use proposals submitted by the Green Groups are at **Attachments VIa to VIe** for Members’ reference. The Green Groups’ comments and major proposals in respect of the draft OZP are summarized below:

General Comments

- (a) KFBG suggested to observe and take into consideration the Convention on Biological Diversity that has been extended to Hong Kong in the preparation of the draft OZP;

Specific Proposals

Heung Yuen Wai Stream and its Riparian Area

- (b) the Green Groups commented that Heung Yuen Wai Stream (**Plan 5**) is of high ecological value according to the FCA Study. They opined that the upper course of the stream is of particular interest and a more restrictive land use zoning should be designated to protect the middle to upper stream course and its riparian area;
- (c) WWF and GP proposed that a riparian buffer of at least 10 m in width in the middle and upper stream course of Heung Yuen Wai Stream should be zoned “Conservation Area” (“CA”) to reflect the high ecological significance of the stream course and its riparian area. DHK suggested that Heung Yuen Wai Stream and its riparian area should be zoned “CA” or “Site of Special Scientific Interest”. The KFBG urged that a riparian buffer of at least 5 m to 10 m in width from Heung Yuen Wai Stream should not be covered with zonings for development / recreation (e.g. “V” or “REC” zones) and the recommendations of the FCA Study regarding the ecological status of the stream and its riparian zone should be respected to protect an endemic freshwater crab species (*Somanniathephusa zanklon* 鎌刀束腰蟹) of high conservation importance which is a globally endangered species inhabiting in the stream according to the International Union for Conservation Nature. KFBG has already recommended to the AFCD to designate Heung Yuen Wai Stream as an ecologically important stream (EIS). There is a concern of inconsistency in land use zoning if the area is zoned “V” and/or “REC” and the stream has become an EIS.

Fung Shui Woodlands near to Kan Tau Wai and Tsung Yuen Ha

- (d) WWF has proposed that the fung-shui woodlands near Kan Tau Wai and

Tsung Yuen Ha (**Plan 6**) are of ecological interest and they should be zoned “CA”; and

Restrictions on Land Filling and Excavation in “REC” Zone

- (e) WWF suggested that there should be some form of planning restrictions on land filling and excavation activities on land covered by the “Recreation” (“REC”) zone in Ta Kwu Ling North area. WWF was concerned about the problem of fly-tipping caused by unrestricted land fillings for recreational activities which would have adverse impacts on the existing drainage, ecology and landscape aspects of the area.

4. Planning Department’s Responses

The above comments made by the NDC and the TKLDRC, and proposals submitted by the Green Groups as illustrated in paragraph 3 have been circulated to concerned departments for comments. In consultation with departments concerned, the Planning Department’s responses on the points raised by the NDC, the TKLDRC and the Green Groups are as follows:

4.1 General Issues

Convention on Biological Diversity

- (a) the Convention on Biological Diversity was formally extended to Hong Kong in 2011. It is an international treaty which emphasizes the importance of biological diversity to human well-being. During the preparation of the draft OZP, due consideration has been given to the importance of the rich variety of flora and fauna within the planning area with a view to striking a proper balance between nature conservation and development;

Existing Agricultural Policy

- (b) according to the AFCD, the existing agricultural policy aims to facilitate development in agricultural industry, improve the productivity, develop modernization in the industry, promote environmental-friendly agricultural technology, and produce high quality agricultural products that are safe and of high-value, by providing suitable infrastructure,

technical support and low-interest loans. Farmers could approach AFCD for assistance;

Development within “Recreation” Zone

- (c) according to the FCA Study, the flat land and abandoned agricultural land in the Closed Area were considered suitable for recreational uses in view of their relatively low ecological and landscape value. In Ta Kwu Ling North Area, an area in Heung Yuen Wai area and south of Pak Fu Shan, and around Tsung Yuen Ha, and to the north and north-east of Kan Tau Wai are designated as “REC” zone in view of the extensive abandoned agricultural land adjoining traditional villages that may have tourism opportunities. The “REC” zones are currently accessible via Ping Che Road to the west and Lin Ma Hang Road to the north, and will be served by the new roads connecting to the Liantang/Heung Yuen Wai Boundary Control Point in the future. It is intended to provide for recreational uses such as holiday camp in connection with the promotion of the culture and history of Heung Yuen Wai and other nearby villages to enhance the local tourism potential. Recreational uses such as horse riding schools, visitor centres, local historical museum, adventure parks, organic farms, hobby farms and camping grounds may be considered;

4.2 Specific Issues

“GB” Zone North of Pak Fu Shan (Plan 3)

- (d) in response to the TKLRC’s proposal to rezone the area to “AGR”, further site investigation has been carried out by Planning Department. It was found that the area is predominantly covered with trees and shrubs, with scattered temporary structures and small scale farming activities. There is no direct road access to the area. In view that there is no change in planning circumstances, the “GB” zone is appropriate for the area and should be retained. Whilst it is acknowledged that there is also flat agricultural land under cultivation in the area, it should be noted that ‘Agricultural Use’ is a ‘Column 1’ use which is always permitted in “GB” zone;

“AGR” Zone North of Nga Yiu Ha

- (e) the subject “AGR” zone is a continuation of the same zone covered by the adjoining approved Wo Keng Shan Outline Zoning Plan No. S/NE-WKS/10 (**Plan 4**). The current “AGR” zoning reflects the existing rural character of the area which covers a mix of grassland and trees, and active agricultural land in the vicinity. DLO/N, Lands Department commented that Nga Yiu Ha is not related to any recognized village nor its environs. With regard to the current Small House policy, Small House applications will only be considered if it is situated within a recognized village encircled by a “V” zone but not merely within a settlement encircled by a “V” zone. As such, no Small House applications within the proposed area will be entertained even if the area is zoned “V”. The “AGR” zone is therefore considered appropriate for Nga Yiu Ha;

Expansion of the “V” Zone for New Chuk Yuen Village

- (f) the proposed expansion of the “V” zone of New Chuk Yuen Village (**Plan 6**) has been raised by TKLDRC and considered by the Board on 26.4.2013. According to DLO/N, Lands Department’s records, there is no outstanding Small House application for new Chuk Yuen Village while the 10-year Small House demand for the same village is 22. The “V” zone for New Chuk Yuen Village covers an area of 6.2 ha. There is still available land of 5.45 ha (equivalent to 218 Small House sites) which is more than enough to cater for the estimated demand of 0.55 ha (equivalent to 22 Small House sites) and the future expansion. In this regard, no amendment is proposed for the “V” zone for New Chuk Yuen Village;

Provision of Access Roads, Footpaths and Cycle Tracks

- (g) according to the covering Notes of the draft OZP, the provision and maintenance or repair of footpath, cycle track and road works co-ordinated or implemented by Government is always permitted on land falling within the boundaries of the OZP. As advised by Highways Department (HyD), the project of “Widening of two Sections of Lin Ma Hang Road (Sections between Ping Yuen River and Ping Che Road and between Tsung Yuen Ha and Lin Ma Hang)” was currently at the stage of investigation. The investigation consultancy study commenced in

August 2012 and was scheduled for completion in August 2013. It is anticipated that the road widening project would be able to improve the road conditions to cater for the traffic flow increases upon opening up of the Closed Area. According to the proposed road widening scheme which may be subject to revision, footpaths will be provided along the widening sections of the road. HyD indicates that the local villagers will be consulted upon completion of the investigation consultancy study;

Nature Conservation

Heung Yuen Wai Stream and its Riparian Area

- (h) according to the FCA Study, the undisturbed upper section of Heung Yuen Wai Stream has a high ecological value. In view of the ecological significance of the upper course of the stream, the Board agreed to rezone a strip of land (**Site A in Plan 2**) of about 0.59 ha along the natural stream course at Heung Yuen Wai between the north of Heung Yuen Wai and Ha Heung Yuen from “REC” to “AGR” and a piece of land of about 0.31 ha east of Heung Yuen Wai (**Site B in Plan 2**) from “REC” to “GB” within which there is a general presumption against development. Other habitat types adjoining the two sides of the stream courses, which are covered mostly by fallow agricultural land, seasonally wet grassland and grassland/shrubland, are generally of moderate and low to moderate intrinsic ecological values (**Plan 5**). The “REC” zone of these areas should be retained in the area on grounds that there is no change in planning circumstances since the gazette of the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1. Nevertheless, in view that there is limited / insufficient infrastructure in Ta Kwu Ling North Area, the “REC” zone in Heung Yuen Wai area can only support low intensity recreational development, such as horse riding schools, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds and barbeque areas. To address the Green Groups’ concern on control of any development in the area which may require diversion of the existing streams in the area, restriction on diversion of streams is already included in the Notes of the “REC” zone. DAFC also considers that the “REC” zone is appropriate;

Fung Shui Woodlands near Kan Tau Wai and Tsung Yuen Ha

- (i) the Board on 8.9.2011 decided not to uphold the representations for rezoning the fung-shui woodlands near Kan Tau Wai and Tsung Yuen Ha from “GB” to “CA” on consideration that the concerned woodlands were of low to moderate ecological value according to the FCA Study (**Plan 6**). Although WWF is concerned with the expansion of the “V” zone of Kan Tau Wai, there is no change in the “GB” zones for the two pieces of woodlands. As the proposed rezoning from “GB” to “CA” has been fully deliberated by the Board and there is no change in circumstances since then, it is appropriate to retain the “GB” zones for the two pieces of woodlands which is in line with the recommendations of the FCA Study. DAFC considers that the existing “GB” zoning of the two pieces of fung-shui woodlands is appropriate in view that these woodlands were evaluated to have low to moderate ecological value according to the FCA Study; and

Planning Control on Land Filling and Excavation in “Recreation” (“REC”) Zone

- (j) according to the FCA Study, the area designated as “REC” mainly include seasonal wet grassland, grassland/shrubland, shrubland and lowland grassland which are of insignificant ecological value. It is considered not necessary to impose control of land filling / excavation in development zones. However, diversion of streams or filling of ponds which may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment requires permission from the Board.

5. Land Use Zonings (Attachment I)

Having regard to the above, the proposed land use zonings of the draft Ta Kwu Ling North OZP No. S/NE-TKLN/D are as follows:

“Village Type Development”: Total Area 27.83 ha

- 5.1 About 27.83 ha of land are zoned “V” to cover the six recognized villages within the Area, i.e. Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung

Yuen Ha, Kan Tau Wai and Tong Fong and areas of land suitable for village expansion. The boundaries of “V” zones are drawn up having regard to the existing village ‘environs’, outstanding Small House applications, Small House demand forecast, local topography, existing settlement pattern, ecologically important areas and other site specific characteristics. Sufficient land has been reserved within the zone to cope with the estimated future SH demand.

“Government, Institution or Community”: Total Area 1.98 ha

- 5.2 About 1.98 ha of land are zoned “Government, Institution or Community” (“G/IC”) to provide land for uses directly to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. Major existing facilities under this zoning include Ta Kwu Ling Police Station, Ta Kwu Ling Fire Station, Pak Fa Shan Police Operation Base and MacIntosh Fort – Pak Fu Shan.

“Recreation”: Total Area 111.83 ha

- 5.3 About 111.83 ha of land are zoned “REC” for recreational developments, including holiday camp with sporting facilities, such as horse riding schools, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds, BBQ areas, etc. for the use of general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. The “REC” zone covers the fallow agricultural land around Pak Fu Shan, north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai, and a large area to the east of Kan Tau Wai along Lin Ma Hang Road at the south-western part of the Area. The recreational development in this area should be restricted to low-intensity development so as not to overload the infrastructure of the area. Residential development with a maximum plot ratio of 0.2 may be permitted on application to the Board.

“Other Specified Uses”: Total Area 23.82 ha

- 5.4 A total of 23.82 ha of land are zoned “Other Specified Uses” (“OU”) annotated ‘Boundary Crossing Facilities’ to provide land for the development of boundary crossing facilities and related activities for the proposed LT/HYW BCP. The LT/HYW BCP has significant strategic importance for Hong Kong’s future development. The BCP will connect Hong Kong with the

Eastern Corridor in Shenzhen to provide an efficient link with the eastern part of Guangdong Province and the adjacent provinces. To meet the public aspiration and to cater for the future public need for cross-boundary purpose, 'Public Vehicle Park (excluding container vehicles)' is added in Column 1 under the "OU" zone.

"Agriculture": Total Area 55.92 ha

- 5.5 About 55.92 ha of land are zoned "AGR" to retain and safeguard good quality agricultural land, farm and fish ponds for agricultural purposes as well as to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The "AGR" zone in this Area mainly covers the lowland areas in the northern and western parts of the Area.

"Green Belt": Total Area 208.13 ha

- 5.6 To define 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, about 208.13 ha of land are zoned "GB". This zone mainly covers the prominent hilly areas of Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang, permitted burial grounds and the 'fung-shui' woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai and Tong Fong. There is a general presumption against development with this zone.

"Conservation Area": Total Area 1.1 ha

- 5.7 A total of about 1.1 ha of land are zoned "CA" to retain and preserve the existing natural character of the 'fung-shui' woods at the backdrops of Heung Yuen Wai which is of high integrity and of significant level of plant diversity with minimal human disturbance. As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 5.8 A table comparing the land use budget of Ta Kwu Ling North area covered by the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3 and the draft Ta Kwu Ling North OZP No. S/NE-TKLN/D is shown below.

Zoning	Approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3		Draft Ta Kwu Ling North OZP No. S/NE-TKLN/D		Increase / Decrease	
	(ha / %)		(ha / %)		(ha / %)	
Village Type Development	25.37	5.89	27.83	6.46	+ 2.46	+ 9.70
Government, Institution or Community	1.98	0.46	1.98	0.46	No change	No change
Recreation	115.19	26.72	111.83	25.94	- 3.36	- 2.92
Other Specified Uses	23.82	5.53	23.82	5.53	No change	No change
Agriculture	55.33	12.84	55.92	12.97	+ 0.59	+ 1.07
Green Belt	207.82	48.21	208.13	48.29	+ 0.31	+ 0.15
Conservation Area	1.10	0.26	1.10	0.26	No change	No change
Major Road, etc.	0.42	0.09	0.42	0.09	No change	No change
Total Planning Area	431.03	100.00	431.03	100.00	No change	No change

6. Consultation

The NDC and the TKLDRC will be consulted after the Board's agreement to the publication of the draft Ta Kwu Ling North OZP under section 5 of the Ordinance either before the gazetting or during the exhibition period of the OZP depending on the meeting schedules of NDC and TKLDRC.

7. Decision Sought

Members are invited to:

- (a) note the comments from and responses to the NDC, the TKLDRC and the Green Groups on the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C;
- (b) agree that the draft Ta Kwu Ling North OZP No. S/NE-TKLN/D (to be renumbered as S/NE-TKLN/1 upon gazetting) and its Notes (**Attachment I** and **II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;
- (c) adopt the Explanatory Statement (**Attachment III**) as an expression of the

planning intentions and objectives of the Board for various land use zonings of the draft Ta Kwu Ling North OZP No. S/NE-TKLN/D; and

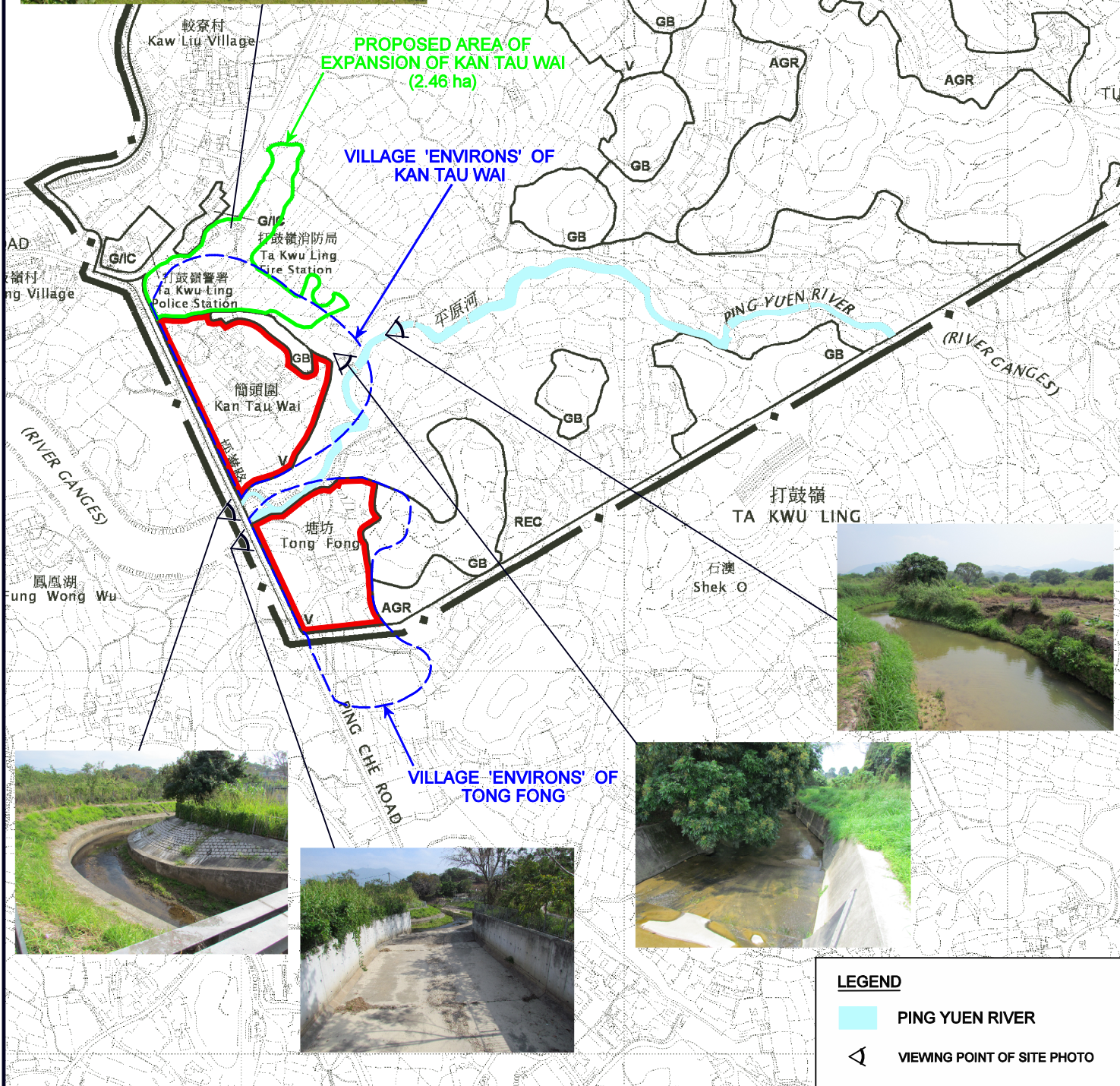
- (d) agree that the Explanatory Statement is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

7. Attachments

Plan 1	Proposed Expansion of Kan Tau Wai
Plan 2	Review of Land Use Zonings along Natural Stream Courses at Heung Yuen Wai
Plan 3	Review of Land Use Zoning North of Pak Fu Shan
Plan 4	Review of the “Agriculture” Zone
Plan 5	Review of Land Use Zoning along the Upper Course of Heung Yuen Wai Stream
Plan 6	Fung Shui Woodlands proposed by World Wide Fund for Nature to be zoned “Conservation Area”
Plan 7	Review of Lowland Habitats between Kan Tau Wai and Heung Yuen Wai
Attachment I	Draft Ta Kwu Ling North OZP No. S/NE-TKLN/D
Attachment II	Notes of the Draft Ta Kwu Ling North OZP No. S/NE-TKLN/D
Attachment III	Explanatory Statement of the D Draft Ta Kwu Ling North OZP No. S/NE-TKLN/D
Attachment IV	Extract of Minutes of the Town Planning Board Meeting held on 26.4.2013
Attachment V	TPB Paper No. 9328
Attachment VIa	E-mail from Kadoorie Farm and Botanic Garden Corporation dated 13.5.2013
Attachment VIb	E-mail from World Wide Fund for Nature Hong Kong dated 16.5.2013
Attachment VIc	E-mail from the Conservancy Association dated 23.5.2013
Attachment VId	E-mail from the Green Power dated 23.5.2013
Attachment VIe	E-mail from Designing Hong Kong dated 4.6.2013

PLANNING DEPARTMENT
JUNE 2013

**PROPOSED EXPANSION AREA (PART)
OF KAN TAU WAI
(PHOTO TAKEN ON 31.1.2013)**



LEGEND

- PING YUEN RIVER
- VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 17.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

**PROPOSED AREA OF
EXPANSION OF KAN TAU WAI
ENDORSED BY THE TOWN PLANNING BOARD
ON 26.4.2013**

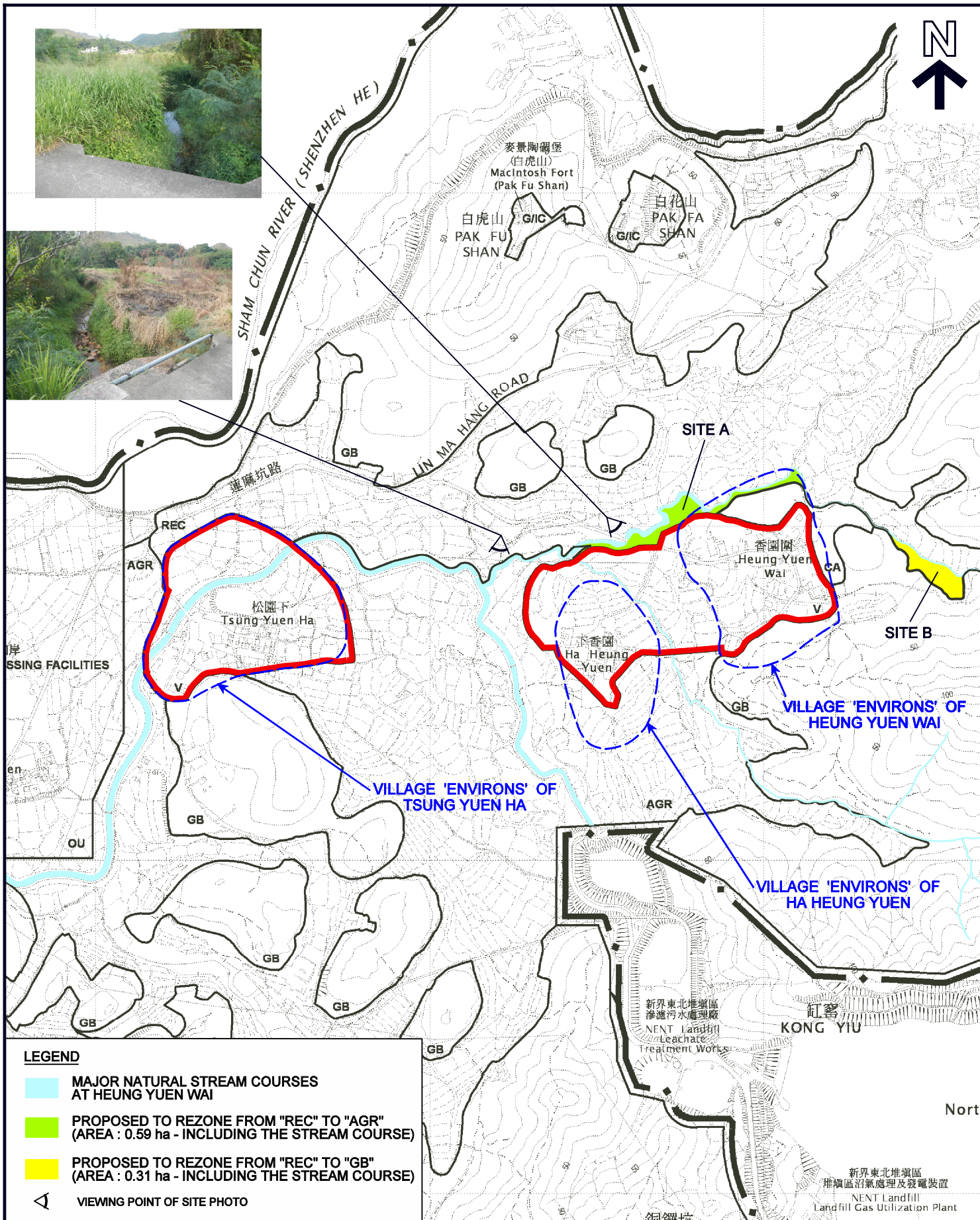
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**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/90

**PLAN
1**



EXTRACT PLAN PREPARED ON 17.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

PROPOSED LAND USE ZONINGS
ALONG NATURAL STREAM COURSES
AT HEUNG YUEN WAI
ENDORSED BY THE TOWN PLANNING BOARD
ON 26.4.2013

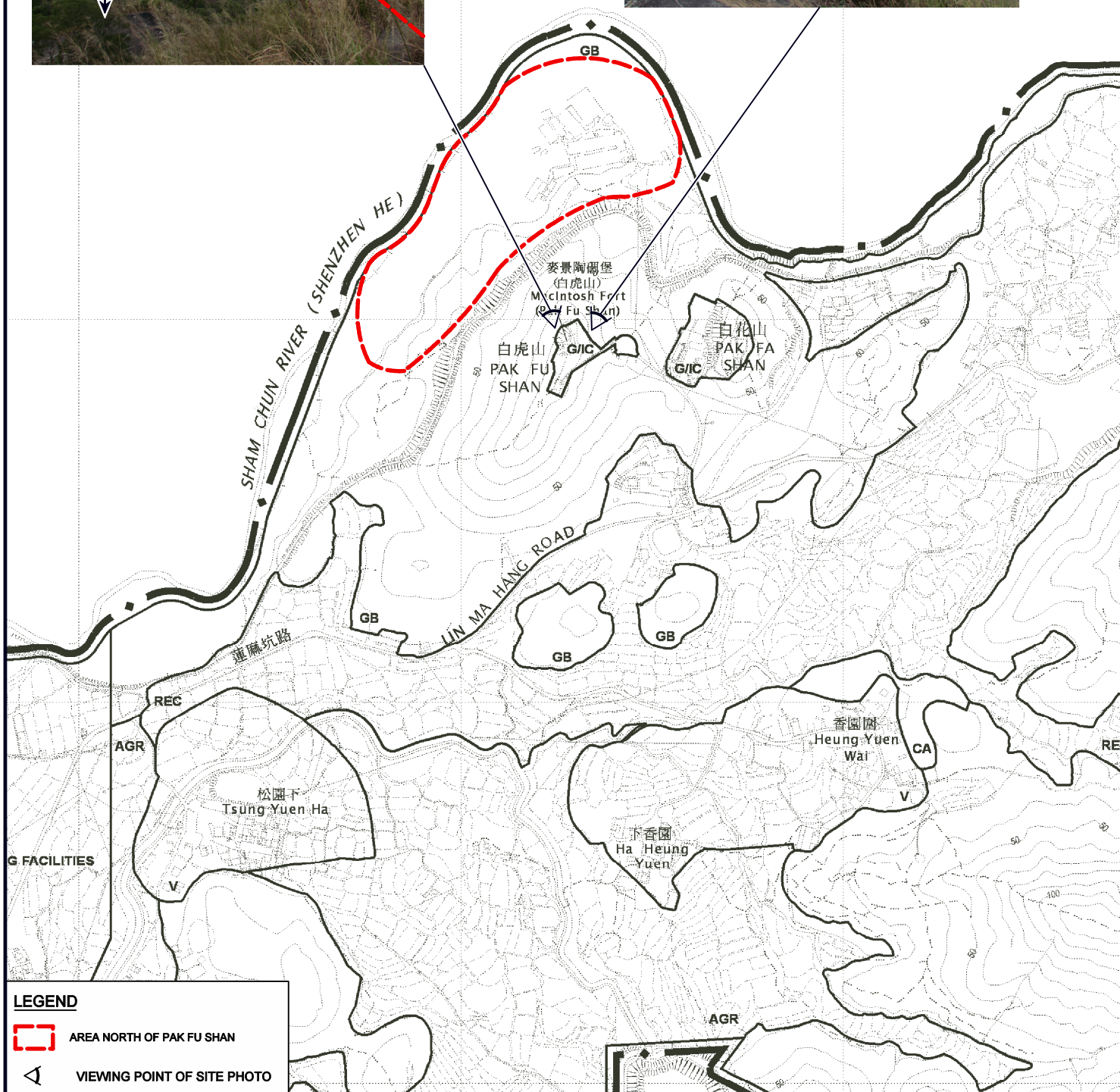
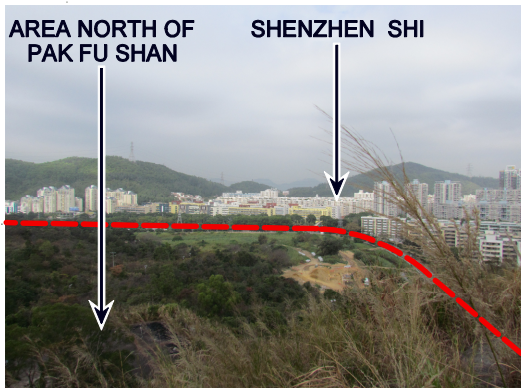
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PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/90

PLAN
2



LEGEND

- AREA NORTH OF PAK FU SHAN
- VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 14.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF LAND USE ZONING NORTH OF PAK FU SHAN

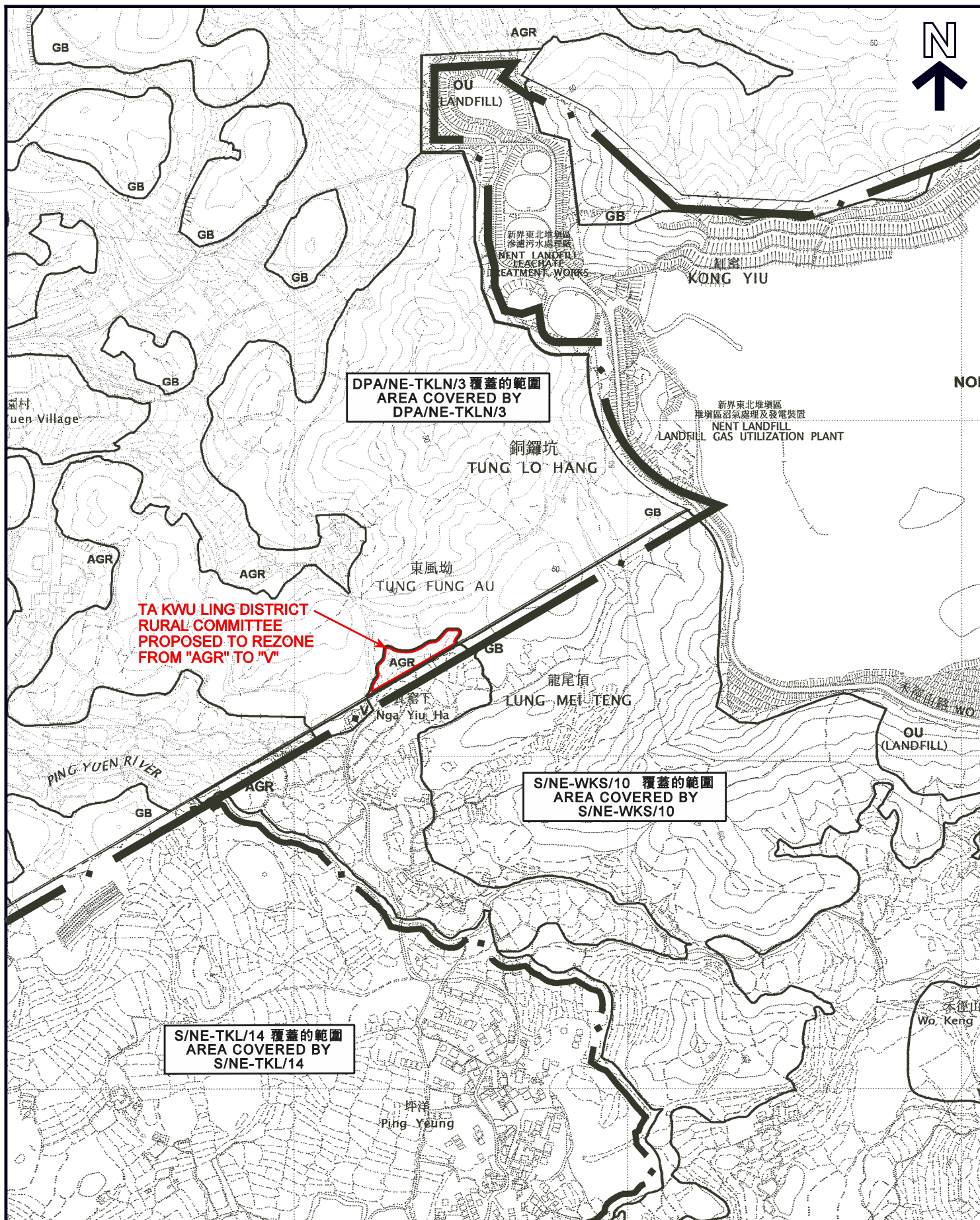
SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/90

PLAN
3



EXTRACT PLAN PREPARED ON 17.6.2013
 BASED ON DEVELOPMENT PERMISSION
 AREA PLAN No. DPA/NE-TKLN/3
 APPROVED ON 8.5.2012 AND OUTLINE
 ZONING PLAN No. S/NE-WKS/10
 APPROVED ON 6.10.2009

REVIEW OF "AGR" ZONE OF NGA YIU HA

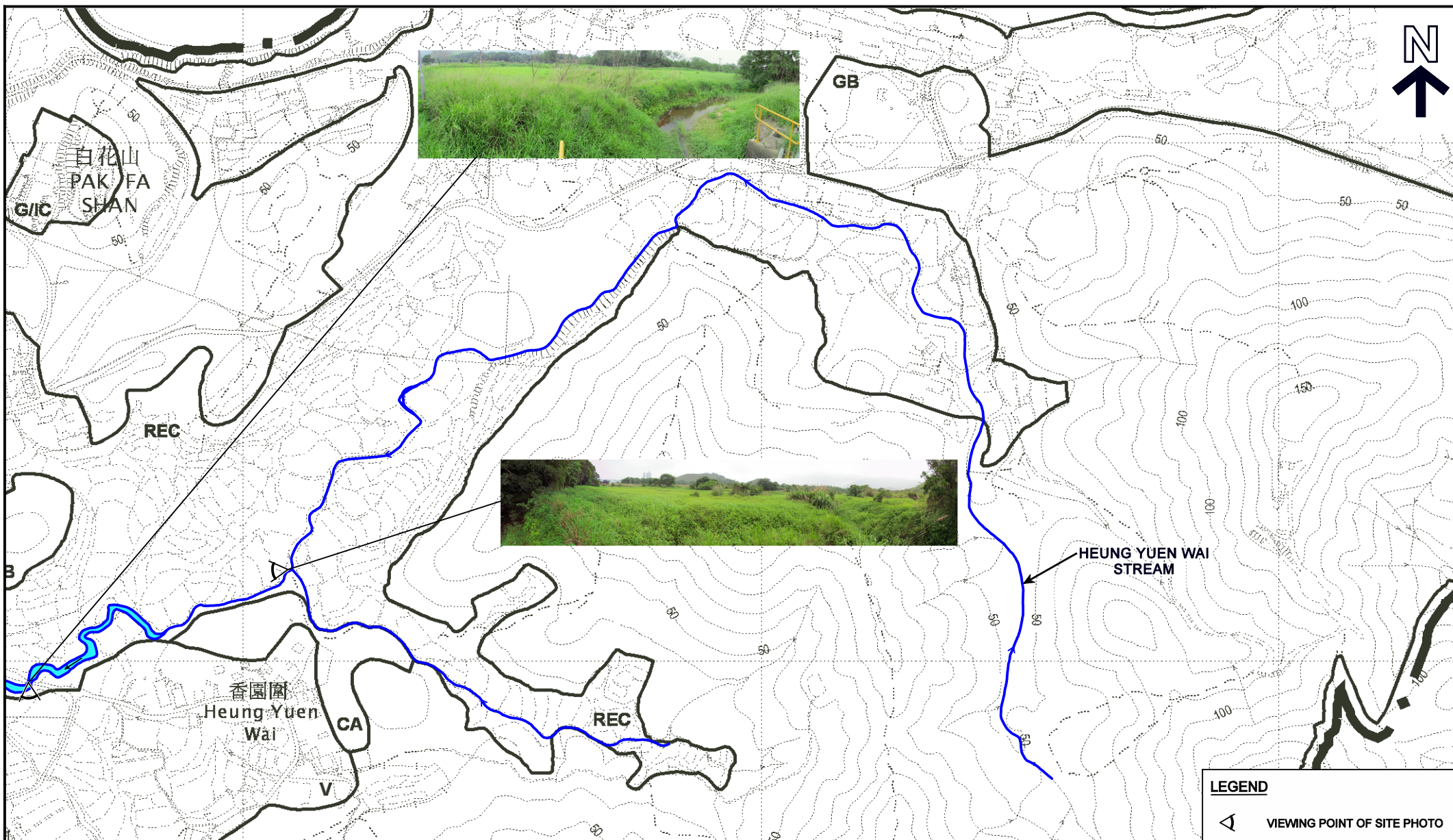
SCALE 1 : 7 500

PLANNING
 DEPARTMENT



REFERENCE No.
 M/NE/13/90

PLAN
 4



LEGEND



VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 17.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

**REVIEW OF LAND USE ZONING
ALONG THE UPPER COURSE OF
HEUNG YUEN WAI STREAM**

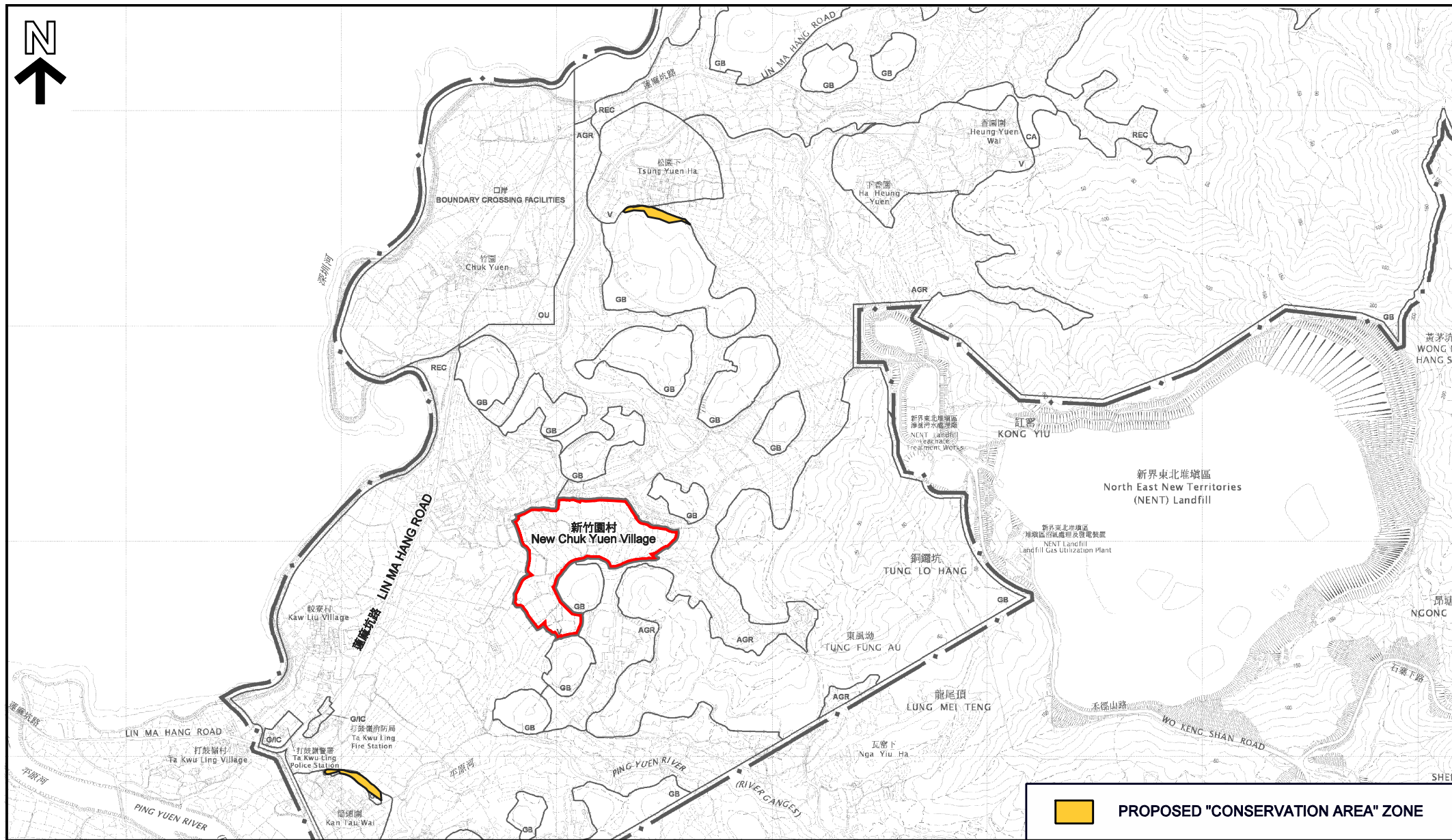
SCALE 1 : 5 000

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/90

**PLAN
5**



**FUNG-SHUI WOODLANDS PROPOSED BY WWF
TO BE ZONED "CONSERVATION AREA"**

EXTRACT PLAN PREPARED ON 14.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

SCALE 1 : 12 000
METRES 100 0 100 200 300 400 500 600 METRES

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/90

**PLAN
6**



EXTRACT PLAN PREPARED ON 14.6.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF LOW LAND HABITATS BETWEEN KAN TAU WAI AND HEUNG YUEN WAI

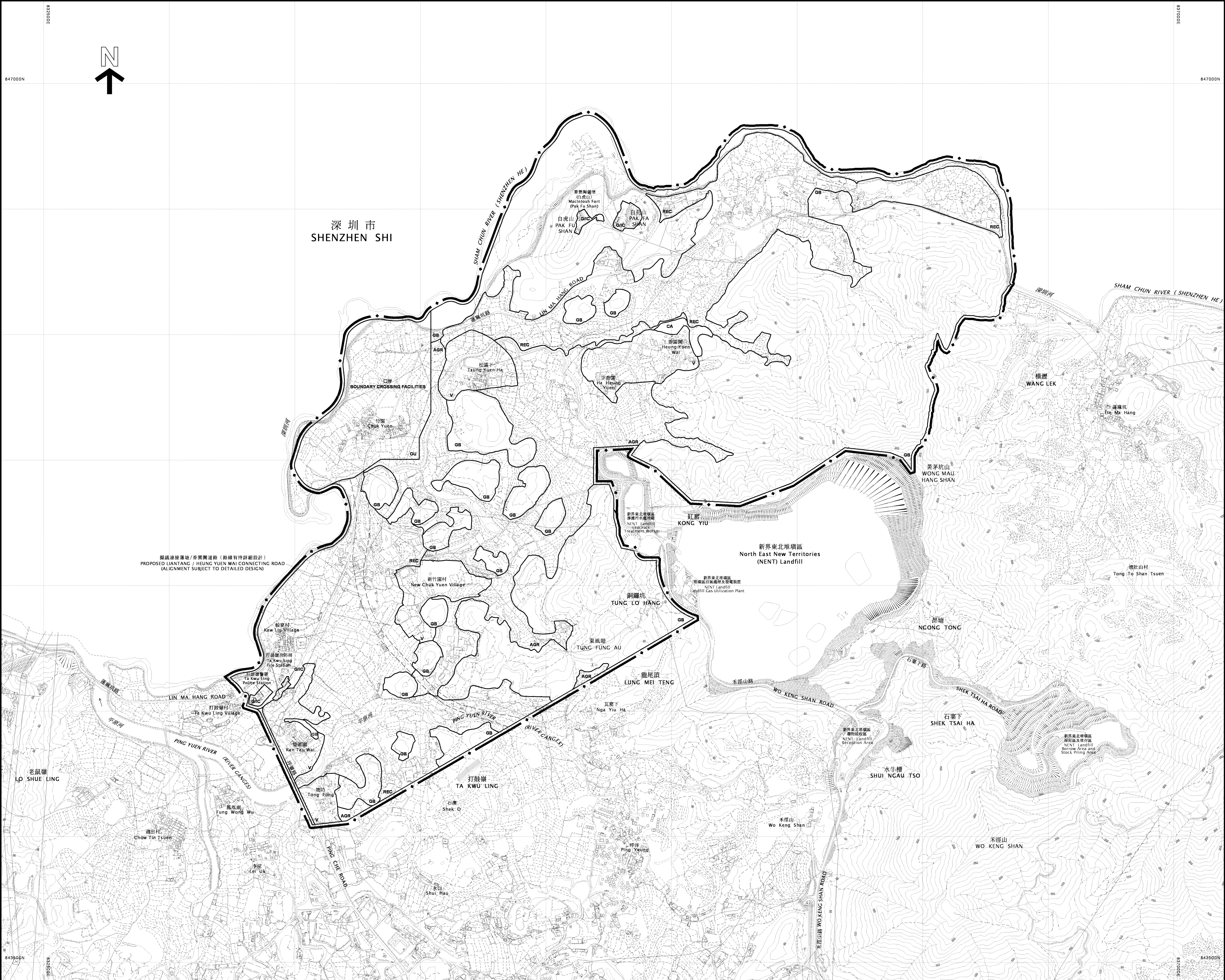
SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/90

PLAN
7



附件 I Attachment I

圖例
NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT

GOVERNMENT, INSTITUTION OR COMMUNITY

RECREATION

OTHER SPECIFIED USES

AGRICULTURE

GREEN BELT

CONSERVATION AREA

V

G/I/C

REC

OU

AGR

GB

CA

地帶

鄉村式發展

政府、機構或社區

康樂

其他指定用途

農業

綠化地帶

自然保育區

COMMUNICATIONS

MAJOR ROAD AND JUNCTION

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME

交通

主要道路及路口

其他

規劃範圍界線

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	27.83	6.46	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	1.98	0.46	政府、機構或社區
RECREATION	111.83	25.94	康樂
OTHER SPECIFIED USES	23.82	5.53	其他指定用途
AGRICULTURE	55.92	12.97	農業
GREEN BELT	208.13	48.29	綠化地帶
CONSERVATION AREA	1.10	0.26	自然保育區
MAJOR ROAD ETC.	0.42	0.09	主要道路等
TOTAL PLANNING SCHEME AREA	431.03	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

Attachment II

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/D

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Road junctions, alignment of roads and 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 "Conservation 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 draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area",
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and
 - (b) the following uses or developments require permission from the Town Planning

Board:

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

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

Road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (excavation or land/pond filling) is carried out and that the use or development is a use or development specified below:

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/D

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
RECREATION	4
OTHER SPECIFIED USES	6
AGRICULTURE	7
GREEN BELT	8
CONSERVATION AREA	10

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Refuse Collection Point
Religious Institution	Government Use (not elsewhere specified) #
(Ancestral Hall only)	Hotel (Holiday House only)
Rural Committee/Village Office	House (not elsewhere specified)
	Institutional Use (not elsewhere specified) #
	Market
	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 (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

(please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)

Planning Intention

The planning intention of this zone is to designate both existing recognized villages and areas of 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 draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Animal Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Columbarium
Eating Place (Canteen, Cooked Food Centre only)	Correctional Institution
Educational Institution	Crematorium
Exhibition or Convention Hall	Driving School
Field Study/Education/Visitor Centre	Eating Place (not elsewhere specified)
Government Refuse Collection Point	Funeral Facility
Government Use (not elsewhere specified)	Holiday Camp
Hospital	Hotel
Institutional Use (not elsewhere specified)	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
Library	Off-course Betting Centre
Market	Office
Place of Recreation, Sports or Culture	Petrol Filling Station
Public Clinic	Place of Entertainment
Public Convenience	Private Club
Public Transport Terminus or Station	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	Sewage Treatment/Screening Plant
Recyclable Collection Centre	Shop and Services
Religious Institution	Utility Installation for Private Project
Research, Design and Development Centre	Zoo
Rural Committee/Village Office	
School	
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

Planning Intention

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

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	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Field Study/Education/Visitor Centre	Eating Place
Government Use (Police Reporting Centre only)	Flat
Holiday Camp	Golf Course
On-Farm Domestic Structure	Government Refuse Collection Point
Picnic Area	Government Use (not elsewhere specified)
Place of Recreation, Sports or Culture	Helicopter Landing Pad
Public Convenience	Hotel
Rural Committee/Village Office	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)
Tent Camping Ground	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

(Please see next page)

RECREATION (cont'd)

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.
- (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.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

OTHER SPECIFIED USES

Column 1	Column 2
Uses always permitted	Uses that may be permitted with or without conditions on application to the Town Planning Board

For “Boundary Crossing Facilities” only

Ambulance Depot	Government Use (not elsewhere specified)
Boundary Crossing Facilities	
Eating Place	
Fire Station	
Government Refuse Collection Point	
Petrol Filling Station	
Police Station	
Public Convenience	
Public Transport Terminus or Station	
Public Utility Installation	
Public Vehicle Park (excluding Container vehicles)	
Radar, Navigational Aid, and Communication Devices	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Sewage Treatment/Screening Plant	
Shop and Services	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily for the development of the boundary crossing facilities and related uses for the proposed Liantang/Heung Yuen Wai Boundary Crossing Point.

AGRICULTURE

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 only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

Any diversion of streams or filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

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 Firing Range Flat 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 Zoo

(please see next page)

GREEN BELT (cont'd)

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.

Remarks

Any diversion of streams, 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 public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) 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) House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television And/or Radio Transmitter Installation 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 from the adverse effects of development.

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

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, 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, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/D**

EXPLANATORY STATEMENT

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/D

EXPLANATORY STATEMENT

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DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/D

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

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

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Ta Kwu Lin North Outline Zoning Plan (OZP) No. S/NE-TKLN/D. 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 On 10 September 2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Ta Kwu Ling North area as a development permission area (DPA). Subsequently on 17 June 2010, the Secretary for Development directed the Board to extend the coverage of the draft DPA plan.
- 2.2 On 30 July 2010, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 3 valid representations were received. On 8 October 2010, the representations were published for three weeks for public comments and 1 valid comment was received.
- 2.3 On 25 February 2011, the Board considered the representations and comments and decided to defer the consideration of the representations and comments pending further review by the Planning Department on the land use proposals, in particular on the "Village Type Development" ("V") zones, taking into account the views of the representers and commenters and any other relevant planning considerations.
- 2.4 On 16 June 2011, the CE, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft DPA Plan to the Chief Executive in Council (CE in C) for approval for a period of six months from 30 June 2011 to 30 December 2011.
- 2.5 On 8 September 2011, the Board further considered the representations and comments and decided not to uphold the representations.
- 2.6 On 28 October 2011, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/2, incorporating amendments to rezone an area to the north-east of Tong Fong from "Recreation" ("REC") to "V", areas to the north and east of Tsung Yuen Ha from "REC" and "Agriculture" ("AGR") to "V" and an area to the north-west of Ha Heung Yuen from "AGR" to "V" and a strip of land to the north of Ha Heung Yuen

close to an existing stream from “V” to “REC”, was exhibited for public inspection under section 7 of the Ordinance. Upon expiry of the two-month public inspection period, one representation was received. On 13 January 2012, the Board agreed that the representation was invalid.

- 2.7 On 8 May 2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ta Kwu Ling North DPA Plan, which was subsequently re-numbered as DPA/NE-TKLN/3. On 18 May 2012, the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 On 8 February 2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Ta Kwu Ling North area.
- 2.9 On ____ 2013, the draft Ta Kwu Ling North OZP No. S/NE-TKLN/D (the Plan) (*to be renumbered as S/NE-TKLN/1 upon gazetting*) 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 Ta Kwu Ling North area (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 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.

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 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 covers a total area of about 431 hectares. It is located approximately 6.7 km to the north of Fanling/Sheung Shui. It is bounded by Sham Chun River in the north, Lin Ma Hang Road in the northeast, Wong Mau Hang Shan

in the east, Tung Fung Au and Tung Lo Hang in the south, and Ping Che Road in the west. The North East new Territories (NENT) Landfill is located immediately to the southeast of the Area at Wo Keng Shan. The boundary of the Area is shown by a heavy broken line on the Plan.

- 5.2 The Area commands the cross boundary location in the northernmost rural area of the North District. Except Shenzhen City (Shenzhen Shi) which lies immediately outside the Hong Kong Special Administrative Region (HKSAR) in the north, the surroundings are predominantly agricultural spotted with rural settlements. The densely vegetated Wong Mau Hang Shan (243 mPD), Pak Fa Shan (75 mPD), Pak Fu Shan (98 mPD) and Tung Lo Hang (87 mPD) are the prominent mountain ridges in the Area. Lying between the mountainous ridges are lowland basins intersected with watercourses. The main watercourse is Ping Yuen River which flows from the mountainous ridges of Wo Keng Shan to the lowland before discharging into Sham Chun River. The extensive lowlands mainly comprise arable land intermixed with livestock farms and clusters of settlements, woodlands and other vegetated habitats.
- 5.3 The landscape features of the Area are woodlands, vegetated uplands, knolls and foothills. The Area covers a spectrum of natural habitats including 'fung-shui' woods, mixed shrubland, lowland forest and natural watercourse.
- 5.4 Economic activities are limited in the Area due to its rugged relief and limited accessibility. Farmers are mainly self-employed and engaged in operating pigsties and poultry farms to raise hogs or chicken, as well as agricultural activities including growing of vegetables, flowers and fruits.
- 5.5 Graded historic buildings within the Area include MacIntosh Fort at Pak Fu Shan (Grade 2), Ta Kwu Ling Police Station (Grade 3), Wing Kit Study Hall in Tong Fong (Grade 3), Kiu Fong Ancestral Hall in Tsung Yuen Ha (Grade 3) and a number of village houses in Heung Yuen Wai (Grade 1) and Tsung Yuen Ha (Grade 3). The Pak Fu Shan Site of Archaeological Interest also falls within the Area.

6. POPULATION

According to the 2011 Population Census, the total population within the Area was 550 persons. It is expected that the total planned population of the Area would be about 6,206 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Cross Boundary Facilities

The Plan makes provision for the future Liantang / Heung Yuen Wai Boundary Crossing Point which provides development of boundary crossing facilities and other necessary supporting facilities for increased access.

7.1.2 Tourism Potential

The Area is scenically attractive with green environment. The villages are relatively unspoiled and retain much of their traditional character. Such setting provides a wide array of unique and attractive tourism opportunities. The Area provides a good potential for cultural heritage and eco-tourism. Provision of tourism and recreation-related developments such as well-connected footpaths, cycle tracks and dining / overnight accommodation facilities would be required to realize its tourism potential.

There is agricultural land around Pak Fu Shan, north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai currently occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some limited open storage uses. This area could be designated for recreational purposes as it has low environmental and scenic value with a mixture of temporary structures. Another large area east of Kan Tau Wai at the south-western part of the Area can also be designated for recreational use. It is intended to provide indirect economic benefits to the nearby villages and the area adjacent to potential recreational facilities such as hiking / heritage trails and bicycle tracks as well as the potential Robin's Nest (Hung Fa Leng) Country Park so that it can utilize the future facilities of this area.

7.1.3 Agricultural Potential

Extensive good quality agricultural land is found in the northern and western parts of the Area, some of which is still under active cultivation. The lowland topography coupled with the presence of river tributaries for irrigation offers suitable conditions of using the Area for agricultural related activities. With basic infrastructure, including irrigation facilities, fallow arable land can be rehabilitated for agricultural purposes.

7.1.4 Nature Conservation Potential

The Area comprises large tracts of dense and undisturbed woodland, ponds and 'fung-shui' woods. The natural vegetation together with the rugged topographic backdrops provides a picturesque landscape forming an integral part of the natural environment that should be conserved.

Future development of the Area needs to take into account the areas of high ecological values, such as the fung-shui woods to the east and north-east of Heung Yuen Wai and the upper section of Heung Yuen Wai Stream. Prior consultation with relevant Government departments should be sought if development proposals would affect the places of ecological interest.

7.2 Constraints

7.2.1 Relief and Geotechnical Aspects

The eastern part of the Area is characterized by relatively steep mountains and naturally hilly terrain. There is a history of landslides on the natural terrain, such as Wong Mau Hang Shan. Such topographic relief imposes geotechnical constraints on development, and geotechnical assessment

would be required for any proposed development involving site formation and slope stabilization works.

7.2.2 NENT Landfill

The south-eastern part of the Area falls within the 250 m landfill gas consultation zone for the NENT Landfill. Landfill gas hazard assessment will be required for development falling within the consultation zone.

7.2.3 Boundary Crossing Point

The proposed Liantang / Heung Yuen Wai Boundary Crossing Point (LT/HYW BCP) will create a dramatic change to the scenic quality of the Area and will take up approximately 24 ha of land. In addition, the associated connection roads will create a source of potential adverse noise and air quality impacts on the Area.

7.2.4 Traffic

Vehicular accesses are of a limited capacity and not intended for heavy traffic. Due to the limited transport infrastructure in the Area, uncoordinated development would create problems and hazards to both pedestrian and vehicular traffic. Improvement to traffic facilities are required if the Area is to be opened up for development.

7.2.5 Drainage

Most parts of the low-lying areas are flood prone. Therefore, any development must demonstrate that the proposal would not cause any increase in the flooding susceptibility of the adjoining areas and be subject to a comprehensive Drainage Impact Assessment.

7.2.6 Sewerage

The Area falls within the Deep Bay catchment, therefore, no additional pollution loading should be discharged into the Deep Bay as a result of any new and proposed developments. New developments should therefore include proper on-site sewerage treatment facilities or be connected to public sewer, when available. Lack of public sewer has imposed severe constraints for large-scale developments in the Area.

7.2.7 Water Supply

If major development is to be planned, upgrading of water supply system and construction of additional waterworks installation may be required.

7.2.8 Land Ownership

About 33% of the Area is private lot and predominantly located in the low-lying areas along the northern, western and southern boundaries of the Area. The hilly terrain, majority of which adjacent to the western and northern boundaries of the NENT Landfill, is Government land.

7.2.9 Overhead Transmission Lines

There is a set of 132 kV overhead transmission lines running across the south-western portion of the Area. Relevant guidelines in Chapter 7 of the Hong Kong Planning Standards and Guidelines should be observed.

7.2.10 Burial Grounds

The ten permitted burial grounds for indigenous villagers would be retained.

8. GENERAL PLANNING INTENTION

The general planning intention of the Area is to promote cultural conservation, recreation tourism and provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It is also the planning intention to protect the natural setting and cultural integrity of the Planning Scheme Area and to promote sustainable agricultural activities. Provision has been made for an extensive recreation area stretching across the north of the Planning Scheme Area to provide low-intensity recreational uses to complement other nearby land uses. The Plan also makes provision for the future LT/HYW BCP.

9. LAND USE ZONINGS

9.1 "Village Type Development" ("V") : Total Area 27.83 ha

- (a) The planning intention of this zone is to designate both existing recognized villages, and areas of 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board. In order to provide opportunities for short-term accommodation in existing NTEH, "Hotel (Holiday House only)" may also be permitted within this zone on application to the Board. The accommodation can complement any proposed agricultural and recreational uses to promote village life experience, leisure farming and agri-tourism.
- (b) There are six recognized villages within the Area, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong. The boundaries of "V" zones are drawn up having regard to the existing village 'environs', outstanding Small House applications, Small House demand forecast, local topography, existing settlement pattern, ecologically important areas and other site specific characteristics. Areas of

difficult terrain, dense vegetation, burial grounds and streamcourses have been avoided where possible.

- (c) The proposed boundary crossing facilities and related uses of LT/HYW BCP would require resumption of Chuk Yuen Village. A site at about 500 m from the southeastern side of the Chuk Yuen Village is zoned "V" and to be developed as a resite area for Chuk Yuen Village and its future expansion.
- (d) The south-western part of the Ha Heung Yuen Village falls within the 250 m NENT Landfill Consultation Zone. To compensate for the loss of land for building village houses, an area to the east of the village (outside of the 250 m Landfill Consultation Zone) is zoned "V" for village type development.
- (e) Except for those specified, 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 building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (f) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (g) The village houses close to Lin Ma Hang Road and Ping Che Road are subject to adverse traffic noise impact. Village housing development near the main roads should be avoided. Suitable noise mitigation measures such as self-protective building design, noise barriers with minimal visual impacts, etc. would be required.
- (h) In order to address the potential impacts from developments on existing stream courses in general, concerned departments including Agriculture, Fisheries and Conservation Department and Planning Department should be consulted when processing Small House grant and applications in close proximity to existing stream courses, to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- (i) As diversion of streams or filling of pond 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.

9.2 "Government, Institution or Community" ("G/IC") : Total Area 1.98 ha

- (a) 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.

- (b) The existing GIC facilities, including the MacIntosh Fort (Pak Fu Shan), Pak Fa Shan Police Operation Base, Ta Kwu Ling Police Station and Ta Kwu Ling Fire Station are designated as GIC uses. As detailed planning proceeds, land may be designated from other uses to this zoning to meet the envisaged demands of the growing population of this Area.

9.3 “Recreation” (“REC”) : Total Area 111.83 ha

- (a) 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.
- (b) There are abandoned agricultural land around Pak Fu Shan, north of the Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai. It is occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some limited open storage uses. This area is designated for recreational purposes as it has low environmental value, low scenic value with a mixture of temporary structures. A large area east of Kan Tau Wai at the southwestern part of the Area is designated as “REC” zone on the Plan. It is intended to provide indirect economic benefits to the nearby villages and the area is adjacent to potential recreational facilities such as hiking/heritage trails and bicycle tracks as well as the potential Robin’s Nest Country Park so that the future facilities of this area can complement any proposed recreational uses in the “REC” zone.
- (c) Kaw Liu Village which contains mainly village settlements without recognized village status is included in this zoning. The house structures built in this area are mainly domestic houses. Although expansion of this rural settlement is not encouraged, redevelopment of existing NTEHs and domestic houses have been allowed for in this zoning.
- (d) Recreational uses such as horse riding schools, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds, BBQ areas and other uses that are primarily outdoor nature-based activities are permitted within this zone. These facilities should work in parallel with the promotion of Heung Yuen Wai and other villages which are connected by the proposed heritage and hiking trails. However, the recreational development in this Area should be restricted to low-intensity development so as not to overload the infrastructure of the Area and create nuisance to the villagers.
- (e) No residential development (except NTEH development) shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

- (f) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.4 "Other Specified Uses" ("OU") : Total Area 23.82 ha

"OU (Boundary Crossing Facilities)" ("OU (BCF)")

The only site zoned "OU" on the Plan is the area to the southwest of Pak Fu Shan. This zone is intended primarily for the development of boundary crossing facilities and related uses for the proposed LT/HYW BCP. Major facilities include vehicle clearance facilities, passenger clearance building, transit halls, pick-up/drop-off zones for passengers, public transport interchange, public car parking facilities, government offices and other necessary supporting facilities. These facilities are arranged so as to achieve proper and smooth operation of the clearance procedures and traffic movements.

9.5 "Agriculture" ("AGR") : Total Area 55.92 ha

- (a) This zone is intended primarily to retain and safeguard good quality agricultural land, farm and fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- (b) Majority of the agricultural land of good quality is found in lowland areas in the northern and eastern parts of the Area. With basic agricultural infrastructure, including irrigation facilities, fallow arable land can be easily rehabilitated for agricultural purpose.
- (c) As diversion of streams or filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, or construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.6 "Green Belt" ("GB") : Total Area 208.13 ha

- (a) 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.
- (b) However, 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.
- (c) The "GB" zone mainly covers the prominent hilly areas of the densely vegetated Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang. Green

buffer areas also include permitted burial grounds within the Planning Area and the 'fung-shui' woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai, Ha Heung Yuen and Tong Fong. For the area located to the north of Pak Fu Shan which is predominantly covered with trees and shrubs with no direct road access, it is retained as a "GB" to preserve its natural state.

- (d) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.7 "Conservation Area"("CA") : Total Area 1.1 ha

- (a) This zone 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 from the adverse impacts of development.
- (b) There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (c) The 'fung-shui' woods at the backdrops of Heung Yuen Wai is of high integrity and of significant level of plant diversity. It is zoned "CA" to protect and preserve the existing natural character.
- (d) The redevelopment of an existing house shall not 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 of the draft DPA Plan.
- (e) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

10. COMMUNICATIONS

10.1 Road Network

- (a) The Area is mainly served by Lin Ma Hang Road in the north and Ping Che Road in the southwest. Lin Ma Hang Road is a closed single track access leading from Ping Che Road in the west to connect Sha Tau Kok Road in the south. Ping Che Road is a single 2-lane carriageway leading from Ping Che in the south and connecting with Lin Ma Hang Road in the north. Apart from these major roads, there are local van tracks traversing the settlement areas to serve the residents.
- (b) Widening works is proposed at Lin Ma Hang Road between Tsung Yuen Ha and Lin Ma Hang for upgrading to single-2 lanes. The project is now at the

planning stage while Lin Ma Hang Road (section between Ping Che Road and Tsung Yuen Ha) will be widened separately under the LT/HYW BCP project. Traffic management measures would be implemented at the section of Lin Ma Hang road between Pak Fu Shan and Wang Lek if its widening works could not be tied in with the opening of the Closed Area in the Area. The existing Ping Che Road should have no capacity problem arisen from the traffic generated in the Closed Area. However, any improvement proposal on the full section of Ping Che Road should be subject to the ongoing North East New Territories New Development Area Planning and Engineering Study.

- (c) Apart from the rural roads, minor improvement works is also proposed to the local access road of Ha Heung Yuen and the proposed resite area of Chuk Yuen Village.

10.2 Public Transport

The Area is not well served by public transport facilities due to its access restriction, remoteness and sparse population. There are public franchised bus (No. 79K) and green minibus (No. 59K) plying between the Area and Sheung Shui Station.

11. UTILITY SERVICES

11.1 Sewerage and Drainage System

11.1.1 Most parts of the low-lying area are flood prone because the flow capacity of the existing drainage system within the Area is generally inadequate. The runoff from developments can be conveyed to Sham Chun River. Drainage system of the Area was improved by the river training works at Ping Yuen River which were completed in 2006. Drainage improvement works to Sham Chun River (Shenzhen River) under 'Regulation of Shenzhen River Stage 4' are scheduled for implementation in 2013.

11.1.2 The Area is basically unsewered at present. Existing village type developments and the livestock farms mainly rely on on-site sewerage treatment facilities, such as septic tanks and soakaway pits. The existing NENT Landfill Sewerage System in the Area is for pumping leachate from the NENT Landfill plus sewage from villages in Ping Che/Ta Kwu Ling area to Shek Wu Hui Sewage Treatment Works. Depending on the availability of public sewer in the future, the lack of sewerage infrastructure may form a constraint to new development in the Area.

11.2 Water Supply

Potable water supply is available in most parts of the Area and is served by the Sheung Shui Water Treatment Works via Ping Che Fresh Water Service Reservoir which is outside the Area. Currently, fresh water is used for flushing as supply of sea water is not available. Upgrading of existing water supply system will be required for new developments. Lin Ma Hang fresh water pump house, Pak Fu Shan fresh water header tank and various sizes of water mains are located within

the Area. Advice from the Water Supplies Department should be sought if these existing waterworks facilities are affected.

11.3 Other Public Utility Services

11.3.1 Solid waste disposal relies on small refuse collection points scattered throughout the Area. Collected wastes are transported to the NENT Landfill for disposal.

11.3.2 There is no existing piped gas system in the Area. Electricity supply and telephone networks are available in the Area.

12. CULTURAL HERITAGE

12.1 Graded historic buildings within the Area include four Grade 1 historic buildings, i.e. Nos. 1A, 1, 1B, 2 and 3, Nos. 4 and 5, Watchtower of No. 4 and Nos. 76-78 in Heung Yuen Wai; one Grade 2 historic building, i.e. MacIntosh Fort at Pak Fu Shan; four Grade 3 historic buildings, i.e. Ta Kwu Ling Police Station, Wing Kit Study Hall in Tong Fong, Kiu Fong Ancestral Hall and Nos. 57, 58 and 59 in Tsung Yuen Ha. Also, the Pak Fu Shan Site of Archaeological Interest falls within the Area. All the above site of archaeological interest and graded historic buildings / structures are worthy of preservation.

12.2 The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to the grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.

12.3 Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above graded historic buildings / structures, new items pending grading assessment or site of archaeological interest and their / its immediate environs.

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 definite programme for the provision of comprehensive 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. widening of access road 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 draft DPA plan 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 the 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 planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans and the guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning application can be downloaded from the Board's website and are available from the Secretariat of the Board, 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 land included in this Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond, excavation of land or diversion of streams in the relevant zones on or after the date of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation related zonings, such as "CA".

Agenda Items 4 to 8

[Open Meeting]

Preliminary Consideration of New Plans -

Draft Sha Tau Kok Outline Zoning Plan (OZP) No. S/NE-STK/B, Draft Lin Ma Hang OZP No. S/NE-LMH/C, Draft Ta Kwu Ling North OZP No. S/NE-TKLN/C, Draft Man Kam To OZP No. S/NE-MKT/B and Draft Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/C (TPB Papers No. 9326, 9327, 9328, 9329 and 9330)

[The meeting was conducted in Cantonese.]

[Mr. Dominic K.K. Lam returned to join the meeting at this point.]

34. The Chairman suggested and Members agreed that since all the five draft outline zoning plans (OZPs) covering the Sha Tau Kok (STK), Lin Ma Hang (LMH), Ta Kwu Ling North (TKLN), Man Kam To (MKT) and Ma Tso Lung and Hoo Hok Wai (MTL & HHW) areas were all located in proximity to each other in the Frontier Closed Area (FCA) and with similar planning backgrounds, they would be considered collectively by the Town Planning Board (the Board).

35. The following representatives of the Planning Department (PlanD) were invited to the meeting at this point:

Ms. Jacinta Woo	- District Planning Officer/Shan Tin, Tai Po & North (DPO/STN)
Mr. Otto Chan	- Senior Town Planner/North (STP/N)

36. The Chairman extended a welcome and invited the representatives of PlanD to brief Members on the Papers.

37. With the aid of a Powerpoint presentation, Mr. Otto Chan, STP/N, made the following main points on the background of five draft OZPs as detailed in the Papers:

- (a) in 2008, the Security Bureau (SB) announced that the coverage of the FCA would be substantially reduced from about 2,800 ha to about 400

ha. The STK area and most of the eastern/southern portion of the LMH area fell within the area covered by the first stage of reduction and were now outside the FCA. Most of the MTL & HHW area fell within the area covered by the second stage of reduction which would tentatively come into effect in mid-2013. Part of the western portion of the LMH area and the TKLN and MKT areas were covered by the third stage of reduction which was planned to come into effect in 2015;

- (b) five draft development permission area (DPA) Plans for the former FCA, including the STK, LMH, TKLN, MKT and MTL & HHW DPA Plans, were prepared to take forward the recommendations of the "Land Use Planning for the Closed Area – Feasibility Study" (the FCA Study);
- (c) on 30.7.2010, the five draft DPA Plans, including the draft STK DPA Plan No. DPA/NE-STK/1, the draft LMH DPA Plan No. DPA/NE-LMH/1, the draft TKLN DPA Plan No. DPA/NE-TKLN/1, the draft MKT DPA Plan No. DPA/NE-MKT/1 and the draft MTL & HHW DPA Plan No. DPA/NE-MTL/1, were exhibited for public inspection under section 5 of the Ordinance. The numbers of valid representations and comments to the five draft DPA Plans were as follows:

DPA Plan	Number of valid representations	Number of valid comments
Draft STK DPA Plan No. DPA/NE-STK/1	14	3
Draft LMH DPA Plan No. DPA/NE-LMH/1	7	8
Draft TKLN DPA Plan No. DPA/NE-TKLN/1	3	1
Draft MKT DPA Plan No. DPA/NE-MKT/1	6	1
Draft MTL & HHW DPA Plan No. DPA/NE-MTL/1	8	1

- (d) on 8.9.2011, the Board considered the representations and comments to

the five draft DPA Plans and agreed to propose amendments to the draft DPA Plans to meet/partially meet the representation(s);

- (e) on 11.11.2011, the Board gave consideration to the further representations to the draft STK DPA Plan, the draft LMH DPA Plan, the draft MKT DPA Plan and the draft MTL & HHW DPA Plan and decided not to uphold the further representations. The Board decided that the proposed amendments to the four DPA Plans would form part of the respective DPA Plan under section 6F(8) of the Ordinance;
- (f) the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft STK DPA Plan and the draft MTL & HHW DPA Plan on 21.2.2012, the draft TKLN DPA Plan and the draft MKT DPA Plan on 8.5.2012, and the draft LMH DPA Plan on 8.1.2013; and
- (g) in accordance with section 20(5) of the Ordinance, the DPA Plans were effective for three years until 30.7.2013. On 8.2.2013, under the power delegated by the CE, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an outline zoning plan (OZP) to cover each of the STK, LMH, TKLN, MKT and MTL & HHW areas.

Draft STK OZP

38. Mr. Otto Chan then made the following main points on the draft STK OZP No. S/NE-STK/B as detailed in TPB Paper No. 9326:

Strategic Planning Context

- (a) according to the FCA Study, the major objective of the Recommended Development Plan (RDP) of the STK area was to protect the natural setting, environmental diversity and cultural integrity. The traditional villages could provide an entry point to the recreational and

environmental features of the immediate area;

Issues Arising from Consideration of the DPA Plan

- (b) the major land use proposals arising from the representations and comments to the draft STK DPA Plan No. DPA/NE-STK/1 were summarized as follows:
- (i) local villagers suggested that more land should be reserved for all villages in Sha Tau Kok by inclusion of the adjacent "Agriculture" ("AGR") and "Green Belt" ("GB") zones;
 - (ii) a Sha Tau Kok District Rural Committee (STKDRC) member, a North District Council (NDC) member and various Village Representatives (VRs) opposed the "AGR" zone along the coastal area south of Sha Tau Kok Road and proposed to rezone the area to "Recreation" ("REC"); and
 - (iii) local villages opposed the "GB" zoning of an area near Gate One Checkpoint of the FCA (south of Ha Tam Shui Hang) and proposed to rezone the area to "REC";

Town Planning Board's Decisions and Instructions

- (c) on 8.9.2011, the Board considered the representations and comments to the draft STK DPA Plan No. DPA/NE-STK/1, and decided to amend the "Village Type Development" ("V") zone for the villages of Tong To, San Tsuen, Muk Min Tau, Tsui Hang, Tam Shui Hang and Shan Tsui to partially meet the representations. Regarding the local villagers' request to rezone the coastal area south of Sha Tau Kok Road to "REC", the Board decided that the "AGR" zoning of the area should be maintained as the zoning was in line with the recommendations of the FCA Study and appropriate to retain the good quality agricultural land. Nevertheless, the Board requested PlanD to further examine the issue in

the OZP preparation stage. As for the "GB" zone near Gate One Checkpoint, the "GB" zoning was considered appropriate taking into account its natural setting;

- (d) the proposed amendments to the draft STK DPA Plan No. DPA/NE-STK/1 were published for public inspection on 16.9.2011. Two further representations were received, which proposed to revoke the proposed amendments and raised objection on ground that there was a lack of sustainable layout plans of infrastructure for the health and well being of the residents. On 11.11.2011, the Board gave consideration to the further representations and decided not to uphold them, and agreed to amend the STK DPA Plan by the proposed amendments under section 6F(8) of the Ordinance;

The Planning Scheme Area

- (e) the Planning Scheme Area of the draft STK OZP (the STK Area) covered a total area of about 557 ha. It was located approximately 9 kilometres to the north-east of Fanling/Sheung Shui. It was bounded by Sha Tau Kok River in the north, Sha Tau Kok Boundary Control Point (STK BCP) in the east, Starling Inlet (Sha Tau Kok Hoi) in the south-east, and Robin's Nest (Hung Fa Leng) in the south-west and west;
- (f) the landscape features of the STK Area included shrubland, woodlands, upland grassland, knolls and foothills. The STK Area covered a spectrum of natural habitats including 'fung shui' woods, mixed shrubland, seasonally wet grassland, lowland forest and natural watercourse;
- (g) the recognized villages within the STK Area included Tong To, Muk Min Tau (including Tsiu Hang), San Tsuen, Tam Shui Hang (including Sheung Tam Shui Hang and Ha Tam Shui Hang), and Shan Tsui. According to the 2011 Population Census, the total population of the STK Area was 750;

- (h) economic activities in the STK Area were limited due to its rugged relief and limited accessibility;
- (i) there were several graded historic buildings and two sites of archaeological interest within the STK Area;
- (j) in general, the major conditions of the STK Area remained largely unchanged since the gazettal of the draft STK DPA Plan;

Development Proposals Received in the Course of Preparation of the Draft OZP

- (k) Kadoorie Farm and Botanic Garden Corporation (KFBGC) and World Wildlife Fund (WWF) requested for a review of land use zonings for three streamcourses in the STK area, their river estuaries and the mangroves along the coast of Sha Tau Kok;
- (l) green groups, including KFBGC and WWF, expressed that appropriate zonings should be designated for two pieces of dense woodland of high ecological value to the north of Tam Shui Hang and Sha Tsui which were zoned "V" on the STK DPA Plan;

Land Use Planning Considerations

Review of "V" Zones

- (m) based on the latest Small House demand figures provided by the District Lands Officer/North, Lands Department (DLO/N, LandsD) in 2012, which included the outstanding Small House applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives, the "V" zones on the approved STK DPA Plan had been reviewed according to the established criteria agreed by the Board on 8.9.2011, as detailed in paragraph 9.1 of the Paper;

- (n) according to DLO/N, LandsD, there was a substantial increase in total Small House demands for Tong To and Tam Shui Hang from 548 and 467 to 3,002 and 912 respectively, and a slight increase in total Small House demands for San Tsuen from 138 to 151, Muk Min Tau from 3,000 to 3,014 and Shan Tsui from 246 to 254 as compared with the figures presented to the Board in 2011. As the substantial increase in Small House demands for Tong To and Tam Shui Hang was not supported by evidence and not verified by DLO/N, their "V" zone boundaries were reviewed based on the total Small House demand in 2011, i.e. 550 and 462 respectively;
- (o) the boundaries of the "V" zones had been fully deliberated during the consideration of representations and comments to the draft STK DPA Plan in 2011 and there had been no significant change in planning circumstances since then. No change was proposed for the "V" zone of Tong To as the size of the "V" zone on the approved DPA Plan was already equivalent to the size of the village 'environs' ('VE') of the recognized village;
- (p) for Shan Tsui and Tam Shui Hang, the "V" zone on the approved DPA Plan was approximately the same as the 'VE' of the recognized villages. Taking into account the green groups' proposal, two pieces of land north of Tam Shui Hang and Shan Tsui with a total area of 0.55 ha were proposed to be rezoned from "V" to "GB". On the other hand, two pieces of land between Muk Min Tau and Tam Shui Hang (0.39 ha) and to the north-west of Tam Shui Hang (0.16 ha) were proposed to be rezoned from "AGR" to "V";
- (q) for San Tsuen and Muk Min Tau (including Tsiu Hang), the "V" zone on the approved DPA Plan was of a size equivalent to about 95% of the 'VE' of the two recognized villages. No suitable land in the vicinity of the villages was available to meet their Small House demands as the surrounding area was covered by dense vegetation, seasonal wet grassland and burial ground;

Major Streamcourses in STK Area

- (r) the land use zonings along the three streamcourses in the STK Area had been reviewed after site investigation and further discussions with the Agriculture, Fisheries and Conservation Department (AFCD). The findings were summarized below:

Stream adjacent to Tong To

- (i) according to the findings of the FCA Study, the stream adjacent to Tong To was of moderate ecological value. The modified lower-middle section of the stream fell mainly within "REC" zone. As there had been no material change in planning circumstances of the area along the stream since the gazettal of the draft STK DPA Plan, it was considered appropriate to retain the "REC" zoning for the stream. A clause had been included in the Notes of the draft OZP to ensure that any diversion of the existing streamcourses within the "REC" zone would be subject to statutory planning control;
- (ii) the upper section of the stream fell within areas mainly zoned "GB" to reflect the current natural hillslopes. The areas covered by Tong To and Tong To Ping Tsuen and their vicinity were zoned "AGR" and "V" to reflect its existing uses which included agricultural land and village house developments;

Stream adjacent to Muk Min Tau and San Tsuen

- (iii) the upper section of the stream adjacent to Muk Min Tau and San Tsuen was of moderate ecological value according to the FCA Study and was covered by "Conservation Area" ("CA"), "GB" and "AGR" zones. The lower-middle course of the stream was of low ecological value and mainly zoned "V" to reflect the existing development pattern; and

Stream adjacent to Tam Shui Hang

- (iv) according to the FCA Study, the stream at Tam Shui Hang was of moderate to high ecological value. The upper section of the stream fell mainly within "AGR" and "GB" zones. As there had been no change in the planning circumstances at the upper section of the stream since the gazettal of the draft STK DPA Plan, the "AGR" and "GB" zonings for this part of the stream were to be retained. There were signs of recent village house developments alongside the nearby "V" zone close to the lower-middle course of the stream. It was proposed that this part of the stream should be rezoned to "V" to reflect the existing development pattern;

Impact of Small House Development within "V" Zone on Streams

- (s) it was suggested that the Explanatory Statement of the draft OZP should clearly state the requirement that when processing Small House grants and applications in close proximity to existing streamcourses within "V" zone, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond within the "V" zone would require planning permission from the Board in accordance with the Notes of the draft OZP;

Coastal "AGR" Zone south of Sha Tau Kok Road

- (t) regarding the request of the Board to review the land use zoning of the coastal area south of Sha Tau Kok Road, it was considered appropriate to retain the "AGR" zoning in view that the area covered mostly fallow arable land with good potential for agricultural rehabilitation. The "AGR" zoning was also appropriate to allow only low-density development along the coastal area with a view to minimizing any potential impact on Starling Inlet. Recreational uses, such as 'Barbecue Spot' and 'Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)', might be permitted on application to the Board;

"GB" Zone near Gate One Checkpoint of the FCA

- (u) it was considered appropriate to retain the "GB" zoning for the areas near Gate One Checkpoint of the FCA as they were covered with seasonally wet grassland and mangroves;

Planning Intention

- (v) the general planning intention of the STK Area was to promote cultural conservation, recreation and tourism. The rural character, natural habitats including the undisturbed woodland and lowland river habitats, the unique landscape as well as the ecologically important areas, and the upland scene of the STK Area should be conserved;

Land Use Zonings

- (w) about 39.45 ha of land were zoned "V" to cover the recognized villages within the STK Area, i.e. Shan Tsui, Tam Shui Hang (including Sheung Tam Shui Hang and Ha Tam Shui Hang), Muk Min Tau (including Tsiu Hang), San Tsuen and Tong To, and areas of land suitable for village expansion;
- (x) about 1.46 ha of land were zoned "Government, Institution or Community" ("G/IC"), which mainly covered two hilltop survey stations, Sha Tau Kok Sewage Treatment Works, the Sha Tau Kok Police Operation Base and helicopter landing site, and the MacIntosh Fort at Pak Kung Au. The disused Kwan Ah School at Sheung Tam Shui Hang was currently vacant. According to the FCA Study, the disused school building could be used as a visitor centre and/or a small scale holiday camp;
- (y) about 11.35 ha of land were zoned "REC", which covered an area south of Tong To extending to the bank of Sha Tau Kok Hoi currently occupied by 'Sha Tau Kok Farm' and abandoned agricultural land;

- (z) about 38.82 ha of land were zoned "AGR", which mainly covered the areas in the northern and western parts of the STK Area;
- (aa) about 461.55 ha of land were zoned "GB", which mainly covered the eastern fringe of Robin's Nest and the permitted burial grounds for indigenous villagers;
- (bb) about 2.77 ha of land were zoned "CA" to retain and preserve the existing natural character of the 'fung shui' woods at the backdrops of Muk Min Tau;
- (cc) in terms of land use, there was a slight increase in area zoned "GB" (0.55 ha) and a corresponding decrease in area zoned "AGR" as compared with the approved STK DPA Plan. No change to the land area of other land use zones was proposed;

Consultation

- (dd) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and
- (ee) subject to the agreement of the Board, the draft STK OZP No. S/NE-STK/B would be submitted to the NDC and the STKDRC for consultation. Comments from the NDC and the STKDRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

39. As the presentation from the representatives of PlanD on the draft STK OZP had been completed, the Chairman invited questions from Members. The Chairman remarked that Members were invited to consider if the draft OZPs were suitable for submission to the NDC and the concerned RCs for consultation. After the consultation exercises, the draft OZPs with the views of NDC and the concerned RCs would be submitted to the Board before gazetting under section 5 of the Ordinance.

Supporting Facilities for Recreational Uses and Tourism

40. In response to the Chairman's question on the provision of supporting facilities for recreational development including car parks in the STK Area, Ms. Jacinta Woo said that about 11.35 ha of land were zoned "REC" on the draft OZP with a view to facilitating low-density active recreational and related uses. An area to the north-western part of the STK Area was a proposed country park for passive recreational use. She indicated that due to infrastructural constraints, the STK Area was largely suitable for passive recreational uses at present. Since the STK Area was only opened up in February 2012, it would be prudent to closely monitor the situation before active recreational uses and supporting facilities could be considered. Besides, planning applications for temporary car parks in the STK Area had recently been received and such applications would be assessed based on individual merits.

41. Another Member said that after opening up of the STK Area, there was a need to gear up the provision of supporting facilities to meet the vast volume of visitors and local tours during weekends and holidays.

Traffic Issues

42. The Chairman further asked whether there were any coach parking facilities and transport infrastructures such as public transport terminus (PTT) to support the corresponding increase in coach bus traffic in the area. Ms. Jacinta Woo said that there was no provision of coach parking facilities in the STK Area but there was one PTT in STK Town close to the STK Area for green minibuses (GMB) and coach bus parking. Ms. Woo said that Transport Department would closely monitor the local traffic situation and consider improving the existing transport facilities when necessary.

43. Given the rural character and infrastructural constraints of the area, a Member said that the use of public transport such as GMBs should be encouraged and the use of private cars should be discouraged on environmental consideration.

44. A Member said that proper traffic measures to ensure the promotion of

recreational development and eco-tourism without undermining the planning intention to conserve the area, such as restricting vehicular access to the area, should be considered.

45. In response to a Member's concern on the border-crossing traffic and the demand for parking facilities generated from the STK BCP, Mr. K.K. Ling said that the STK BCP, similar to the MKT BCP, were relatively small scale road-based land crossings which would not attract significant volume of border-crossing traffic. There was currently no plan and programme to expand these two existing BCPs. Mr. Ling said that a new BCP at Liantang/Heung Yuen Wai planned for handling higher volume of border-crossing traffic was scheduled for operation in 2018.

46. In response to a Member's question on whether the land use zonings on the draft OZP would pose any constraints on future road improvement works, the Secretary said that road projects authorized under the Roads (Works, Use and Compensation) Ordinance were deemed approved under the Ordinance and road works co-ordinated or implemented by Government departments were permitted in all zones under the covering Notes of the draft OZP.

Integration with STK Town

47. In response to a Member's suggestion to take into account the STK Town in the planning of the STK Area as an integrated area, Ms. Jacinta Woo said that STK Town was still within the FCA and there was currently no plan and programme to open up STK Town. Ms. Woo said that the preparation of the draft STK OZP had already taken into account the findings and recommendations of the Study on Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas of which proper integration of STK Town and its surrounding fringe areas had been examined. The integration of the STK Area with STK Town could be further examined when there was a policy to open up STK Town.

Zoning of Proposed Country Park

48. A Member asked whether the proposed country park at Robin's Nest should be zoned as "CA" instead of "GB". In response, Ms. Jacinta Woo said that the proposed

country park area was mostly Government land and hence was under Government control. AFCD considered that the "GB" zoning for the proposed country park area was appropriate in preserving its natural landscape and environment. Only areas of high ecological value as supported by AFCD would be considered for "CA" zoning.

Planning Intention and Scope for More Intensive Development

49. The Vice-chairman indicated support to the general planning intention of the five draft OZPs to preserve the local character and to conserve the natural environment. He said that given the lack of transport and other infrastructures, it was appropriate to designate majority of the areas as "CA", "GB" and "AGR" zones on the draft OZPs to contain urbanised development. In the long term, any major development in these areas should be justified and supported by detailed studies.

50. A Member said that agriculture use played an important role in the process of sustainable development. Noting that there was plenty of abandoned agricultural land in the areas, the Member commented that a proper agricultural policy should be in place to optimize the use of agricultural land. Otherwise, the agricultural land should be considered for other beneficial uses such as residential development in order to avoid wastage of land resources.

51. The same Member asked if there was any long term plan to allow more development in the area noting that it was very near Shenzhen which had been developed into a high density area. Some people might want to live in the STK area to be near Shenzhen. In response, Mr. K.K. Ling said that PlanD had conducted an integrated planning study, i.e. the FCA Study, to examine how the area should be planned from a the strategic planning perspective. The FCA Study recommended that the FCA could serve as a green buffer between Hong Kong and Shenzhen. Although there had been growing aspiration for intensifying developments in the area, a proper balance between nature conservation and development needs should be struck. The draft OZPs were prepared mainly to reflect the proposals recommended in the FCA Study and to ensure proper planning control in the areas. Most of the FCA areas were not sufficiently served by infrastructural facilities and hence they were not yet ready for development. These areas would have to be properly protected by way of a statutory OZP. High-density urban type

developments should be confined to areas with infrastructure provisions such as the three proposed New Development Areas in North East New Territories.

"V" Zone Boundary and Small House Development

52. The Vice-chairman supported the criteria that the area of "V" zone should not be larger than the area of 'VE'. He quoted several villages in the STK Area which indicated that there was a substantial increase in 10-year forecast demand for Small House development since the opening up of the STK Area. In view of the need to conserve the natural environment, it would be prudent to confine "V" zone within the 'VE'. In fact, land was still available in the "V" zones for Small House developments.

53. A Member asked whether there were any new Small House development within the areas since the gazettal of the draft DPA Plans. In response, Ms. Jacinta Woo said that comparing the Small House demand figures provided by DLO/N in 2011 and 2012, there had been an increase in the outstanding Small House applications for a number of villages in the areas, possibly due to the opening up of the FCA.

54. After deliberation, the Board:

- (a) adopted the Explanatory Statement as an expression of the planning intention and objectives of the Board for various land use zonings on the draft Sha Tau Kok OZP No. S/NE-STK/B; and
- (b) agreed that the draft Sha Tau Kok OZP No. S/NE-STK/B together with its Notes and Explanatory Statement were suitable for submission to NDC and STKDRC for consultation.

Draft LMH OZP

55. With the aid of a Powerpoint presentation, Mr. Otto Chan made the following main points on the draft LMH OZP No. S/NE-LMH/C as detailed in TPB Paper No. 9327:

Strategic Planning Context

- (a) according to the FCA Study, the major objective of the RDP of the LMH area was to protect the natural setting, environmental diversity and cultural integrity of the area. The land use pattern and surrounding facilities should also promote Lin Ma Hang as a key tourism node;

Issues Arising from Consideration of the DPA Plan

- (b) the major land use proposals arising from the representations and comments to the draft LMH DPA Plan No. DPA/NE-LMH/1 included the proposal of the VR of Lin Ma Hang Village to enlarge the "V" zone of Lin Ma Hang Village and his objection to the "CA" zoning for the buffer area of Lin Ma Hang Stream;

Town Planning Board's Decisions and Instructions

- (c) on 8.9.2011, the Board considered the representations and comments to the draft LMH DPA Plan, and decided that no change should be proposed for the "V" zones of Lin Ma Hang and San Kwai Tin. The Board also decided to rezone the buffer area of Lin Ma Hang Stream from "CA" to "GB" to partially meet the representations;
- (d) the proposed amendments to the draft LMH DPA Plan No. DPA/NE-LMH/1 were published for public inspection on 16.9.2011. A total of 15 further representations were received, which mainly objected to the proposed rezoning of the buffer area along Lin Ma Hang Stream from "CA" to "GB". On 11.11.2011, the Board gave consideration to the further representations and decided not to uphold them, and agreed to amend the LMH DPA Plan by the proposed amendments under section 6F(8) of the Ordinance;

The Planning Scheme Area

- (e) the Planning Scheme Area of the draft LMH OZP (the LMH Area) covered a total area of about 329 ha. It was located approximately 6 kilometres to the northeast of Fanling/Sheung Shui New Town. It was bounded by Sham Chun River in the north, Robin's Nest in the east and south and Wong Mau Hang Shan in the west;
- (f) the landscape features of the LMH Area included woodlands, vegetated uplands, knolls and foothills. The LMH Area covered a spectrum of natural habitats including 'fung shui' woods, mixed shrubland, freshwater/brackish wetland, lowland forest and natural watercourse. There were two sites of special scientific interest (SSSIs) in the LMH Area;
- (g) existing rural settlements were mainly located in the recognized village of Lin Ma Hang while San Kwai Tin Village had already been abandoned. According to the 2011 Population Census, the population of the LMH Area was about 100 persons;
- (h) economic activities in the LMH Area were limited due to its rugged relief and limited accessibility;
- (i) there were several graded historic buildings and a site of archaeological interest within the LMH Area;
- (j) in general, the major conditions of the LMH Area remained largely unchanged since the gazettal of the draft LMH DPA Plan;

[Mr. Patrick H.T. Lau left the meeting temporarily at this point.]

Development Proposals Received in the Course of Preparation of the Draft OZP

- (k) KFBGC and WWF considered that the "GB" zoning of the buffer area along the Lin Ma Hang Stream SSSI was not sufficient to provide protection to the stream. They proposed to rezone the buffer area of the

stream to "CA";

Land Use Planning Considerations

Review of "V" Zones

- (l) based on the latest Small House demand figures provided by DLO/N, LandsD in 2012, which included the outstanding Small House applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives, the "V" zones on the approved LMH DPA Plan had been reviewed according to the established criteria agreed by the Board on 8.9.2011, as detailed in paragraph 9.1 of the Paper;
- (m) according to DLO/N, LandsD, there was a decrease in total Small House demand for Lin Ma Hang Village from 909 to 314 as compared with the figures presented to the Board in 2011. The Small House demand forecast for San Kwai Tin Village was not available as there was no Indigenous Inhabitant Representative for the village;
- (n) no amendment to the "V" zone was proposed for Lin Ma Hang Village as the size of the "V" zone on the approved DPA Plan was already larger than the 'VE' of the recognized village by about 7%. Despite there was a substantial reduction in the total Small House demand for Lin Ma Hang Village, there was still insufficient land available within the "V" zone to meet the total Small House demand. As the boundaries of the "V" zones had been fully deliberated during the consideration of representations and comments to the draft LMH DPA Plan in 2011 and there had been no significant change in planning circumstances since then, no change to the "V" zones of Lin Ma Hang Village and San Kwai Tin Village was proposed;

Buffer Area along Lin Ma Hang Stream

- (o) Lin Ma Hang Stream was designated as a SSSI in 2007 in consideration of its high ecological value. According to the FCA Study, Lin Ma

Hang Stream was a rare, unchannelised and unpolluted lowland stream in Hong Kong. The FCA Study proposed that a 20m wide zoning buffer could be considered for the stream;

- (p) a 20m wide buffer area along both sides of Lin Ma Hang Stream was first zoned "CA" on the draft LMH DPA Plan No. DPA/NE-LMH/1. Upon consideration of the representations and comments to the draft LMH DPA Plan on 8.9.2011, the Board agreed to rezone the buffer area of the stream from "CA" to "GB" to partially meet the representations of the Lin Ma Hang villagers. It was considered that the rezoning of the area from "CA" to "GB" would allow the Board to regulate developments within the buffer area and maintain a proper balance between conservation and the need for development;

[Ms. Anita W.T. Ma left the meeting temporarily at this point.]

- (q) after further site investigation and discussion with AFCD, it was found that the upstream area of Lin Ma Hang Stream was densely vegetated with few signs of human disturbance. Thus, it was considered more appropriate to designate this section of the stream and its buffer area as "CA" for better protection of the water quality and habitat characteristic of the stream. 'Agricultural Use' and 'On-Farm Domestic Structure' would be permitted as of right under the "CA" zone as they were considered compatible with the rural character and surrounding environment. Planning permission from the Board would be required for diversion of streams or filling of pond/land that might cause adverse impacts on drainage and the natural environment;

[Ms. Janice W.M. Lai left the meeting temporarily and Mr. Patrick H.T. Lau returned to join the meeting at this point.]

- (r) as for the downstream area, there were already pockets of village settlements. AFCD agreed that it was appropriate to retain the "GB" zoning for the buffer area. The proposed boundary of the "GB" zone

would be delineated with reference to the boundary of the "V" zone and 'VE' of Lin Ma Hang Village. Small House developments might be permitted within the "GB" zone upon application to the Board. The "GB" zone could be regarded as a vegetated buffer to separate the village area from the stream and to provide flexibility to the Board to scrutinize developments under the planning permission system;

Impact of Small House Development within "V" Zone on Streams

- (s) it was suggested that the Explanatory Statement of the draft OZP should clearly state the requirement that when processing Small House grants and applications in close proximity to existing streamcourses within "V" zone, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond within the "V" zone would require planning permission from the Board in accordance with the Notes of the draft OZP;

Planning Intention

- (t) the general planning intention of the LMH Area was to protect the natural setting, environmental diversity and to promote cultural conservation, recreation and tourism. It was also the planning intention to conserve the rural character, the natural habitats including the undisturbed woodland and lowland river habitats, the unique landscape as well as the ecologically important areas, and the upland scene of the LMH Area;

Land Use Zonings

- (u) about 13.35 ha of land were zoned "V" to cover the two recognized villages within the LMH Area, i.e. Lin Ma Hang and San Kwai Tin, and areas of land suitable for village expansion. In order to provide opportunities for short-term accommodation in existing NTEH, 'Hotel (Holiday House only)' might be permitted on application to the Board;

- (v) about 0.8 ha of land were zoned "G/IC", which covered the MacIntosh Fort at Kong Shan and the disused King Sau School with its ancillary playground. According to the FCA Study, the disused school building could be developed into an exhibition centre/historic museum;
- (w) about 39.15 ha of land were zoned "AGR", which mainly covered the lowland areas in the western part of the LMH Area;
- (x) about 258.5 ha of land were zoned "GB", which mainly covered the hilly terrain in the east, mountainous areas of Wong Mau Hang Shan and the permitted burial grounds for indigenous villagers. The "GB" zone also covered a land corridor adjoining Lin Ma Hang Stream at the downstream area adjacent to the "V" zone of Lin Ma Hang Village;
- (y) about 6.66 ha of land were zoned "CA" which covered the 'fung shui' woods at the eastern backdrop of Lin Ma Hang, and two land corridors adjoining Lin Ma Hang Stream at the eastern and western upstream areas on higher altitude;
- (z) a total area of 10.62 ha were zoned "SSSI", which covered the two designated SSSIs in the LMH Area, i.e. the Lin Ma Hang Stream SSSI and the Lin Ma Hang Lead Mines SSSI;
- (aa) in terms of land use, there was an increase in the area zoned "CA" (4.71 ha) and a corresponding decrease in the area zoned "GB" as compared with the approved LMH DPA Plan. No change to the land area of other land use zones was proposed;

Consultation

- (bb) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and

- (cc) subject to the agreement of the Board, the draft LMH OZP No. S/NE-LMH/C would be submitted to the NDC and the STKDRC for consultation. Comments from the NDC and the STKDRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

[Ms. Bonnie J.Y. Chan and Ms. Bernadette H.H. Linn arrived at the meeting at this point.]

56. As the presentation from the representatives of PlanD on the draft LMH OZP had been completed, the Chairman invited questions from Members.

Lin Ma Hang Stream and Buffer Areas

57. The Vice-chairman said that it would be desirable to designate the buffer area of the whole Lin Ma Hang Stream as "CA" from nature conservation point of view. He asked if there was strong justification to zone the buffer zone on the upstream area of Lin Ma Hang Stream to "CA" and the downstream buffer zone to "GB". The proposal with "CA" and "GB" zonings respectively for the upstream and downstream areas might not be able to meet the expectation of both the villagers and the green groups.

58. In response, Ms. Jacinta Woo said that there had been differing views on the land use zonings for the buffer areas of Lin Ma Hang Stream from villagers and green groups. Taking account of the need for protecting the stream and the community needs for development, and after detailed discussion with AFCD, the proposed "CA" and "GB" zonings were considered as a more balanced proposal. The "CA" zoning for the upstream area was to protect the natural habitats of the stream. As for the downstream area, it was located close to the "V" zone and partly within the 'VE' of Lin Ma Hang Village. While "GB" zoning was not a development zone and had a presumption against development, it would provide greater flexibility for the Board to allow some Small House developments within the appropriate places therein through the planning permission system if situation so warranted it. Ms. Woo supplemented that in terms of planning control, 'NTEH' was a Column 2 use under "GB" zone, but in "CA" zone only rebuilding of NTEHs could be allowed on application to the Board.

59. A Member said that the whole Lin Ma Hang Stream and its buffer area should be zoned "CA" to conserve the integrity of habitats along the stream. To compensate for the corresponding reduction in land area for village development at the downstream area, some land within the adjoining "AGR" zone could be considered for rezoning to "V" to meet the Small House demand. Ms. Jacinta Woo said that the feasibility of the Member's suggestion could be further considered upon consultation with the local villagers.

60. A Member expressed concern that the "GB" zoning for the downstream area might give a wrong impression to the villagers that they could develop up to the banks of the stream. Although a wide buffer area might not be necessary for protection of the habitats along the stream, development too close to the banks might adversely affect the water quality of the stream and should be discouraged.

61. A Member indicated support to the "GB" zoning for the downstream area since it could provide a proper balance between nature conservation and the development needs of villagers. There was adequate provision for the Board to guard against incompatible developments within the "GB" zone under the planning permission system.

62. After deliberation, the Board:

- (a) adopted the Explanatory Statement as an expression of the planning intention and objectives of the Board for various land use zonings on the draft Lin Ma Hang OZP No. S/NE-LMH/C; and
- (b) agreed that the draft Lin Ma Hang OZP No. S/NE-LMH/C together with its Notes and Explanatory Statement were suitable for submission to NDC and STKDRC for consultation.

[Dr. Wilton W.T. Fok left the meeting at this point.]

Draft TKLN OZP

63. With the aid of a Powerpoint presentation, Mr. Otto Chan made the following main points on the draft TKLN OZP No. S/NE-TKLN/C as detailed in TPB Paper No.

9328:

Strategic Planning Context

- (a) according to the FCA Study, the major objective of the RDP of the TKLN area was to protect the natural setting and cultural integrity and to promote sustainable agricultural activities. Provision had been made for an extensive recreation area stretching across the north of the TKLN area to provide low-intensity recreational uses to complement other nearby uses, and for the future Liantang/Heung Yuen Wai Boundary Crossing Point (LT/HYW BCP) and connecting roads;

Issues Arising from Consideration of the DPA Plan

- (b) since the gazettal of the draft TKLN DPA Plan No. DPA/NE-TKLN/1, two planning applications (No. A/DPA/NE-TKLN/1 and No. A/DPA/NE-TKLN/3) for the proposed resite of village/building lots affected by the LT/HYW BCP project were approved by the Rural and New Town Planning Committee (RNTPC). Planning application No. A/DPA/NE-TKLN/2 for reprovisioning of a permitted burial ground was also approved by the RNTPC;
- (c) the major land use proposals arising from the representations and comment to the draft TKLN DPA Plan No. DPA/NE-TKLN/1 included that of The Conservancy Association, which proposed that the 'fung shui' woodlands near the villages of Kan Tau Wai, Tsung Yuen Ha and Heung Yuen Wai should be rezoned to "CA";

Town Planning Board's Decisions and Instructions

- (d) on 8.9.2011, the Board agreed to the proposed extension of the "V" zones of Tong Fong, Tsung Yuen Ha and Ha Heung Yuen after considering the review of "V" zone boundaries. The Board also considered the representations and comment to the draft TKLN DPA

Plan, and decided not to uphold the representations for rezoning the 'fung shui' woodlands near Kan Tau Wai and Tsung Yuen Ha from "GB" to "CA". At the representation hearing, a Member of the Board requested PlanD to review the land use zoning of an area between Pak Fu Shan and Sham Chun River and to consider whether the area should be rezoned from "GB" to "REC" or "AGR";

- (e) on 28.10.2011, the draft TKLN DPA Plan No. DPA/NE-TKLN/2 was exhibited for public inspection under section 7 of the Ordinance. One representation was received. On 13.1.2012, the Board decided that the representation was invalid;

The Planning Scheme Area

- (f) the Planning Scheme Area of the draft TKLN OZP (the TKLN Area) covered a total area of about 431 ha. It was located approximately 9 kilometres to the north-east of Fanling/Sheung Shui. It was bounded by Sham Chun River in the north, Lin Ma Hang Road in the northeast, Wong Mau Hang Shan in the east, Tung Fung Au and Tung Lo Hang in the south, and Ping Che Road in the west;
- (g) there were six recognized villages within the TKLN Area, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong. According to the 2011 Population Census, the total population of the TKLN Area was 550;
- (h) the landscape features of the TKLN Area included woodlands, vegetated uplands, knolls and foothills. The TKLN Area covered a spectrum of natural habitats including 'fung shui' woods, mixed shrubland, lowland forest and natural watercourse;
- (i) economic activities in the TKLN Area were limited due to its rugged relief and limited accessibility;

- (j) there were several graded historic buildings and a site of archaeological interest within the TKLN Area;
- (k) in general, the major conditions of the TKLN Area remained largely unchanged since the gazettal of the draft TKLN DPA Plan;

Development Proposals Received in the Course of Preparation of the Draft OZP

- (l) KFBGC and WWF requested for a review of land use zonings to reflect the ecological value of the following areas within the TKLN Area:
 - (i) Ping Yuen River - an uncommon dragonfly species, *Paragomphus capricornis* or commonly known as Tawny Hooktail (鈎尾副春蜓), was found around an upper tributary of Ping Yuen River near the "V" zones of Tong Fong and Kan Tau Wai. It was proposed that the area be rezoned to "CA" or "GB";

[Ms. Janice W.M. Lai and Ms. Anita W. T. Ma returned to join the meeting at this point.]

- (ii) Lowland habitats from Kan Tau Wai to Heung Yuen Wai - seasonally wet grassland, lowland grassland and grassland/shrubland mosaic where species of conservation concern including Greater Painted-snipe (彩鶺) and Large Grass Warbler (*Graminicola stiiatus*) (大草鶯) were recorded. It was proposed that the area be rezoned from "REC" to "CA"; and
 - (iii) Natural streamcourses at Heung Yuen Wai - the area along the streamcourses near Heung Yuen Wai was largely natural vegetated riparian zone and natural stream bed. The area should be considered of high ecological value;
- (m) green groups, including KFBGC and WWF, expressed concerns about the potential adverse impacts of development within the "V" zones of

Tsung Yuen Ha, Heung Yuen Wai and Ha Heung Yuen on the water quality of the nearby natural streamcourses;

Land Use Planning Considerations

Review of "V" Zones

- (n) based on the latest Small House demand figures provided by DLO/N, LandsD in 2012, which included the outstanding Small House applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives, the "V" zones on the approved TKLN DPA Plan had been reviewed according to the established criteria agreed by the Board on 8.9.2011, as detailed in paragraph 9.1 of the Paper;
- (o) according to DLO/N, LandsD, there was a substantial increase in total Small House demand for Heung Yuen Wai (including Ha Heung Yuen) from 232 to 593, an increase of total Small House demand for Kan Tau Wai from 73 to 222, a slight increase in total Small House demand for Tong Fong and Tsung Yuen Ha from 151 and 185 to 168 and 187 respectively, and a decrease in total Small House demand for New Chuk Yuen Village from 65 to 22 as compared with the figures presented to the Board in 2011;
- (p) for Kan Tau Wai, the "V" zone (3.07 ha) on the approved DPA Plan was not sufficient to meet the total Small House demand in 2012. As there was scope to enlarge the "V" zone to the same area of the 'VE' of the recognized village, an area of about 2.46 ha adjacent to the northeast of Kan Tau Wai was proposed to be rezoned from "REC" to "V";
- (q) no change to the "V" zones of Heung Yuen Wai (including Ha Heung Yuen) and Tsung Yuen Ha was proposed as the size of the "V" zones on the approved DPA Plan was already equivalent to the 'VE' of the two recognized villages;

- (r) no change to the "V" zone of Tong Fong was proposed as the character of the village surroundings was not suitable for further expansion. However, it was possible to extend the "V" zone to the south of the village where suitable flat land with little vegetation was available. As the concerned area was covered by the Ping Che and Ta Kwu Ling OZP, the proposal could be considered separately when the land uses within the Ping Che and Ta Kwu Ling OZP were to be reviewed;
- (s) for New Chuk Yuen Village, the "V" zone on the approved DPA Plan was designated for the relocation of the village affected by the LT/HYW BCP project and its further expansion. No amendment to the "V" zone of New Chuk Yuen Village was proposed;

Nature Conservation

- (t) the land use zonings along the two streamcourses and the lowland habitat in the TKLN Area had been reviewed after site investigation and further discussions with AFCD. The findings were summarized below:

Heung Yuen Wai Stream and its Riparian Area

- (i) according to the FCA Study, the upper section of Heung Yuen Wai Stream, which fell mainly within "REC" zone, had high ecological value. Its riparian vegetation, generally well-developed with little disturbance, created a variety of stream conditions and showed good linkage to other nearby habitats, including woodland and grassland habitats. Upon further discussion with AFCD, it was considered appropriate to rezone a strip of land (about 0.59 ha) along the natural streamcourse at Heung Yuen Wai from "REC" to "AGR" and a piece of land (about 0.31 ha) east of Heung Yuen Wai from "REC" to "GB". AFCD considered that the proposed "GB" and "AGR" zones would offer better protection for the stream;

Ping Yuen River and its Riparian Area

- (ii) the upper section of Ping Yuen River, which fell mainly within "REC" zone, was natural and of moderate ecological value according to the FCA Study. As there was no material change in planning circumstances of the area, it was considered appropriate to retain the "REC" zoning of the stream. A clause had been included in the Notes of the draft OZP to ensure that any diversion of the existing streamcourses within the "REC" zone would be subject to statutory planning control; and

Lowland Habitats between Kan Tau Wai and Heung Yuen Wai

- (iii) the area comprised lowland grassland and grassland/shrubland. According to the FCA Study, the lowland habitats had low to moderate ecological value with low habitat diversity and low faunal diversity. AFCD considered that the "REC" zoning was appropriate and in line with the recommendations of the FCA Study;

Impact of Small House Development within "V" Zone on Streams

- (u) it was suggested that the Explanatory Statement of the draft OZP should clearly state the requirement that when processing Small House grants and applications in close proximity to existing streamcourses within "V" zone, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond within the "V" zone would require planning permission from the Board in accordance with the Notes of the draft OZP;

Area North of Pak Fu Shan

- (v) the area was predominantly covered with trees and shrubs, with scattered temporary structures and small-scale farming activities. As there was no direct road access to the area, only small-scale passive recreational use might be supported in the area. In view that there was limited

infrastructure and no active recreational and other uses had been identified for the concerned area, the "GB" zoning was considered appropriate to preserve its natural state;

The LT/HYW BCP Project

- (w) the LT/HYM BCP project and its connecting roads had strategic significance for Hong Kong's future development and would connect Hong Kong with the Eastern Corridor in Shenzhen to provide an efficient link with the eastern part of Guangdong Province and the adjacent provinces. The project commenced in 2013 and was expected to be completed in 2018;

Planning Intention

- (x) the general planning intention of the TKLN Area was to promote cultural conservation, recreation and tourism, and to provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It was also the planning intention to protect the natural setting and cultural integrity of the TKLN Area and to promote sustainable agricultural activities. Provision had been made for an extensive recreation area stretching across the north of the TKLN Area to provide low-intensity recreational uses to complement other nearby land uses. The draft TKLN OZP also made provision for the future LT/HYW BCP;

Land Use Zonings

- (y) about 27.83 ha of land were zoned "V" to cover the six recognized villages within the TKLN Area, i.e. Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong, and areas of land suitable for village expansion;
- (z) about 1.98 ha of land were zoned "G/IC", which mainly covered the Ta Kwu Ling Police Station, Ta Kwu Ling Fire Station, Pak Fa Shan Police

Operation Base and the MacIntosh Fort at Pak Fu Shan;

- (aa) about 111.83 ha of land were zoned "REC", which covered the fallow agricultural land around Pak Fu Shan to the north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai, and a large area to the east of Kan Tau Wai;
- (bb) a total of 23.82 ha of land were zoned "Other Specified Uses" ("OU") annotated "Boundary Crossing Facilities" ("BCP") to provide land for the development of boundary crossing facilities and related activities for the proposed LT/HYW BCP. To meet the public aspiration and to cater for the future public need for cross-boundary purpose, 'Public Vehicle Park (excluding container vehicles)' was added under Column 1 of the "OU(BCP)" zone;
- (cc) about 55.92 ha of land were zoned "AGR", which mainly covered the areas in the northern and western parts of the TKLN Area;
- (dd) about 208.13 ha of land were zoned "GB", which mainly covered the prominent hilly areas of Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang, the permitted burial grounds and the 'fung shui' woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai and Tong Fong;
- (ee) about 1.1 ha of land were zoned "CA" to retain and preserve the existing natural character of the 'fung shui' woods at the backdrops of Heung Yuen Wai;
- (ff) in terms of land use, there was an increase in areas zoned "V" (2.46 ha), "AGR" (0.59 ha) and "GB" (0.31 ha) and a corresponding decrease in area zoned "REC" (3.36 ha) as compared with the approved TKLN DPA Plan. No change to the land area of other land use zones was proposed;

Consultation

(gg) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and

(hh) subject to the agreement of the Board, the draft TKLN OZP No. S/NE-TKLN/C would be submitted to the NDC and the Ta Kwu Ling District Rural Committee (TKLDRC) for consultation. Comments from the NDC and the TKLDRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

64. As the presentation from the representatives of PlanD on the draft TKLN OZP had been completed, the Chairman invited questions from Members.

"OU" Zone

65. In response to the question of a Member, Ms. Jacinta Woo said that the land within the "OU" zone on the draft TKLN OZP was reserved for development of the LT/HYW BCP.

66. In response to the question of a Member regarding the function of the LT/HYW BCP, Mr. K.K. Ling said that the new facilities at LT/HYW BCP would serve the cross-border passage of both people and goods. Compared with the existing MKT and STK BCPs, the LT/HYW BCP would be of larger capacity and was at a more strategic location readily connected to the transportation networks in Shenzhen.

"REC" Zone

67. A Member noted that about 26% of land was zoned "REC" on the draft TKLN OZP and asked whether there had been any proposal for recreational developments in the area. Ms. Jacinta Woo said that according to the FCA Study, the flat land and abandoned agricultural land in the area were considered suitable for recreational uses in view of their relatively low ecological value. Nevertheless, no planning application for recreational developments had been received since the gazettal of the draft TKLN DPA Plan. The same Member followed up and enquired about the road infrastructures to support the

“REC” zones. In response, Ms. Jacinta Woo said that the “REC” zones were currently accessible via Ping Che Road and Lin Ma Hang Road. They would also be served by the new roads connecting to the LT/HYW BCP in the future.

68. After deliberation, the Board:

- (a) adopted the Explanatory Statement as an expression of the planning intention and objectives of the Board for various land use zonings on the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C; and
- (b) agreed that the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C together with its Notes and Explanatory Statement were suitable for submission to NDC and TKLDRC for consultation.

Draft MKT OZP

69. With the aid of a Powerpoint presentation, Mr. Otto Chan made the following main points on the draft MKT OZP No. S/NE-MKT/B as detailed in TPB Paper No. 9329:

Strategic Planning Context

- (a) according to the FCA Study, the major objective of the RDP of the MKT area was to protect the natural setting and cultural integrity while promoting sustainable agricultural practices. Retention of agricultural practices in the west of the MKT area would preserve its landscape and ecological values. Limited alternative uses to upgrade the existing environment through the promotion of residential development at Kong Nga Po would be allowed. The RDP also recommended Sandy Ridge for cemetery and related columbarium and crematorium uses;

Issues Arising from Consideration of the DPA Plan

- (b) the major land use proposals arising from the representations and comment to the draft MKT DPA Plan No. DPA/NE-MKT/1 included

that of the VR of Fung Wong Wu Village, who suggested that the extent of the "V" zone as well as 'VE' for Fung Wong Wu Village should be enlarged as the Small House developments in the village were subject to the physical limitation of Ping Yuen River;

Town Planning Board's Decisions and Instructions

- (c) on 8.9.2011, the Board agreed to the proposed extension of the "V" zone of Muk Wu after considering the review of "V" zone boundaries. The Board also considered the representations and comment to the draft MKT DPA Plan, and decided to rezone an area to the northwest of Chow Tin Tsuen from "AGR" to "V" to partially meet a representation;
- (d) the proposed amendments to the draft MKT DPA Plan No. DPA/NE-MKT/1 were published for public inspection on 16.9.2011. One further representation was received, which stated that there was a lack of sustainable layout plans of infrastructure for the health and well being of the residents. On 11.11.2011, the Board gave consideration to the further representation and decided not to uphold it, and agreed to amend the MKT DPA Plan by the proposed amendments under section 6F(8) of the Ordinance;
- (e) on 28.10.2011, the draft MKT DPA Plan No. DPA/NE-MKT/2 was exhibited for public inspection under section 7 of the Ordinance. No representation was received;

The Planning Scheme Area

- (f) the Planning Scheme Area of the draft MKT OZP (the MKT Area) covered a total area of about 431 ha. It was located approximately 3.5 kilometres to the north of Fanling/Sheung Shui. It was bounded by the southern bank of Sham Chun River in the north, Ping Che Road in the east, Hung Lung Hang in the southeast, Sha Ling Road in the southwest and Ng Tung River in the west;

- (g) the landscape features of the MKT Area included woodlands, vegetated uplands, knolls and foothills. The MKT Area covered a spectrum of natural habitats including large tracts of mature woodland, 'fung shui' wood, freshwater/brackish wetland, lowland forest, mixed shrubland and natural watercourse;
- (h) there were four recognized villages within the MKT Area, namely Muk Wu, Muk Wu Nga Yiu, Chow Tin Tsuen and Fung Wong Wu, and a major non-indigenous settlement at Ta Kwu Ling Village. According to the 2011 Population Census, the total population of the MKT Area was 600;
- (i) economic activities in the MKT Area were limited due to its rugged relief and limited accessibility;
- (j) there were several graded historic buildings and a site of archaeological interest within the MKT Area;
- (k) in general, the major conditions of the MKT Area remained largely unchanged since the gazettal of the draft MKT DPA Plan;

Development Proposals Received in the Course of Preparation of the Draft OZP

- (l) a proposal was received from the indigenous villagers of Chow Tin Tsuen for including a parcel of land zoned "AGR" on the Hung Lung Hang OZP as an extension to the "V" zone of Chow Tin Tsuen. Since the concerned area fell outside the boundary of the draft MKT OZP, the proposal could be considered separately when the land uses within the Hung Lung Hang OZP were to be reviewed;
- (m) KFBGC and WWF pointed out that a parcel of land to the northwest of Chow Tin Tsuen which was zoned "V" on the DPA Plan was active wet agricultural land without intense human disturbance. KFBGC and

WWF proposed to designate the area with "CA" or "GB" zoning in view of its ecological value;

Land Use Planning Considerations

Review of "V" Zones

- (n) based on the latest Small House demand figures provided by DLO/N, LandsD in 2012, which included the outstanding Small House applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives, the "V" zones on the approved MKT DPA Plan had been reviewed according to the established criteria agreed by the Board on 8.9.2011, as detailed in paragraph 9.1 of the Paper;
- (o) according to DLO/N, LandsD, there was a slight increase in total Small House demands for Muk Wu and Chow Tin Tsuen from 129 and 812 to 137 and 900 respectively, no change in total Small House demand for Muk Wu Nga Yiu at 84 and a decrease in total Small House demand for Fung Wong Wu from 250 to 123 as compared with the figures presented to the Board in 2011;
- (p) the boundaries of the "V" zones had been fully deliberated during the hearings of representations and comment to the draft MKT DPA Plan in 2011 and there had been no significant change in planning circumstances since then. No change to the "V" zones of Muk Wu and Muk Wu Nga Yiu was proposed as the size of the "V" zones on the approved DPA Plan was already equivalent to the 'VE' of the two recognized villages;
- (q) Chow Tin Tsuen and Fung Wong Wu shared the same 'VE' with Lei Uk located outside the boundary of the draft MKT OZP. No change to the "V" zones of Chow Tin Tsuen and Fung Wong Wu was proposed as the size of the "V" zones on the approved DPA Plan was already equivalent to the 'VE' of the two recognized villages;

Wet Agricultural Land at Chow Tin Tsuen

- (r) according to the FCA Study, the subject area was considered of moderate ecological value. The boundary of the “V” zone of Chow Tin Tsuen was defined in accordance with the recommendations of the FCA Study and agreed by AFCD after taking into account various factors including local topography, settlement patterns, ecological value of the area, site characteristics and the total Small House demand of the village. Therefore, no change to the “V” zone of Chow Tin Tsuen was proposed;

Impact of Small House Development within “V” Zone on Streams

- (s) it was suggested that the Explanatory Statement of the draft OZP should clearly state the requirement that when processing Small House grants and applications in close proximity to existing streamcourses within “V” zone, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond within the “V” zone would require planning permission from the Board in accordance with the Notes of the draft OZP;

Proposed Columbarium, Crematorium and Funeral Related Uses at the Existing Sandy Ridge Cemetery

- (t) an engineering feasibility study on the site formation and associated infrastructural works for development of columbarium, crematorium and funeral related uses at the existing Sandy Ridge Cemetery was completed in 2012. It was recommended to provide an all-inclusive funeral venue and services, including crematorium, funeral parlours, visitor service centre and ancillary restaurant and convenience store, with a provision of at least 200,000 niches. The proposed funeral facility was expected to complete in 2022. Detailed design including detailed visual, environmental and traffic impact assessments on the site formation and associated infrastructural works would commence in July 2013. The concerned area would be zoned “OU(Cemetery, Columbarium, Crematorium and Funeral Related Uses)” on the draft MKT OZP. The scale and height of the proposed developments within the “OU(Cemetery,

Columbarium, Crematorium and Funeral Related Uses)” zone would be subject to detailed study;

Residential Development at Kong Nga Po Ex-borrow Area

- (u) the ex-borrow area in Kong Nga Po was an area of low environmental value. The previous uses had created a series of platforms that could be developed for residential use to provide a sustainable living environment. As recommended in the FCA Study, an engineering study had been commissioned by the Civil Engineering and Development Department (CEDD) to examine the development feasibility of the Kong Nga Po site for residential use. The engineering feasibility study commenced in October 2012 and was scheduled for completion in April 2014;

Planning Intention

- (v) the general planning intention of the MKT Area was to promote cultural conservation, recreation, tourism and sustainable residential development, and to provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It was also the planning intention to retain good quality agricultural land for agricultural purposes or leisure farming and to preserve the existing heritage features and historic buildings;

Land Use Zonings

- (w) about 27.62 ha of land were zoned “V” to cover the four recognized villages within the MKT Area, i.e. Muk Wu, Muk Wu Nga Yiu, Chow Tin Tsuen and Fung Wong Wu, and areas of land suitable for village expansion. In order to provide opportunities for short-term accommodation in existing NTEH, ‘Hotel (Holiday House only)’ might be permitted on application to the Board;
- (x) about 11.28 ha of land were zoned “G/IC”, which mainly covered Ling

Ying Public School, three pumping stations and staff quarter, Hong Kong Police Force Man Kam To Operation Base, MacIntosh Forts, a livestock monitoring station, an animal inspection station and food inspection facilities at the MKT BCP. Two disused schools (ex-Sam Wo Public School and ex-Lo Wu Public School) also fell within this zone. According to the FCA Study, the disused school buildings could be refurbished as a focal point for a possible farmland rehabilitation and organic farm centre to promote eco-tourism;

- (y) about 16.68 ha of land were zoned "REC", which covered an area to the north of Ping Yuen River around Ta Kwu Ling Village and a small area to the east of Fung Wong Wu;
- (z) a total of 108.96 ha of land were zoned "OU" to provide land of specific uses in the MKT Area. They included the "OU(BCP)" zone (10.15 ha) that covered the Lo Wu BCP and the MKT BCP; the "OU(Cemetery, Columbarium, Crematorium and Funeral Related Uses)" zone (92.08 ha) that covered the Sandy Ridge Cemetery; and the "OU(Railway)" zone (6.73 ha) that covered a strip of land to the east of Ng Tung River primarily for the railway track of the Mass Transit Railway (East Rail Line);
- (aa) about 59.73 ha of land were zoned "AGR", which mainly covered parcels of land near Muk Wu and Lo Shue Ling and the agricultural land in lowland areas in the western and central parts of the MKT Area;
- (bb) about 114.22 ha of land were zoned "GB", which mainly covered the mountainous areas west of the boundary crossing at Man Kam To and in Lo Shue Ling, the densely vegetated areas which included the 'fung shui' woodlands mainly scattering around Chow Tin Tsuen and Muk Wu, and the permitted burial grounds for indigenous villagers;
- (cc) about 4.24 ha of land were zoned "CA" which covered a small patch of land at Yuen Leng Chai and the area west of the McIntosh Fort at Nam

Hang occupied by existing fish ponds/wetlands;

- (dd) about 3.23 ha of land were zoned "Undetermined" which covered the northern portion of the ex-borrow area at Kong Nga Po. The planning intention of the area was to allow for comprehensive development for residential use with the provision of open space and other supporting facilities in future. The Kong Nga Po site was subject to a number of development constraints. An engineering study had been commissioned by CEDD to examine the development feasibility of the site for residential use;
- (ee) in terms of land use, there was a slight increase in area zoned "GB" (0.05 ha) and a corresponding decrease in area zoned "AGR" as compared with the approved MKT DPA Plan. No change to the land area of other land use zones was proposed;

Consultation

- (ff) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and
- (gg) subject to the agreement of the Board, the draft MKT OZP No. S/NE-MKT/B would be submitted to the NDC and the TKLDRC for consultation. Comments from the NDC and the TKLDRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

70. As the presentation from the representatives of PlanD on the draft MKT OZP had been completed, the Chairman invited questions from Members. Members had no questions.

71. After deliberation, the Board:

- (a) adopted the Explanatory Statement as an expression of the planning

intention and objectives of the Board for various land use zonings on the draft Man Kam To OZP No. S/NE-MKT/B; and

- (b) agreed that the draft Man Kam To OZP No. S/NE-MKT/B together with its Notes and Explanatory Statement were suitable for submission to NDC and TKLDRC for consultation.

Draft MTL & HHW OZP

72. With the aid of a Powerpoint presentation, Mr. Otto Chan made the following main points on the draft MTL & HHW OZP No. S/NE-MTL/C as detailed in TPB Paper No. 9330:

Strategic Planning Context

- (a) according to the FCA Study, the major objective of the RDP of the MTL & HHW area was to conserve the ecological value of the fish ponds which formed 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. The loss of fish ponds and habitat fragmentation should be avoided and any negative impacts arising from undesirable land uses and human disturbances should be mitigated;

Issues Arising from Consideration of the DPA Plan

- (b) the major land use proposals arising from the representations and comment to the draft MTL & HHW DPA Plan No. DPA/NE-MTL/1 were summarized as follows:
 - (i) the VR of Liu Pok suggested to enlarge the "V" zone and the 'VE' of Liu Pok, and to zone the agricultural land at Ma Tso Lung as "V" to complement the Kwu Tung North development; and

- (ii) green groups, including The Conservancy Association, KFBGC, Designing Hong Kong Limited, Green Lantau Association and WWF, opposed the designation of "Unspecified Use" area for the HHW area and proposed to rezone the area to "CA";

Town Planning Board's Decisions and Instructions

- (c) on 8.9.2011, the Board considered the representations and comment to the draft MTL & HHW DPA Plan No. DPA/NE-MTL/1, and decided to rezone an area to the northwest of Liu Pok Village from "AGR" to "V" and an area to the northeast of the village from "V" to "AGR" to partially meet a representation. The Board also noted that the HHW area was designated as "Unspecified Use" area which would be subject to further study in the course of the OZP preparation;
- (d) the proposed amendments to the draft MTL & HHW DPA Plan were published for public inspection on 16.9.2011. One further representation was received, which stated that there was a lack of sustainable layout plans of infrastructure for the health and well being of the residents. On 11.11.2011, the Board gave consideration to the further representation and decided not to uphold it, and agreed to amend the MTL & HHW DPA Plan by the proposed amendments under section 6F(8) of the Ordinance;

The Planning Scheme Area

- (e) the Planning Scheme Area of the draft MTL & HHW OZP (the MTL & HHW Area) covered a total area of about 553 ha. It was located approximately 2 kilometres to the northwest of Fanling/Sheung Shui. It was bounded by the southern bank of Sham Chun River in the north, Lo Wu Station and Mass Transit Railway (East Rail Line) in the east, Fung Kong Shan in the south and Tai Law Hau in the west;
- (f) Tai Shek Mo was a dominating hilly terrain that was located on the

eastern side of the MTL & HHW Area. Another hilly upland was located to the west of Tse Koo Hang. The extensive lowlands mainly comprised arable land intermixed with clusters of village settlements, abandoned fish ponds, marsh, undisturbed woodlands, vegetated habitats and natural watercourse;

- (g) Ho Sheung Heung Egretty was located at the eastern base of Tai Shek Mo and was an important breeding site for ardeids particularly for Chinese Pond Heron. The northern portion of the MTL & HHW Area was occupied by a spectrum of natural habitats including woodland, mixed shrub land, lowland forests, freshwater/brackish wetlands, natural watercourses, abandoned fish ponds and marshy wetland;
- (h) existing rural settlements were mainly located at Liu Pok, which was the only recognized village in the area, and the rural settlements at Ma Tso Lung San Tsuen and Shun Yee San Tsuen. According to the 2011 Population Census, the total population of the MTL & HHW Area was 1,000;
- (i) there were no significant economic activities in the MTL & HHW Area;
- (j) the MacIntosh Fort at Ma Tso Lung was a Grade 2 historic building;
- (k) in general, the major conditions of the MTL & HHW Area remained largely unchanged since the gazettal of the draft MTL & HHW DPA Plan;

Development Proposals Received in the Course of Preparation of the Draft OZP

- (l) KFBGC and WWF reported that two endangered species, i.e. *Somaniathelphusa zanklon* (鑷刀束腰蟹) which was classified as 'Globally Endangered' in the International Union for Conservation of Nature (IUCN) redlist, and *Cuora trifasciata* (金錢龜) which was classified as 'Globally Critically Endangered' in the IUCN redlist, had

been found in the Ma Tso Lung Stream. They proposed that the stream and its riparian area, which were mainly zoned "AGR" and "GB" on the DPA Plan, should at least be covered by "CA" zoning;

Land Use Planning Considerations

Review of "V" Zones

- (m) based on the latest Small House demand figures provided by the DLO/N, LandsD in 2012, which included the outstanding Small House applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives, the "V" zone on the approved MTL & HHW DPA Plan had been reviewed according to the established criteria agreed by the Board on 8.9.2011, as detailed in paragraph 9.1 of the Paper;
- (n) according to DLO/N, LandsD, there was a slight increase in total Small House demand for Liu Pok from 349 to 353, as compared with the figure presented to the Board in 2011;
- (o) the boundary of "V" zone had been fully deliberated during the consideration of representations and comment to the draft MTL & HHW DPA Plan in 2011 and there had been no significant change in planning circumstances since then. No change to the "V" zone of Liu Pok was proposed as the size of the "V" zone on the approved DPA Plan was already equivalent to the 'VE' of the recognized village;

Review of "Unspecified Use" Areas at Hoo Hok Wai

- (p) an Ecological Field Survey had been undertaken to identify the ecological values at various parts of the HHW area, which was designated as "Unspecified Use" area on the MTL & HHW DPA Plan. The results of the survey and the proposals on appropriate zonings for respective areas were summarized below:

- (i) the extensive fish ponds that occupied majority of the HHW area were rated with high ecological value due to their importance to waterbirds including ardeids and spoonbills and other wetland-dependent species including the globally-threatened Eurasian Otter, and their strong ecological linkages with other wetlands within the Deep Bay area including the Mai Po Inner Deep Bay Ramsar Site. These areas were proposed to be zoned "CA(1)";
 - (ii) the freshwater marshes which formed an integral part of the HHW area were largely rated with high ecological value. These freshwater marshes were known to support a rare community of reed-associated species and Eurasian Otter. It was considered appropriate to zone the marshes as "CA(1)"; and
 - (iii) the remaining part of the HHW area was recommended to be zoned "GB" due to the relatively less importance in ecological value;
- (q) AFCD considered that although the isolated marshes within the HHW area were accorded with moderate to high ecological value in the Ecological Field Survey, they were part and parcel of the ecosystem and should be included in the "CA(1)" zone;

Review of Ma Tso Lung Stream and Its Riparian Area

- (r) according to the FCA Study, Ma Tso Lung Stream was a narrow and partially-channelised stream that appeared to provide suitable habitat for fish and odonates, with low to moderate abundance/richness of wildlife. Its ecological value was constrained by the modification that had occurred to the stream while the riparian area was predominately covered by weeds and shrubs. It was considered appropriate to retain the "AGR" and "GB" zonings of the stream. AFCD also agreed to the "AGR" and "GB" zonings for this area;

Impact of Small House Development within "V" Zone on Streams

- (s) it was suggested that the Explanatory Statement of the draft OZP should clearly state the requirement that when processing Small House grants and applications in close proximity to existing streamcourses within "V" zone, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond within the "V" zone would require planning permission from the Board in accordance with the Notes of the draft OZP;

Existing Government, Institution or Community Uses

- (t) it was proposed that two sites currently used by the Hong Kong Police Force as Tak Yuet Lau Police Post and Tai Shek Mo Observation Post should be rezoned from "GB" to "G/IC";

Planning Intention

- (u) the general planning intention of the MTL & HHW Area was to strengthen nature conservation and to promote sustainable eco-tourism and cross-boundary development. It was also the planning intention to retain good quality agricultural land for agricultural purposes or leisure farming and to preserve the existing heritage features and historic buildings;

Land Use Zonings

- (v) about 6.33 ha of land were zoned "V" to cover the recognized village of Liu Pok and areas of land suitable for village expansion. In order to provide opportunities for short-term accommodation in existing NTEH, 'Hotel (Holiday House only)' might be permitted on application to the Board;
- (w) about 7.93 ha of land were zoned "G/IC", which mainly covered the MacIntosh Fort at Ma Tso Lung, Lo Wu Correctional Institution, Lo Wu

Saddle Club, the flood shelter near Tak Yuet Lau, Tak Yuet Lau Police Post, Tai Shek Mo Observation Post and two raw water tunnel portals for the Water Supplies Department;

- (x) about 9.15 ha of land covering the small knoll to the west of Tse Koo Hang were zoned "OU" annotated "Eco-lodge" to provide for sustainable-based tourism in the form of an eco-lodge for development of low-rise and low-density resort-type accommodation. Development and/or redevelopment in this zone was subject to a maximum plot ratio of 0.2 and a maximum building height of 6m. The built structure should be one storey over stilts to allow the building to be lifted off the ground to minimize site disturbance and permit variation in building height to create visual interest in the development;
- (y) the Lo Wu Firing Range, with a total land area of 5.47 ha, was zoned "OU(Firing Range)";
- (z) about 38.42 ha of land were zoned "AGR", which mainly covered the western and central parts of the MTL & HHW Area as well as the agricultural land to the west and north of Liu Pok;
- (aa) about 234.64 ha of land were zoned "GB", which mainly included the woodland and densely vegetated hillslopes at Ma Tso Lung, Tai Shek Mo and Tse Koo Hang, and the permitted burial grounds for indigenous villagers. The "GB" zone also included the planted mitigation woodland in the north-eastern HHW area, two ruderal vegetation areas and two small planted woodlands alongside the border road and the marsh located to the north of Liu Pok;
- (bb) about 10.81 ha of land were zoned "CA" which covered the Ho Sheung Heung Egrettry together with its peripheral secondary woodland and fishponds;
- (cc) a total of about 228.37 ha of land were zoned "CA(1)" to conserve the

ecological value of wetland and fish ponds. The "CA(1)" zone covered the extensive fish ponds that occupied a majority of the HHW area and the freshwater marshes which formed an integral part of the HHW area;

- (dd) in terms of land use, the area designated as "Unspecified Use" (246.32ha) on the approved MTL & HHW DPA Plan had been rezoned to "CA(1)" (228.37 ha), "GB" (16.89 ha) and "G/IC" (1.06 ha). No change to the land area of other land use zones was proposed;

[Mr. Maurice W.M. Lee arrived at the meeting at this point.]

Consultation

- (ee) government bureaux and departments had been consulted and their comments had been incorporated as appropriate; and
- (ff) subject to the agreement of the Board, the draft MTL & HHW OZP No. S/NE-MTL/C would be submitted to the NDC and the Sheung Shui District Rural Committee (SSDRC) for consultation. Comments from the NDC and the SSDRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

73. As the presentation from the representatives of PlanD on the draft MTL & HHW OZP had been completed, the Chairman invited questions from Members.

74. In response to the question of a Member, Ms. Jacinta Woo said that some of fish ponds within the "CA(1)" zone in Hoo Hok Wai were still under active cultivation. While all types of agricultural uses were always permitted within the "CA" zone, only fish pond culture was permissible within the "CA(1)" zone under the Notes of the draft OZP.

75. After deliberation, the Board:

- (a) adopted the Explanatory Statement as an expression of the planning

intention and objectives of the Board for various land use zonings on the draft Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/C; and

- (b) agreed that the draft Ma Tso Lung and Hoo Hok Wai OZP No. S/NE-MTL/C together with its Notes and Explanatory Statement were suitable for submission to NDC and SSDRC for consultation.

TPB Paper No. 9328
For Consideration by the
Rural and New Town
Planning Committee
on 26.4.2013

**DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN (OZP)
NO. S/NE-TKLN/C
PRELIMINARY CONSIDERATION OF A NEW PLAN**

1. Purpose

The purposes of this paper are to present to Members the draft Ta Kwu Ling North Outline Zoning Plan (the Plan) No. S/NE-TKLN/C (**Appendix I**) and to seek Members' agreement that the Plan is suitable for submission to the North District Council (NDC) and Ta Kwu Ling District Rural Committee (TKLDRC) for consideration.

2. Background

- 2.1 On 10.9.2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Town Planning Board (the Board), under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Ta Kwu Ling North Area as a development permission area (DPA). Subsequently on 17.6.2010, the Secretary for Development directed the Board to extend the coverage of the draft DPA plan.
- 2.2 On 30.7.2010, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 3 valid representations were received. On 8.10.2010, the representations were published for three weeks for public comments and 1 valid comment was received.
- 2.3 On 25.2.2011, the Board considered the representations and comment and decided to defer the consideration of the representations and comments pending further review by the Planning Department on the land use proposals, in particular on the "Village Type Development" ("V") zones, taking into account the views of the representers and commenters and any other relevant planning considerations.
- 2.4 On 16.6.2011, the CE, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft DPA Plan to the Chief Executive in Council (CE in C) for approval for a period of six months from 30.6.2011 to 30.12.2011.

- 2.5 On 8.9.2011, the Board agreed to the proposed extension of the “V” zones of the recognized villages of Tong Fong, Tsung Yuen Ha and Ha Heung Yuen after considering the review of the “V” zone boundaries and decided not to uphold the representations for rezoning the fung-shui woodlands near Kan Tau Wai and Tsung Yuen Ha from “Green Belt” (“GB”) to “CA”.
- 2.6 On 28.10.2011, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/2, incorporating amendments to rezone an area to the north-east of Tong Fong from “Recreation” (“REC”) to “V”, areas to the north and east of Tsung Yuen Ha from “REC” and “Agriculture” (“AGR”) to “V” and an area to the north-west of Ha Heung Yuen from “AGR” to “V” and a strip of land to the north of Ha Heung Yuen close to an existing stream from “V” to “REC”, was exhibited for public inspection under section 7 of the Ordinance. Upon expiry of the two-month public inspection period, one representation was received. On 13.1.2012, the Board agreed that the representation was invalid.
- 2.7 On 8.5.2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ta Kwu Ling North DPA Plan, which was subsequently re-numbered as DPA/NE-TKLN/3. On 18.5.2012, the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 In accordance with section 20(5) of the Ordinance, the DPA Plan is effective for three years unless an extension is obtained from the CE in C. On 8.2.2013, under the power delegated by the CE in C, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Ta Kwu Ling North area.

3. Strategic Planning Context

- 3.1 In 2006, the Security Bureau (SB) conducted a review of the coverage of the existing Closed Area and concluded that the objective of maintaining boundary security may still be achieved with substantial reduction in the Closed Area. Subsequently, the “Land Use Planning for the Closed Area – Feasibility Study” (the Study) was commenced in 2007 to formulate a land use planning framework to guide conservation and development of the Closed Area. After two rounds of public engagements, the Recommended Outline Development Plan (RDP) of the Study was formulated and the findings of the Study were presented to the Board on 9.7.2010.
- 3.2 In 2008, the SB announced that the coverage of the Frontier Closed Area (FCA) would be substantially reduced from about 2,800 ha to about 400 ha. The first stage of reduction of the FCA involving “Mai Po to Lok Ma Chau Control Point Section” and the “Lin Ma Hang to Sha Tau Kok Section” came into effect on 15.2.2012; the second stage of reduction involving “Lok Ma Chau Control

Point to River Indus (Ng Tung River) Section” will tentatively come into effect in mid-2013; and the third stage of reduction involving “River Indus (Ng Tung River) to Lin Ma Hang Section” (less Liantang / Heung Yuen Wai Boundary Control Point area) is planned to come into effect in 2015. The Ta Kwu Ling North area falls within the area covered by the third stage of reduction (**Plan 1**).

- 3.3 Five draft DPA Plans for the Closed Area including the subject DPA Plan were prepared to take forward the recommendations of the Study to provide an interim planning guidance for future development pending preparation of the OZP and to enable enforcement action to be taken against any unauthorized developments. According to the Study, the major objective of the Recommended Development Plan (RDP) of the Ta Kwu Ling North Area is to protect the natural setting and cultural integrity and to promote sustainable agricultural activities. Provision has been made for an extensive recreation area stretching across the north of the Ta Kwu Ling North area to provide low-intensity recreational uses to complement other nearby uses. It also makes provision for the future Liantang / Heung Yuen Wai Boundary Crossing Point (LT/HYW BCP) and connecting roads.

4. Issues Arising from Considerations of the DPA Plan

- 4.1 Since the Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 was gazetted on 30.7.2010, three development proposals for permanent development were received, two of which were relating to the resite of the existing villages for construction of the LT/HYW BCP and its connecting road. Another development proposal was for reprovisioning of a permitted burial ground which will also be affected by the LT/HW BCP project. These three development proposals are summarized below:

Proposed Resite of Existing Villages (Plan 3)

- 4.2 The planning application (No. A/DPA/NE-TKLN/1) to develop 24 cottage houses (New Territories Exempted Houses) (NTEHs) in an area mainly zoned “AGR” and partly zoned “V” was approved with conditions by the Committee on 20.7.2012, mainly on grounds that the proposed development was not incompatible to the surrounding rural landscape character, it was the only piece of land that could be secured by the applicant for the proposed village resite development, and approval of the application would facilitate the timely implementation of the strategically LT/HYW BCP project.
- 4.3 Application No. A/DPA/NE-TKLN/3 for 6 NTEHs in an area zoned “REC” was approved with conditions by the Committee on 21.12.2012 mainly on grounds that the proposed development was not incompatible to the surrounding “V” and “AGR” developments, the proposed development was strongly supported by the Secretary for Development in view that it could be

considered as an exceptional case to facilitate the early implementation of the LT/HYW BCP project which is a strategically important infrastructure project.

Proposed Reprovisioning of Permitted Burial Ground

- 4.4 Application No. A/DPA/NE-TKLN/2 for reprovisioning of a permitted burial ground in an area zoned “GB” was approved by the Committee on 9.11.2012 mainly on grounds that the reprovisioning of the permitted burial ground (PBG) was required to facilitate the implementation of the LT/HYW BCP project, the application site was the only site that had met all reprovisioning criteria set by the applicant and accepted by the Indigenous Inhabitants Representatives of the affected villages, and the proposed PBG was not incompatible with the existing rural character of the area.
- 4.5 Besides, during the 2 months’ plan exhibition period of the gazettal of the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 expired on 30.9.2010, a total of 3 valid representations and 1 valid comment were received. The Conservancy Association proposed that the fung-shui woodlands near rural villages in Kan Tau Wai, Tsung Yuen Ha and Heung Yuen Wai should be zoned “Conservation Area” (“CA”) (**Plan 4**);

5. Town Planning Board’s Decisions and Instructions

- 5.1 On 25.2.2011, the Board members considered the representations and comment and decided to defer the consideration of the representations and comments of the draft DPA Plan pending further review by the Planning Department (PlanD) on the land use proposals, in particular on the “V” zones, taking into account the views of the representers and commenters and any other relevant planning considerations. The “V” zone boundaries of the draft DPA Plan had been further reviewed subsequently.
- 5.2 On 8.9.2011, the Board agreed to the proposed extension of the “V” zones of the recognized villages of Tong Fong, Tsung Yuen Ha and Ha Heung Yuen after considering the review of the “V” zone boundaries. The Board further considered the representations and comment and decided not to uphold the representations for rezoning the fung-shui woodlands near Kan Tau Wai and Tsung Yuen Ha from “Green Belt” (“GB”) to “CA” on considerations that the concerned woodlands were of low to moderate ecological value, while the fung-shui woodland near Heung Yuen Wai has already been zoned “CA”. However, a Town Planning Board member requested to review the land use zoning of an area between Pak Fu Shan and Sham Chun River to consider whether the area should be rezoned from “GB” to “REC” or “AGR”.
- 5.3 On 28.10.2011, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/2, incorporating amendments to rezone an area to the north-east of Tong Fong from “REC” to “V”, areas to the north and east of Tsung Yuen Ha from “REC”

and “AGR” to “V” and an area to the north-west of Ha Heung Yuen from “AGR” to “V” and a strip of land to the north of Ha Heung Yuen close to an existing stream from “V” to “REC”, was exhibited for public inspection under section 7 of the Ordinance. Upon expiry of the two-month public inspection period, one representation was received. On 13.1.2012, the Board agreed that the representation was invalid.

6. **Object of the Plan**

The object of the Plan is to indicate the broad land-use zonings for the area of Ta Kwu Ling North so that development and redevelopment within the area of Ta Kwu Ling North 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.

7. **The Planning Scheme Area**

- 7.1 The planning scheme area (the Area) covers a total area of about 431 hectares. It is located approximately 6.7 km to the north of Fanling/Sheung Shui. It is bounded by Sham Chun River in the north, Lin Ma Hang Road in the northeast, Wong Mau Hang Shan in the east, Tung Fung Au and Tung Lo Hang in the south, and Ping Che Road in the west. The North East New Territories (NENT) Landfill is located immediately to the southeast of the Area at Wo Keng Shan (**Plan 2**). There are 6 recognized villages, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong. The boundary of the Area is shown by a heavy broken line on the Plan (**Appendix I**). According to the 2011 Census, the total population in the Area was 550.
- 7.2 The Area commands the cross boundary location in the northernmost rural area of the North District. Except Shenzhen City (Shenzhen Shi) which lies immediately outside the Hong Kong Special Administrative Region (HKSAR) in the north, the surroundings are predominantly agricultural spotted with rural settlements. The densely vegetated Wong Mau Hang Shan (243 mPD), Pak Fa Shan (75 mPD), Pak Fu Shan (98 mPD) and Tung Lo Hang (87 mPD) are the prominent mountain ridges in the Area. Lying between the mountainous ridges are lowland basins intersected with watercourses. The main watercourse is Ping Yuen River which flows from the mountainous ridges of Wo Keng Shan to the lowland before discharging into Sham Chun River. The extensive lowlands mainly comprise arable land intermixed with livestock farms and clusters of settlements, woodlands and other vegetated habitats.
- 7.3 The landscape features of the Area are woodlands, vegetated uplands, knolls and foothills. The Area covers a spectrum of natural habitats including ‘fung-shui’ woods, mixed shrubland, lowland forest and natural watercourse (**Plan 5**).

- 7.4 Economic activities are limited in the Area due to its rugged relief and limited accessibility. Farmers are mainly self-employed and engaged in operating pigsties and poultry farms to raise hogs or chicken, as well as agricultural activities including growing of vegetables, flowers and fruits.
- 7.5 Graded historic buildings within the Area include MacIntosh Fort at Pak Fu Shan (Grade 2), Ta Kwu Ling Police Station (Grade 3), Wing Kit Study Hall in Tong Fong (Grade 3), Kiu Fong Ancestral Hall in Tsung Yuen Ha (Grade 3) and a number of village houses in Heung Yuen Wai (Grade 1) and Tsung Yuen Ha (Grade 3). The Pak Fu Shan Site of Archaeological Interest also falls within the Area (**Plan 6**).
- 7.6 In general, the planning conditions of the Area remain largely unchanged since the gazettal of the DPA Plan.

8. **Development Proposals Received Since the Gazettal of the DPA Plan**

- 8.1 The Kadoorie Farm and Botanic Garden (KFBG) and Worldwide Fund for Nature (WWF) Hong Kong in November 2012/January 2013 discussed their proposals with PlanD requesting for a review of the land use zonings to reflect the ecological value of the following areas within the Ta Kwu Ling North area:

(a) Ping Yuen River

An uncommon dragonfly species, *Paragomphus capricornis* or commonly known as Tawny Hooktail (鈎尾副春蜓), is found around an upper tributary of Ping Yuen River near the “V” zones of Tong Fong and Kan Tau Wai. It was proposed to rezone the area to “CA” or “GB” (**Plans 7 and 8**).

(b) Lowland Habitats from Kan Tau Wai to Hueng Yuen Wai

Seasonally wet grassland, lowland grassland and grassland / shrubland mosaic, species of conservation concern, including Greater Painted-snipe (彩鷸) and Large Grass Warbler (*Graminicola stiatatus*) (大草鶯) are recorded in the lowland habitats from Kan Tau Wai to Heung Yuen Wai. It is proposed that the area be rezoned from “REC” to “CA” (**Plans 9 and 10**).

(c) Natural Stream Courses at Hueng Yuen Wai

The area along the stream courses near Heung Yuen Wai are largely natural vegetated riparian zone and natural stream bed. KFBG and

WWF have suggested that the area should be considered of high ecological value (**Plans 11 and 12**).

- 8.2 Besides, Green Groups, including KFBG and WWF, in the liaison meeting with Planning Department on protection of natural habitats in the FCA have also expressed concerns about potential adverse impacts of development within the “V” zones of Tsung Yuen Ha, Heung Yuen Wai and Ha Heung Yuen on the water quality of nearby natural stream courses.

9. Land Use Planning Considerations

Review of “Village Type Development” Zone

- 9.1 As agreed by the Board on 8.9.2011, the following established criteria have been adopted in reviewing the “V” zones:
- (a) The current “V” zones on the DPA Plan will be extended if the available land for Small House (SH) development within the “V” zones cannot meet the demand figures. “V” zone areas adjusted should be within or contiguous to the ‘Village Environs’ (“VE”) and should preferably include Government land, if available, in the vicinity and take due considerations of the topography, woodlands, roads, streams, burial grounds and ecological features, etc.
 - (b) The “V” zones would be adjusted to meet the increased demand figure but up to the limit equivalent to the area bounded by the ‘VE’.
 - (c) The current “V” zones on the DPA Plan will not be adjusted if the available land for SH development within the “V” zones is sufficient to meet the increase demand figure. As such, the area of “V” zones would remain smaller than that of ‘VE’.
 - (d) In determining land for SH developments, both government land and private land would be considered.
- 9.2 In the event that the designated “V” zones (albeit size already adjusted to match the size of the ‘V’) are still not sufficient to meet the future demand, there is a provision under the Notes of the draft OZP for planning applications for SH developments to the Board.
- 9.3 Following the current practice, the District Lands Officer/North, Lands Department (DLO/N, LandsD) was approached to provide the latest SH demand figures of 2012. The information provided by DLO/N has taken account of the outstanding SH applications and the 10-year forecast supplied by the Indigenous Inhabitants Representatives. It should be noted that the 10-year SH forecasts have not been supported by evidence and will not be subject to

verification by DLO/N. However, if there is a substantial increase between the updated 10-year forecast and the figure previously adopted when preparing the DPA Plan, the latter would be adopted in the preparation of the OZP unless strong justifications are received by the respective Village Representatives.

- 9.4 The existing conditions within the “V” zones and in the immediate vicinities within the Ta Kwu Ling North area have been reviewed. Based on the demand figures, the “V” zones within the Area were reviewed in an attempt to meet the SH demand. On-site surveys were carried out on the boundaries of the “V” zones, taking into account the existing ‘VE’, local topography, settlement patterns, ecologically important areas and other site specific characteristics including vegetations, burial grounds and stream courses, etc.
- 9.5 In Ta Kwu Ling North Area, it is noted that there is a substantial increase in total SH demand for Heung Yuen Wai (including Ha Heung Yuen) from 232 to 593, an increase of total SH demand for Kan Tau Wai from 73 to 222 and a slight increase in total SH demand for Tong Fong and Tsung Yuen Ha from 151 and 185 to 168 and 187 respectively, and a decrease in total SH demand for New Chuk Yuen Village from 65 to 22 as compared with the figures adopted in the preparation of the draft OZP and those presented to the Board during the hearings of representations/comments in 2011 (**Table 1**). As the substantial increase in SH demand for Heung Yuen Wai (including Ha Heung Wai) is not supported by evidence and not verified, its “V” zone boundaries are reviewed based on the criteria agreed by the Board in 2011 and the 10-year forecast adopted then, i.e. total SH demand would be 233 (i.e. current outstanding plus 10-year forecast in 2011) instead of 593.

Table 1: Small House Demand for the Recognized Villages within Ta Kwu Ling North OZP

Recognized Villages	Demand figure prepared for TPB hearings in 2011		New demand figures in 2012		‘VE’ Approx. Area (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha)	Available Land to meet new demand (ha)	Percentage of the new demand met by available land (%)
	Outstanding Demand	10-year forecast	Outstanding Demand	10-year forecast					
Tong Fong)	6	145	23	145	4.17	3.78 ⁺	4.20	1.25	29.8
Kan Tau Wai	13	60	22	200	5.53	5.53	5.55	2.92	52.6
Tsung Yuen Ha	5	180	7	180	5.88	5.88	4.68	4.14	88.5
Heung Yuen Wai (incl. Ha Heung Yuen)	12	220*	13*	580	7.88	7.88	5.83	5.12	87.8

- + including proposed extension of “V” zone on Ta Kwu Ling OZP (1.44ha) to meet total demand of 3.78ha as at 2011
- * When considering the land use zoning for the “V” zone of Heung Yuen Wai (including Ha Heung Yuen), it is noted that no justification has been provided by the village representative for the substantial increase in the latest 10-year forecast. In such circumstances, the updated outstanding demand in 2012 and the previous 10-year forecast provided in 2011 are adopted as the total Small House demand figure in preparation of the draft OZP.

- 9.6 For Kan Tau Wai, it is noted that the original “V” zone (3.07 ha) is not sufficient to meet the total SH demand in 2012. According to village representative (VR) of Kan Tau Wai, the total SH demand for the village in 2011 was under-estimated as some of the villagers were residing overseas and could not be contacted to provide the SH demand figures in 2011. However, the VR has subsequently contacted the villagers and advises that the total SH demand in 2012 would better reflect the total SH demand for the village. As there is scope to enlarge the “V” zone to the same area of the ‘village environs’ of Kan Tau Wai, an area of about 2.46 ha which covers mainly vacant or abandoned agricultural land, or is occupied by temporary structures adjacent to the northeast of the village is proposed to be rezoned from “REC” to “V” (**Table 1, Plans 13 and 14**).
- 9.7 No changes were proposed for Heung Yuen Wai (including Ha Heung Yuen) and Tsung Yuen Ha as the size of the existing “V” zones of the two villages was already equivalent to the size of the village ‘environs’ (‘VE’) of the recognized villages.
- 9.8 For Tong Fong, no changes within the Ta Kwu Ling North OZP were proposed for the village as the site character of the village surroundings, which includes Ping Yuen River which runs through the north, existing woodlands and agricultural land, are not suitable for further expansion. However, it is possible to extend the village zone to the south of the village where suitable flat land with little vegetation is available. As this area in question is located in the Ping Che and Ta Kwu Ling OZP, the proposal could be considered separately when the land uses in Ping Che and Ta Kwu Ling are to be reviewed.
- 9.9 For New Chuk Yuen Village, the “V” zone was designated for the relocation of the village affected by the LT/HYW BCP project and its further expansion. As sufficient land has been reserved in the New Chuk Yuen Village to accommodate the demand, no amendment is proposed for the “V” zone of New Chuk Yuen Village.

Nature Conservation

- 9.10 Green Groups, including KFBG and WWF, have expressed concerns on the various zonings from nature conservation and ecological perspectives and have proposed to rezone areas along Ping Yuen River from “REC” to “CA” or “GB” (**Plans 7 and 8**), and the lowland habitats between Kan Tau Wai and Heung Yuen Wai from “REC” to “CA” (**Plans 9 and 10**). Besides, KFBG and WWF

consider that the ecological value of the stream courses at Heung Yuen Wai should be recognized (**Plans 11 and 12**), and have expressed concerns about potential adverse impacts of development within the “V” zone of Tsung Yuen Ha, Heung Yuen Wai and Ha Heung Yuen on the water quality of nearby natural stream courses.

Heung Yuen Wai Stream and its Riparian Area

- 9.11 According to the FCA Study the upper section of Heung Yuen Wai Stream, which falls mainly within the “REC” zone, has a high ecological value in its current undisturbed state as the fish community and odonate diversity there is abundant but the diverse fish species does not include exotic species. Its riparian vegetation, generally well-developed with little disturbance, creates a variety of stream conditions and shows good linkage to other nearby habitats, including woodland and grassland habitats. However, the stream is not designated as a Site of Special Scientific Interest (SSSI) or identified as an ecologically important stream (EIS) by AFCD. Hence, it does not attain a high conservation status of an SSSI such as Lin Ma Hang River or an EIS such as the one in So Lo Pun. However, upon further discussion with AFCD, it is considered more appropriate to rezone a strip of land of about 0.59 ha along the natural stream course at Heung Yuen Wai between the north of Heung Yuen Wai and Ha Heung Yuen from “REC” to “AGR” and a piece of land of about 0.31 ha east of Heung Yuen Wai from “REC” to “GB” within which there is a general presumption against development (**Plans 15 and 16**). AFCD considers that the proposed “GB” and “AGR” zones would offer better protection to the stream in its natural undistributed state.

Ping Yuen River and its Riparian Area

- 9.12 The upper section of Ping Yuen River, which falls mainly within the “REC” zone is natural and of moderate ecological value according to the FCA Study. As there is no material change in planning circumstances of the area, it is considered appropriate to retain the “REC” zone. To avoid adverse impact from incompatible development on the stream and surrounding areas, the ‘Remarks’ of the Notes have already stipulated that any diversion of streams or filling of pond in area zoned “REC” to effect a change of use to any of those specified in Columns 1 and 2, or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft DPA Plan without the permission from the Board under section 16 of the Ordinance. This would ensure that any works and alteration of the existing stream course will be put under the control of the statutory planning system.

Lowland Habitats between Kan Tau Wai and Heung Yuen Wai

- 9.13 Regarding the proposal to rezone the lowland habitats between Kan Tau Wai and Heung Yuen Wai from “REC” to “CA”, it is noted that the area comprises lowland grassland and grassland / shrubland (**Plans 9 and 10**). According to the findings of the FCA Study, the lowland habitats have low to moderate ecological value with low habitat diversity and low faunal diversity. In this regard, AFCD considers that the current “REC” zone is appropriate and in line with the recommendation of the FCA Study.

Potential Impact of Small House Development within “V” Zone on Streams

- 9.14 Regarding the concerns on potential impacts of developments, in particular small houses within “V” zone, on existing stream courses in the Area, it should be noted that in accordance with the Environmental, Transport and Works Bureau’s Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream course, should consult concerned departments including AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. It is suggested to clearly state this requirement in the Explanatory Statement of the “V” zone that when processing Small House grant and applications in close proximity to existing stream courses, AFCD and PlanD should be consulted. Besides, any diversion of streams or filling of pond to effect any permitted uses would also require permission from the Board in accordance with the Notes of the “V” zone.

Area North of Pak Fu Shan

- 9.15 In response to a Board member’s request in the further consideration of the representations and comment on 8.9.2011 to review the zoning of the area between Pak Fu Shan and Sham Chun River and consider whether it should be rezoned from “GB” to “REC” or “AGR” (**Plans 17 and 18**), further site investigation has been conducted. It is found that the area is predominantly covered with trees and shrubs, with scattered temporary structures and small scale farming activities. As there is no direct road access to the area, small scale passive recreational use may be supported in the area. Nevertheless, if the area is developed for active recreational uses, the existing road access and other infrastructure must be provided. In view that there is limited infrastructure and no active recreational and other uses have been identified for the area, the “GB” zone is considered appropriate to preserve its natural state.

Boundary Crossing Point (BCP) Project

- 9.16 The Liantang/Heung Yuen Wai BCP project and its connecting road have strategic significance for Hong Kong's future development and will connect Hong Kong with the Eastern Corridor in Shenzhen to provide an efficient link with the eastern part of Guangdong Province and the adjacent provinces. The project has commenced in 2013 and is expected for completion in 2018. To meet the public aspiration and to cater for the future public need at the proposed Liantang / Heung Yuen Wai BCP, it is proposed to add "Public Vehicle Park (excluding container vehicles)" in Column 1 under the "OU" zone.

10. Planning Intention

The general planning intention of the Area is to promote cultural conservation, recreation tourism and provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It is also the planning intention to protect the natural setting and cultural integrity of the Planning Scheme Area and to promote sustainable agricultural activities. Provision has been made for an extensive recreation area stretching across the north of the Planning Scheme Area to provide low-intensity recreational uses to complement other nearby land uses. The Plan also makes provision for the future LT/HYW BCP.

11. Land Use Zonings (Appendix I)

- 11.1 About 27.83 ha of land are zoned "V" to cover the six recognized villages within the Area, i.e. Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong and areas of land suitable for village expansion. Sufficient land has been reserved within the zone to cope with the estimated future SH demand.
- 11.2 About 1.98 ha of land are zoned "Government, Institution or Community" ("G/IC") to provide land for uses directly to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. Major existing facilities under this zoning include Ta Kwu Ling Police Station, Ta Kwu Ling Fire Station, Pak Fa Shan Police Operation Base and MacIntosh Fort – Pak Fu Shan.
- 11.3 About 111.83 ha of land are zoned "REC" for recreational developments, including holiday camp with sporting facilities, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds, BBQ areas, etc. for the use of general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. The "REC" zone covers the fallow agricultural land around Pak Fu Shan, north of Tsung Yuen

Ha, Ha Heung Yuen and Heung Yuen Wai, and a large area to the east of Kan Tau Wai along Lin Ma Hang Road at the south-western part of the Area. The recreational development in this area should be restricted to low-density development so as not to overload the infrastructure of the area and create nuisance to nearby villages.

- 11.4 A total of 23.82 ha of land are zoned “Other Specified Uses” (“OU”) to provide land for the development of boundary crossing facilities and related activities for the proposed LT/HYW BCP. To meet the public aspiration and to cater for the future public need for cross-boundary purpose, ‘Public Vehicle Park (excluding container vehicles)’ is added in Column 1 under the “OU” zone.
- 11.5 About 55.92 ha of land are zoned “AGR” to retain and safeguard good quality agricultural land, farm and fish ponds for agricultural purposes as well as to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The “AGR” zone in this Area mainly covers the areas in the northern and western parts of the Area.
- 11.6 To define 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, about 208.13 ha of land are zoned “GB”. This zone mainly covers the prominent hilly areas of Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang, permitted burial grounds and the ‘fung-shui’ woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai and Tong Fong.
- 11.7 A total of about 1.1 ha of land are zoned “CA” to retain and preserve the existing natural character of the ‘fung-shui’ woods at the backdrops of Heung Yuen Wai which has great environmental significance in terms of plant diversity and woodland integrity with minimal human disturbance.
- 11.8 A table comparing the land use budget of Ta Kwu Ling North area covered by the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKL/3 and the draft Ta Kwu Ling North OZP No. S/NE-TKL/C is shown in Table 2 below.

Table 2: Land Use Budget of Ta Kwu Ling North Area covered by the approved Ta Kwu Ling North Development Permission Area Plan No. DPA/NE-TKL/3 and the draft Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKL/C

Zoning	Approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKL/3		Draft Ta Kwu Ling North OZP No. S/NE-TKL/C		Increase / Decrease	
	(ha / %)		(ha / %)		(ha / %)	
Village Type Development	25.37	5.89	27.83	6.46	+ 2.46	+ 9.70
Government, Institution or Community	1.98	0.46	1.98	0.46	No change	No change

Recreation	115.19	26.72	111.83	25.94	- 3.36	- 2.92
Other Specified Uses	23.82	5.53	23.82	5.53	No change	No change
Agriculture	55.33	12.84	55.92	12.97	+ 0.59	+ 1.07
Green Belt	207.82	48.21	208.13	48.29	+ 0.31	+ 0.15
Conservation Area	1.10	0.26	1.10	0.26	No change	No change
Major Road, etc.	0.42	0.09	0.42	0.09	No change	No change
Total Planning Area	431.03	100.00	431.03	100.00	No change	No change

11.9 As diversion of streams, filling of pond / land or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities. Proposed diversion of streams or filling of pond in “V” and “REC” zones, proposed diversion of streams or filling of pond / land in “AGR” zone and proposed diversion of streams, filling of pond / land or excavation of land in “GB” and “CA” zones within the OZP will require planning permission from the Board.

12. Notes of the Plan

Attached to the Plan is a set of Notes (**Appendix II**) which shows the types of uses or developments which are always permitted within the Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The Notes of the Plan are prepared in accordance with the Master Schedule of Notes to Statutory Plans endorsed by the Board, taking account of local circumstances and the planning intentions of various zones. 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.

13. Consultation

13.1 Relevant Government bureaux/departments have been consulted on the Planning Report on Ta Kwu Ling North (**Annex A**), the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C (**Appendix I**), its Notes and Explanatory Statement (**Appendices II and III**) and their comments have been incorporated where appropriate.

13.2 Subject to the agreement of the Board, the draft OZP will be submitted to the North District Council and the Ta Kwu Ling District Rural Committee for consideration. Separate briefings and discussions with relevant parties including village representatives and concern groups would also be held. Their

comments will be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

14. Decision Sought

Members are invited to:

- (a) consider the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C (**Appendix I**) together with its Notes and Explanatory Statement (**Appendices II and III**), and the Planning Report on Ta Kwu Ling North (**Annex A**);
- (b) adopted the updated Explanatory Statement as an expression of the planning intention and objectives of the Board for various land use zonings on the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C; and
- (c) agree that the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C together with its Notes and ES are suitable for submission to NDC and TKLDRC for consultation.

Attachments

Plan 1	Reduction of Frontier Closed Area Coverage
Plan 2	Location Plan of Ta Kwu Ling North
Plan 3	Approved planning applications within Ta Kwu Ling North
Plan 4	“Conservation Area” zones proposed by The Conservancy Association
Plan 5	Habitat Map of Ta Kwu Ling North
Plan 6	Cultural Heritage Plan of Ta Kwu Ling North
Plans 7 and 8	Landuse Zonings along Ping Yuen River
Plans 9 and 10	Lowland Habitats between Kan Tau Wai and Heung Yuen Wai
Plans 11 and 12	Landuse Zonings along Natural Stream Courses at Heung Yuen Wai
Plans 13 and 14	Proposed Area of Expansion of Kan Tau Wai
Plans 15 and 16	Review of Landuse Zonings along Natural Stream Courses at Heung Yuen Wai
Plans 17 and 18	Review of Landuse Zonings north of Pak Fu Shan
Appendix I	Draft Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/C
Appendix II	Notes of the Draft Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/C
Appendix III	Explanatory Statement of the Draft Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/C
Appendix IV	Small House Demand for the Recognized Villages within Ta Kwu Ling North in 2011 and 2012
Annex A	Planning Report on Ta Kwu Ling North

PLANNING DEPARTMENT
APRIL 2013

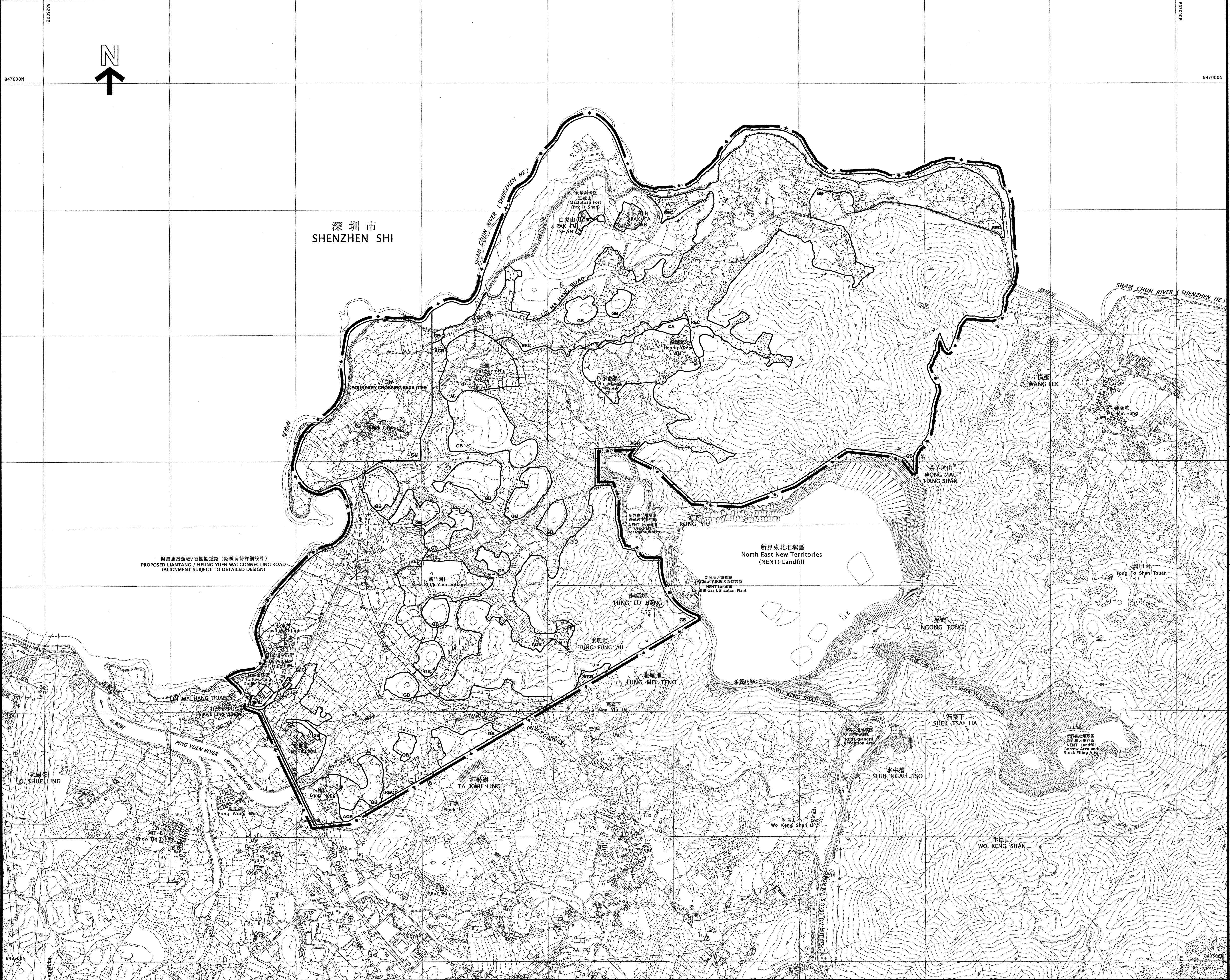
圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GI/C	政府、機構或社區
RECREATION	REC	康樂
OTHER SPECIFIED USES	OU	其他指定用途
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
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

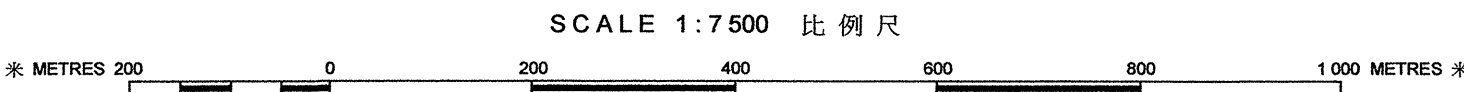
土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	27.83	6.46	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	1.98	0.46	政府、機構或社區
RECREATION	111.83	25.94	康樂
OTHER SPECIFIED USES	23.82	5.53	其他指定用途
AGRICULTURE	55.92	12.97	農業
GREEN BELT	208.13	48.29	綠化地帶
CONSERVATION AREA	1.10	0.26	自然保育區
MAJOR ROAD ETC.	0.42	0.09	主要道路等
TOTAL PLANNING SCHEME AREA	431.03	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



香港城市規劃委員會依據城市規劃條例擬備的打鼓嶺北分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
TA KWU LING NORTH - 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-TKLN/C

Appendix II

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/C

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

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Road junctions, alignment of roads and 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 “Conservation 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 draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned “Conservation Area”,
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and
 - (b) the following uses or developments require permission from the Town Planning

Board:

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

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

Road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (excavation or land/pond filling) is carried out and that the use or development is a use or development specified below:

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

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

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

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

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/C

Schedule of Uses

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GOVERNMENT, INSTITUTION OR COMMUNITY	3
RECREATION	4
OTHER SPECIFIED USES	6
AGRICULTURE	7
GREEN BELT	8
CONSERVATION AREA	10

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 Flat Government Refuse Collection Point Government Use (not elsewhere specified) # Hotel (Holiday House only) House (not elsewhere specified) Institutional Use (not elsewhere specified) # Market 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 (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

(please see next page)

VILLAGE TYPE DEVELOPMENT (cont'd)

Planning Intention

The planning intention of this zone is to designate both existing recognized villages and areas of 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 draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot	Animal Boarding Establishment
Animal Quarantine Centre (in Government building only)	Animal Quarantine Centre (not elsewhere specified)
Broadcasting, Television and/or Film Studio	Columbarium
Eating Place (Canteen, Cooked Food Centre only)	Correctional Institution
Educational Institution	Crematorium
Exhibition or Convention Hall	Driving School
Field Study/Education/Visitor Centre	Eating Place (not elsewhere specified)
Government Refuse Collection Point	Funeral Facility
Government Use (not elsewhere specified)	Holiday Camp
Hospital	Hotel
Institutional Use (not elsewhere specified)	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
Library	Off-course Betting Centre
Market	Office
Place of Recreation, Sports or Culture	Petrol Filling Station
Public Clinic	Place of Entertainment
Public Convenience	Private Club
Public Transport Terminus or Station	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
Public Utility Installation	Residential Institution
Public Vehicle Park (excluding container vehicle)	Sewage Treatment/Screening Plant
Recyclable Collection Centre	Shop and Services
Religious Institution	Utility Installation for Private Project
Research, Design and Development Centre	Zoo
Rural Committee/Village Office	
School	
Service Reservoir	
Social Welfare Facility	
Training Centre	
Wholesale Trade	

Planning Intention

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

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) 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

(Please see next page)

RECREATION (cont'd)

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.
- (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.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan 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
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For “Boundary Crossing Facilities” only

Ambulance Depot	Government Use (not elsewhere specified)
Boundary Crossing Facilities	
Eating Place	
Fire Station	
Government Refuse Collection Point	
Petrol Filling Station	
Police Station	
Public Convenience	
Public Transport Terminus or Station	
Public Utility Installation	
Public Vehicle Park (excluding Container vehicles)	
Radar, Navigational Aid, and Communication Devices	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Sewage Treatment/Screening Plant	
Shop and Services	
Utility Installation for Private Project	

Planning Intention

This zone is intended primarily for the development of the boundary crossing facilities and related uses for the proposed Liantang/Heung Yuen Wai Boundary Crossing Point.

AGRICULTURE

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 only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

Any diversion of streams or filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

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 Firing Range Flat 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 Zoo

(please see next page)

GREEN BELT (cont'd)

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.

Remarks

Any diversion of streams, 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 public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) 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) House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television And/or Radio Transmitter Installation 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 from the adverse effects of development.

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

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, 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, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

**DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/C**

EXPLANATORY STATEMENT

DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/C

EXPLANATORY STATEMENT

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DRAFT TA KWU LING NORTH OUTLINE ZONING PLAN
NO. S/NE-TKLN/C

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

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

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Ta Kwu Lin North Outline Zoning Plan (OZP) No. S/NE-TKLN/C. 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 On 10 September 2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Ta Kwu Ling North area as a development permission area (DPA). Subsequently on 17 June 2010, the Secretary for Development directed the Board to extend the coverage of the draft DPA plan.
- 2.2 On 30 July 2010, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 3 valid representations were received. On 8 October 2010, the representations were published for three weeks for public comments and 1 valid comment was received.
- 2.3 On 25 February 2011, the Board considered the representations and comments and decided to defer the consideration of the representations and comments pending further review by the Planning Department on the land use proposals, in particular on the “Village Type Development” (“V”) zones, taking into account the views of the representers and commenters and any other relevant planning considerations.
- 2.4 On 16 June 2011, the CE, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft DPA Plan to the Chief Executive in Council (CE in C) for approval for a period of six months from 30 June 2011 to 30 December 2011.
- 2.5 On 8 September 2011, the Board further considered the representations and comments and decided not to uphold the representations.
- 2.6 On 28 October 2011, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/2, incorporating amendments to rezone an area to the north-east of Tong Fong from “Recreation” (“REC”) to “V”, areas to the north and east of Tsung Yuen Ha from “REC” and “Agriculture” (“AGR”) to “V” and an area to the north-west of Ha Heung Yuen from “AGR” to “V” and a strip of land to the north of Ha Heung Yuen

close to an existing stream from “V” to “REC”, was exhibited for public inspection under section 7 of the Ordinance. Upon expiry of the two-month public inspection period, one representation was received. On 13 January 2012, the Board agreed that the representation was invalid.

- 2.7 On 8 May 2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ta Kwu Ling North DPA Plan, which was subsequently re-numbered as DPA/NE-TKLN/3. On 18 May 2012, the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.8 On 8 February 2013, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Ta Kwu Ling North area.
- 2.9 On ____ 2013, the draft Ta Kwu Ling North OZP No. S/NE-TKLN/C (the Plan) 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 Ta Kwu Ling North area (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 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.

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 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 covers a total area of about 431 hectares. It is located approximately 6.7 km to the north of Fanling/Sheung Shui. It is bounded by Sham Chun River in the north, Lin Ma Hang Road in the northeast, Wong Mau Hang Shan in the east, Tung Fung Au and Tung Lo Hang in the south, and Ping Che Road in the

west. The North East new Territories (NENT) Landfill is located immediately to the southeast of the Area at Wok eng Shan. The boundary of the Area is shown by a heavy broken line on the Plan.

- 5.2 The Area commands the cross boundary location in the northernmost rural area of the North District. Except Shenzhen City (Shenzhen Shi) which lies immediately outside the Hong Kong Special Administrative Region (HKSAR) in the north, the surroundings are predominantly agricultural spotted with rural settlements. The densely vegetated Wong Mau Hang Shan (243 mPD), Pak Fa Shan (75 mPD), Pak Fu Shan (98 mPD) and Tung Lo Hang (87 mPD) are the prominent mountain ridges in the Area. Lying between the mountainous ridges are lowland basins intersected with watercourses. The main watercourse is Ping Yuen River which flows from the mountainous ridges of Wo Keng Shan to the lowland before discharging into Sham Chun River. The extensive lowlands mainly comprise arable land intermixed with livestock farms and clusters of settlements, woodlands and other vegetated habitats.
- 5.3 The landscape features of the Area are woodlands, vegetated uplands, knolls and foothills. The Area covers a spectrum of natural habitats including 'fung-shui' woods, mixed shrubland, lowland forest and natural watercourse.
- 5.4 Economic activities are limited in the Area due to its rugged relief and limited accessibility. Farmers are mainly self-employed and engaged in operating pigsties and poultry farms to raise hogs or chicken, as well as agricultural activities including growing of vegetables, flowers and fruits.
- 5.5 Graded historic buildings within the Area include MacIntosh Fort at Pak Fu Shan (Grade 2), Ta Kwu Ling Police Station (Grade 3), Wing Kit Study Hall in Tong Fong (Grade 3), Kiu Fong Ancestral Hall in Tsung Yuen Ha (Grade 3) and a number of village houses in Heung Yuen Wai (Grade 1) and Tsung Yuen Ha (Grade 3). The Pak Fu Shan Site of Archaeological Interest also falls within the Area.

6. POPULATION

According to the 2011 Population Census, the total population within the Area was 550 persons. It is expected that the total planned population of the Area would be about 6,206 persons.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Cross Boundary Facilities

The Plan makes provision for the future Liantang / Heung Yuen Wai Boundary Crossing Point which provides development of boundary crossing facilities and other necessary supporting facilities for increased access.

7.1.2 Tourism Potential

The Area is scenically attractive with green environment. The villages are relatively unspoiled and retain much of their traditional character. Such setting provides a wide array of unique and attractive tourism opportunities. The Area provides a good potential for cultural heritage and eco-tourism. Provision of tourism and recreation-related developments such as well-connected footpaths, cycle tracks and dining / overnight accommodation facilities would be required to realize its tourism potential.

There is agricultural land around Pak Fu Shan, north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai currently occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some limited open storage uses. This area could be designated for recreational purposes as it has low environmental and scenic value with a mixture of temporary structures. Another large area east of Kan Tau Wai at the south-western part of the Area can also be designated for recreational use. It is intended to provide indirect economic benefits to the nearby villages and the area adjacent to potential recreational facilities such as hiking / heritage trails and bicycle tracks as well as the potential Robin's Nest (Hung Fa Leng) Country Park so that it can utilize the future facilities of this area.

7.1.3 Agricultural Potential

Extensive good quality agricultural land is found in the northern and western parts of the Area, some of which is still under active cultivation. The lowland topography coupled with the presence of river tributaries for irrigation offers suitable conditions of using the Area for agricultural related activities. With basic infrastructure, including irrigation facilities, fallow arable land can be rehabilitated for agricultural purposes.

7.1.4 Nature Conservation Potential

The Area comprises large tracts of dense and undisturbed woodland, ponds and 'fung-shui' woods. The natural vegetation together with the rugged topographic backdrops provides a picturesque landscape forming an integral part of the natural environment that should be conserved.

Future development of the Area needs to take into account the areas of high ecological values, such as the fung-shui woods to the east and north-east of Heung Yuen Wai. Prior consultation with relevant Government departments should be sought if development proposals would affect the places of ecological interest.

7.2 Constraints

7.2.1 Relief and Geotechnical Aspects

The eastern part of the Area is characterized by relatively steep mountains and naturally hilly terrain. There is a history of landslides on the natural terrain, such as Wong Mau Hang Shan. Such topographic relief imposes geotechnical constraints on development, and geotechnical assessment

would be required for any proposed development involving site formation and slope stabilization works.

7.2.2 NENT Landfill

The south-eastern part of the Area falls within the 250 m landfill gas consultation zone for the NENT Landfill. Landfill gas hazard assessment will be required for development falling within the consultation zone.

7.2.3 Boundary Crossing Point

The proposed Liantang / Heung Yuen Wai Boundary Crossing Point (LT/HYW BCP) will create a dramatic change to the scenic quality of the Area and will take up approximately 24 ha of land. In addition, the associated connection roads will create a source of potential adverse noise and air quality impacts on the Area.

7.2.4 Traffic

Vehicular accesses are of a limited capacity and not intended for heavy traffic. Due to the limited transport infrastructure in the Area, uncoordinated development would create problems and hazards to both pedestrian and vehicular traffic. Improvement to traffic facilities are required if the Area is to be opened up for development.

7.2.5 Drainage

Most parts of the low-lying areas are flood prone. Therefore, any development must demonstrate that the proposal would not cause any increase in the flooding susceptibility of the adjoining areas and be subject to a comprehensive Drainage Impact Assessment.

7.2.6 Sewerage

The Area falls within the Deep Bay catchment, therefore, no additional pollution loading should be discharged into the Deep Bay as a result of any new and proposed developments. New developments should therefore include proper on-site sewerage treatment facilities or be connected to public sewer, when available. Lack of public sewer has imposed severe constraints for large-scale developments in the Area.

7.2.7 Water Supply

If major development is to be planned, upgrading of water supply system and construction of additional waterworks installation may be required.

7.2.8 Land Ownership

About 33% of the Area is private lot and predominantly located in the low-lying areas along the northern, western and southern boundaries of the Area. The hilly terrain, majority of which adjacent to the western and northern boundaries of the NENT Landfill, is Government land.

7.2.9 Overhead Transmission Lines

There is a set of 132 kV overhead transmission lines running across the south-western portion of the Area. Relevant guidelines in Chapter 7 of the Hong Kong Planning Standards and Guidelines should be observed.

7.2.10 Burial Grounds

The ten permitted burial grounds for indigenous villagers are proposed to be retained.

8. GENERAL PLANNING INTENTION

The general planning intention of the Area is to promote cultural conservation, recreation tourism and provide suitable facilities to meet the territorial need and cross-boundary infrastructure. It is also the planning intention to protect the natural setting and cultural integrity of the Planning Scheme Area and to promote sustainable agricultural activities. Provision has been made for an extensive recreation area stretching across the north of the Planning Scheme Area to provide low-intensity recreational uses to complement other nearby land uses. The Plan also makes provision for the future LT/HYW BCP.

9. LAND USE ZONINGS

9.1 “Village Type Development” (“V”) : Total Area 27.83 ha

- (a) The planning intention of this zone is to designate both existing recognized villages, and areas of 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board. In order to provide opportunities for short-term accommodation in existing NTEH, “Hotel (Holiday House only)” may also be permitted within this zone on application to the Board. The accommodation can complement any proposed agricultural and recreational uses to promote village life experience, leisure farming and agri-tourism.
- (b) There are six recognized villages within the Area, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong. The boundaries of “V” zones are drawn up having regard to the existing village ‘environs’, outstanding Small House applications, Small House demand forecast, local topography, existing settlement pattern, ecologically important areas and other site specific characteristics. Areas of

difficult terrain, dense vegetation, burial grounds and streamcourses have been avoided where possible.

- (c) The proposed boundary crossing facilities and related uses of LT/HYW BCP would require resumption of Chuk Yuen Village. A site at about 500 m from the southeastern side of the Chuk Yuen Village is zoned “V” and to be developed as a resite area for Chuk Yuen Village and its future expansion.
- (d) The south-western part of the Ha Heung Yuen Village falls within the 250 m NENT Landfill Consultation Zone. To compensate for the loss of land for building village houses, an area to the east of the village (outside of the 250 m Landfill Consultation Zone) is zoned “V” for village type development.
- (e) Except for those specified, 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 building height of 3 storeys (8.23 m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.
- (f) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (g) The village houses close to Lin Ma Hang Road and Ping Che Road are subject to adverse traffic noise impact. Village housing development near the main roads should be avoided. Suitable noise mitigation measures such as self-protective building design, noise barriers with minimal visual impacts, etc. would be required.
- (h) In order to address the potential impacts from developments on existing stream courses in general, concerned departments including Agriculture, Fisheries and Conservation Department and Planning Department should be consulted when processing Small House grant and applications in close proximity to existing stream courses, to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- (i) As diversion of streams or filling of pond 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.

9.2 “Government, Institution or Community” (“G/IC”) : Total Area 1.98 ha

- (a) 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.

- (b) The existing GIC facilities, including the MacIntosh Fort (Pak Fu Shan), Pak Fa Shan Police Operation Base, Ta Kwu Ling Police Station and Ta Kwu Ling Fire Station are designated as GIC uses. As detailed planning proceeds, land may be designated from other uses to this zoning to meet the envisaged demands of the growing population of this Area.

9.3 “Recreation” (“REC”) : Total Area 111.83 ha

- (a) 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.
- (b) There are abandoned agricultural land around Pak Fu Shan, north of the Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai. It is occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some limited open storage uses. This area is designated for recreational purposes as it has low environmental value, low scenic value with a mixture of temporary structures. A large area east of Kan Tau Wai at the southwestern part of the Area is designated as “REC” zone on the Plan. It is intended to provide indirect economic benefits to the nearby villages and the area is adjacent to potential recreational facilities such as hiking/heritage trails and bicycle tracks as well as the potential Robin’s Nest Country Park so that the future facilities of this area can complement any proposed recreational uses in the “REC” zone.
- (c) Kaw Liu Village which contains mainly village settlements without recognized village status is included in this zoning. The house structures built in this area are mainly domestic houses. Although expansion of this rural settlement is not encouraged, redevelopment of existing NTEHs and domestic houses have been allowed for in this zoning.
- (d) Recreational uses such as horse riding schools, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds, BBQ areas and other uses that are primarily outdoor nature-based activities are permitted within this zone. These facilities should work in parallel with the promotion of Heung Yuen Wai and other villages which are connected by the proposed heritage and hiking trails. However, the recreational development in this Area should be restricted to low-density development so as not to overload the infrastructure of the Area and create nuisance to the villagers.
- (e) No residential development (except NTEH development) shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

- (f) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.4 “Other Specified Uses” (“OU”) : Total Area 23.82 ha

“OU (Boundary Crossing Facilities)” (“OU (BCF)”)

The only site zoned “OU” on the Plan is the area to the southwest of Pak Fu Shan. This zone is intended primarily for the development of boundary crossing facilities and related uses for the proposed LT/HYW BCP. Major facilities include vehicle clearance facilities, passenger clearance building, transit halls, pick-up/drop-off zones for passengers, public transport interchange, public car parking facilities, government offices and other necessary supporting facilities. These facilities are arranged so as to achieve proper and smooth operation of the clearance procedures and traffic movements.

9.5 “Agriculture” (“AGR”) : Total Area 55.92 ha

- (a) This zone is intended primarily to retain and safeguard good quality agricultural land, farm and fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- (b) Majority of the agricultural land of good quality is found in lowland areas in the northern and eastern parts of the Area. With basic agricultural infrastructure, including irrigation facilities, fallow arable land can be easily rehabilitated for agricultural purpose.
- (c) As diversion of streams or filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, or construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.6 “Green Belt”(“GB”) : Total Area 208.13 ha

- (a) 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.
- (b) However, 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.
- (c) The “GB” zone mainly covers the prominent hilly areas of the densely vegetated Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang. Green

buffer areas also include permitted burial grounds within the Planning Area and the 'fung-shui' woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai, Ha Heung Yuen and Tong Fong. For the area located to the north of Pak Fu Shan which is predominantly covered with trees and shrubs with no direct road access, it is retained as a "GB" to preserve its natural state.

- (d) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

9.7 "Conservation Area"("CA") : Total Area 1.1 ha

- (a) This zone 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 from the adverse impacts of development.
- (b) There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (c) The 'fung-shui' woods at the backdrops of Heung Yuen Wai is of high integrity and of significant level of plant diversity. It is zoned "CA" to protect and preserve the existing natural character.
- (d) The redevelopment of an existing house shall not 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 of the draft DPA Plan.
- (e) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

10. COMMUNICATIONS

10.1 Road Network

- (a) The Area is mainly served by Lin Ma Hang Road in the north and Ping Che Road in the southwest. Lin Ma Hang Road is a closed single track access leading from Ping Che Road in the west to connect Sha Tau Kok Road in the south. Ping Che Road is a single 2-lane carriageway leading from Ping Che in the south and connecting with Lin Ma Hang Road in the north. Apart from these major roads, there are local van tracks traversing the settlement areas to serve the residents.
- (b) Widening works is proposed at Lin Ma Hang Road between Tsung Yuen Ha and Lin Ma Hang for upgrading to single-2 lanes. The project is now at

initial planning stage while Lin Ma Hang Road (section between Ping Che Road and Tsung Yuen Ha) will be widened separately under the LT/HYW BCP project. Traffic management measures would be implemented at the section of Lin Ma Hang road between Pak Fu Shan and Wang Lek if its widening works could not be tied in with the opening of the Closed Area in the Area. The existing Ping Che Road should have no capacity problem arisen from the traffic generated in the Closed Area. However, any improvement proposal on the full section of Ping Che Road should be subject to the ongoing North East New Territories New Development Area Planning and Engineering Study.

- (c) Apart from the rural roads, minor improvement works is also proposed to the local access road of Ha Heung Yuen and the proposed resite area of Chuk Yuen Village.

10.2 Public Transport

The Area is not well served by public transport facilities due to its access restriction, remoteness and sparse population. There are public franchised bus (No. 79K) and green minibus (No. 59K) plying between the Area and Sheung Shui Station.

11. UTILITY SERVICES

11.1 Sewerage and Drainage System

11.1.1 Most parts of the low-lying area are flood prone because the flow capacity of the existing drainage system within the Area is generally inadequate. The runoff from developments can be conveyed to Sham Chun River. Drainage system of the Area was improved by the river training works at Ping Yuen River which were completed in 2006. Drainage improvement works to Sham Chun River (Shenzhen River) under 'Regulation of Shenzhen River Stage 4' are scheduled for implementation in 2013.

11.1.2 The Area is basically unsewered at present. Existing village type developments and the livestock farms mainly rely on on-site sewerage treatment facilities, such as septic tanks and soakaway pits. The existing NENT Landfill Sewerage System in the Area is for pumping leachate from the NENT Landfill plus sewage from villages in Ping Che/Ta Kwu Ling area to Shek Wu Hui Sewage Treatment Works. Depending on the availability of public sewer in the future, the lack of sewerage infrastructure may form a constraint to new development in the Area.

11.2 Water Supply

Potable water supply is available in most parts of the Area and is served by the Sheung Shui Water Treatment Works via Ping Che Fresh Water Service Reservoir which is outside the Area. Currently, fresh water is used for flushing as supply of sea water is not available. Upgrading of existing water supply system will be required for new developments. Lin Ma Hang fresh water pump house, Pak Fu Shan fresh water header tank and various sizes of water mains are located within

the Area. Advice from the Water Supplies Department should be sought if these existing waterworks facilities are affected.

11.3 Other Public Utility Services

11.3.1 Solid waste disposal relies on small refuse collection points scattered throughout the Area. Collected wastes are transported to the NENT Landfill for disposal.

11.3.2 There is no existing piped gas system in the Area. Electricity supply and telephone networks are available in the Area.

12. CULTURAL HERITAGE

12.1 Graded historic buildings within the Area include four Grade 1 historic buildings, i.e. Nos. 1A, 1, 1B, 2 and 3, Nos. 4 and 5, Watchtower of No. 4 and Nos. 76978 in Heung Yuen Wai; one Grade 2 historic building, i.e. MacIntosh Fort at Pak Fu Shan; four Grade 3 historic buildings, i.e. Ta Kwu Ling Police Station, Wing Kit Study Hall in Tong Fong, Kiu Fong Ancestral Hall and Nos. 57, 58 and 59 in Tsung Yuen Ha. Also, the Pak Fu Shan Site of Archaeological Interest falls within the Area. All the above sites of archaeological interest and graded historic buildings / structures are worthy of preservation.

12.2 The Antiquities Advisory Board (AAB) also released a number of new items in addition to the list of 1,444 historic buildings. These items are subject to the grading assessment by the AAB. Details of the list of 1,444 historic buildings and its new items have been uploaded onto the official website of the AAB at <http://www.aab.gov.hk>.

12.3 Prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above graded historic buildings / structures, new items pending grading assessment or sites of archaeological interest and their / their immediate environs.

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 definite programme for the provision of comprehensive 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. widening of access road 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

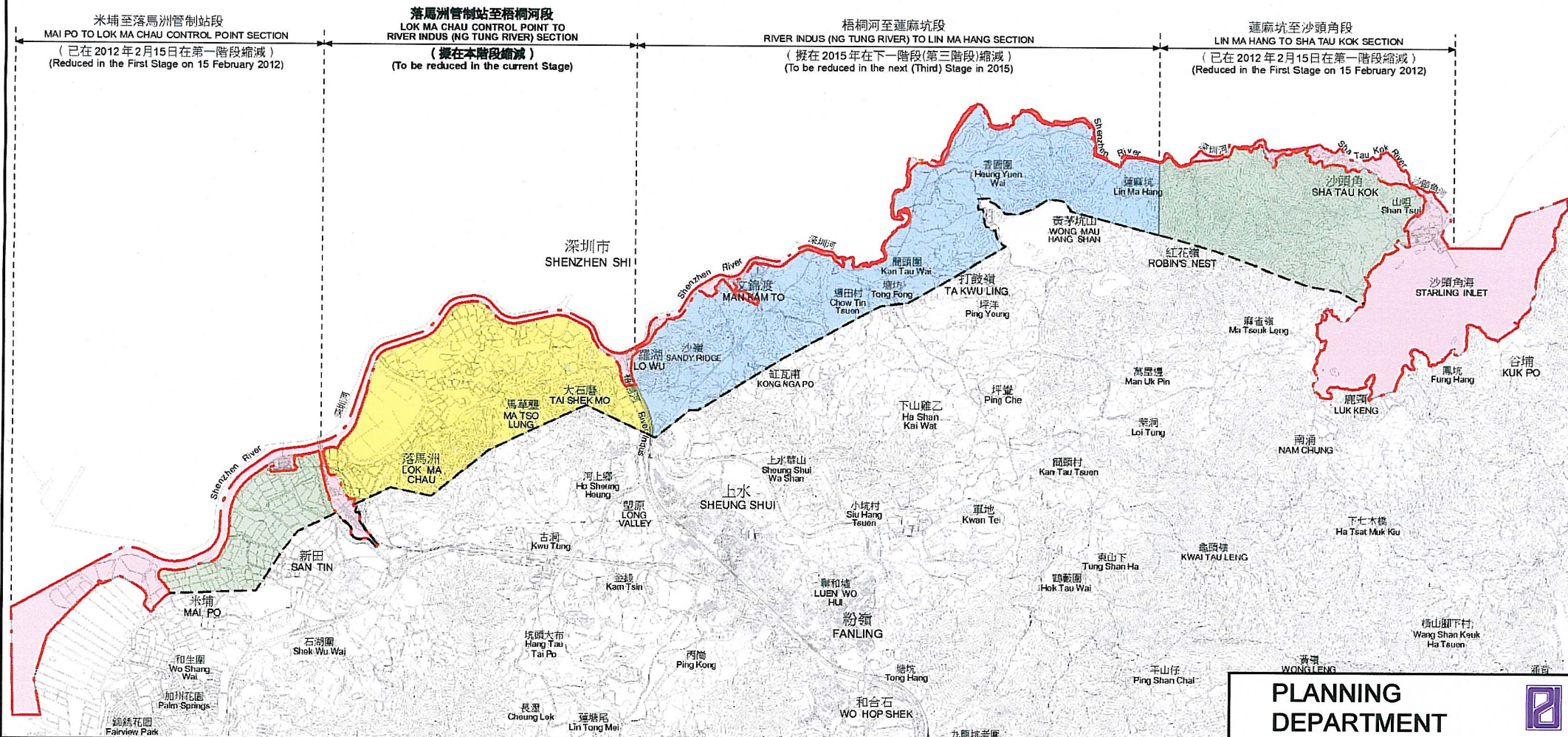
- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same 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 draft DPA plan 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 the 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 planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans/layout plans and the guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning application can be downloaded from the Board's website and are available from the Secretariat of the Board, 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 land included in this Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance. Any filling of land/pond, excavation of land or diversion of streams in the relevant zones on or after the date of the first publication in the Gazette of the notice of the draft DPA plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation related zonings, such as "CA".

邊境禁區圖

PLAN OF FRONTIER CLOSED AREA

圖例 LEGEND

- | | | | |
|---|---|---|---|
|  | 縮減後的邊境禁區
Frontier Closed Area after reduction |  | 縮減後的邊境禁區界線
Frontier Closed Area Boundary after reduction |
|  | 擬在本階段縮減的邊境禁區範圍
FCA Area to be reduced in the current Stage |  | 釋放前的禁區界線
Existing (before reduction) FCA Boundary |
|  | 已在第一階段縮減的邊境禁區範圍
FCA Area reduced in the First Stage | | |
|  | 擬在第三階段縮減的邊境禁區範圍
FCA Area to be reduced in the Third Stage | | |



PLANNING
DEPARTMENT



EXTRACT PLAN PREPARED ON 23.4.2013

REDUCTION OF FRONTIER CLOSED AREA COVERAGE

REFERENCE No.
M/NE/13/46A

PLAN 1



深圳市

SHENZHEN SHI

羅湖
LUOHU

TA KWU LING NORTH
OZP

Existing FCA Boundary

TA KWU LING

上水
SHEUNG SHUI

粉嶺
FANLING

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM50C/1 & HM50C/2

LOCATION PLAN OF TA KWU LING NORTH

SCALE 1 : 50 000

km 1 0 1 2 km

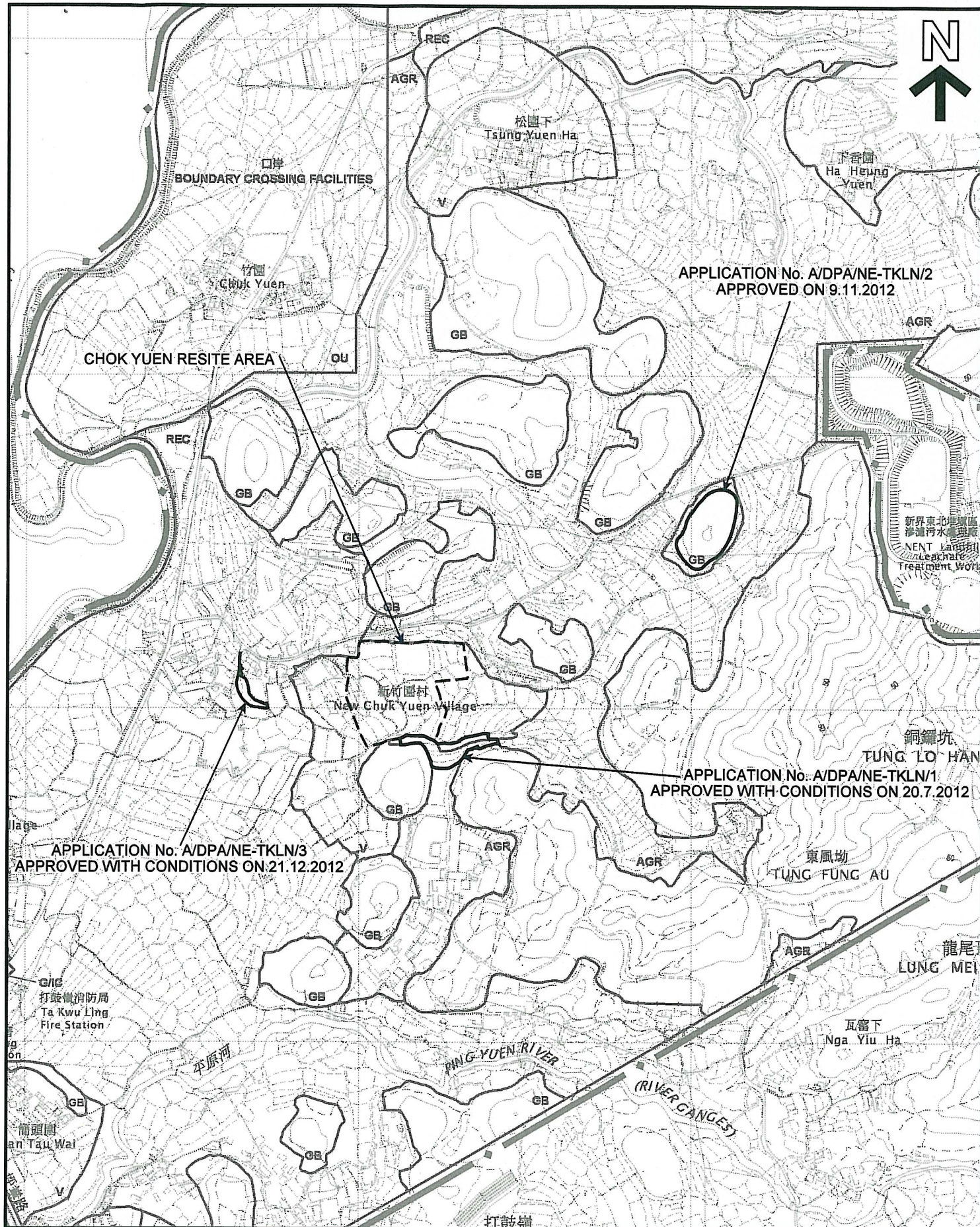
PLANNING
DEPARTMENT



REFERENCE No.

M/NE/13/46A

PLAN 2



SITE PLAN

**APPROVED PLANNING APPLICATIONS
WITHIN TA KWU LING NORTH**

**PLANNING
DEPARTMENT**

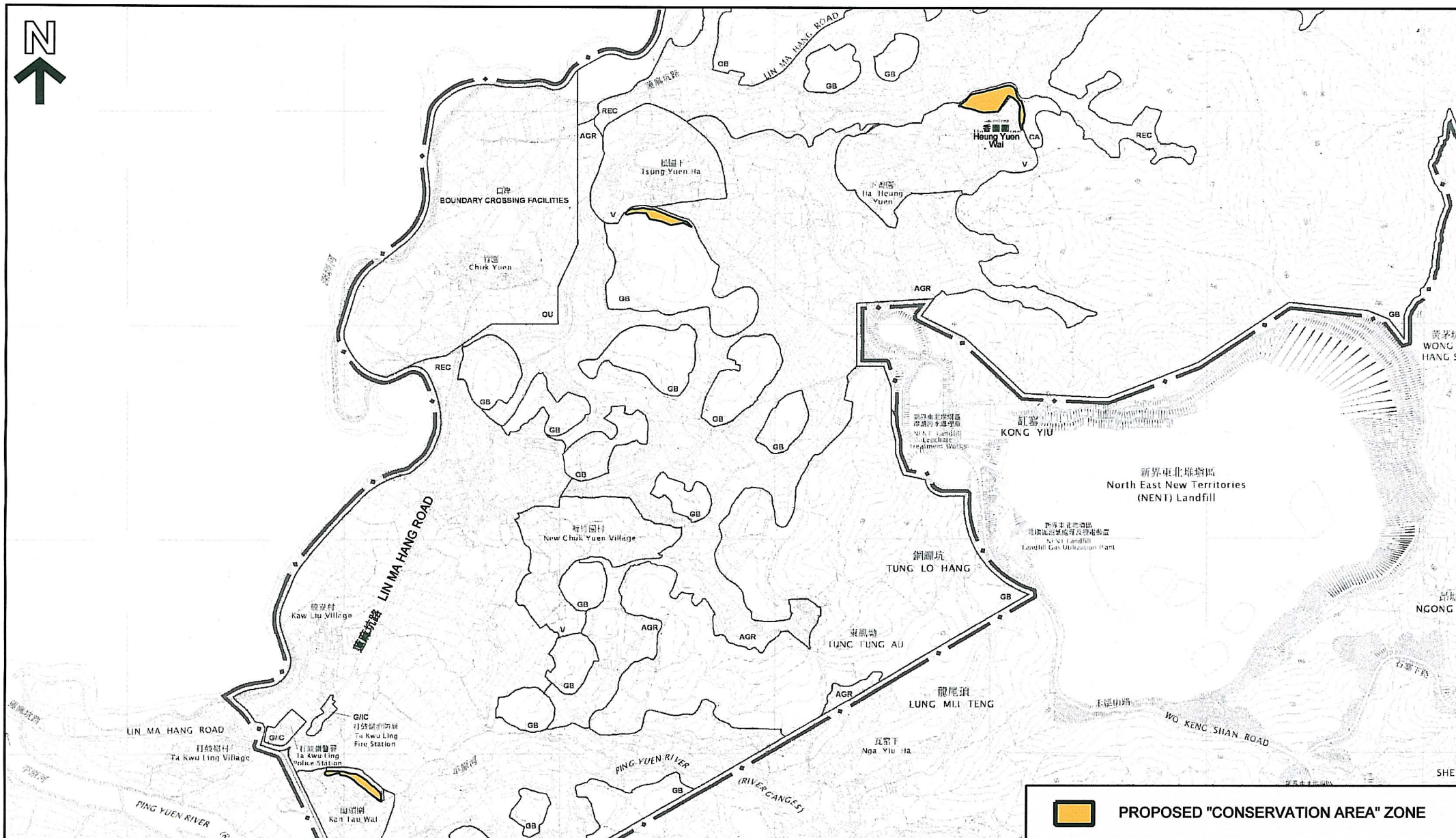


EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SURVEY SHEET No.
3-NW-13C & 3-NW-18A

REFERENCE No.
M/NE/13/46A

**PLAN
3**

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



EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

FUNG-SHUI WOODLANDS PROPOSED BY GREEN GROUPS TO BE ZONED "CONSERVATION AREA"

SCALE 1 : 12 000
METRES 100 0 100 200 300 400 500 600 METRES

PLANNING
DEPARTMENT

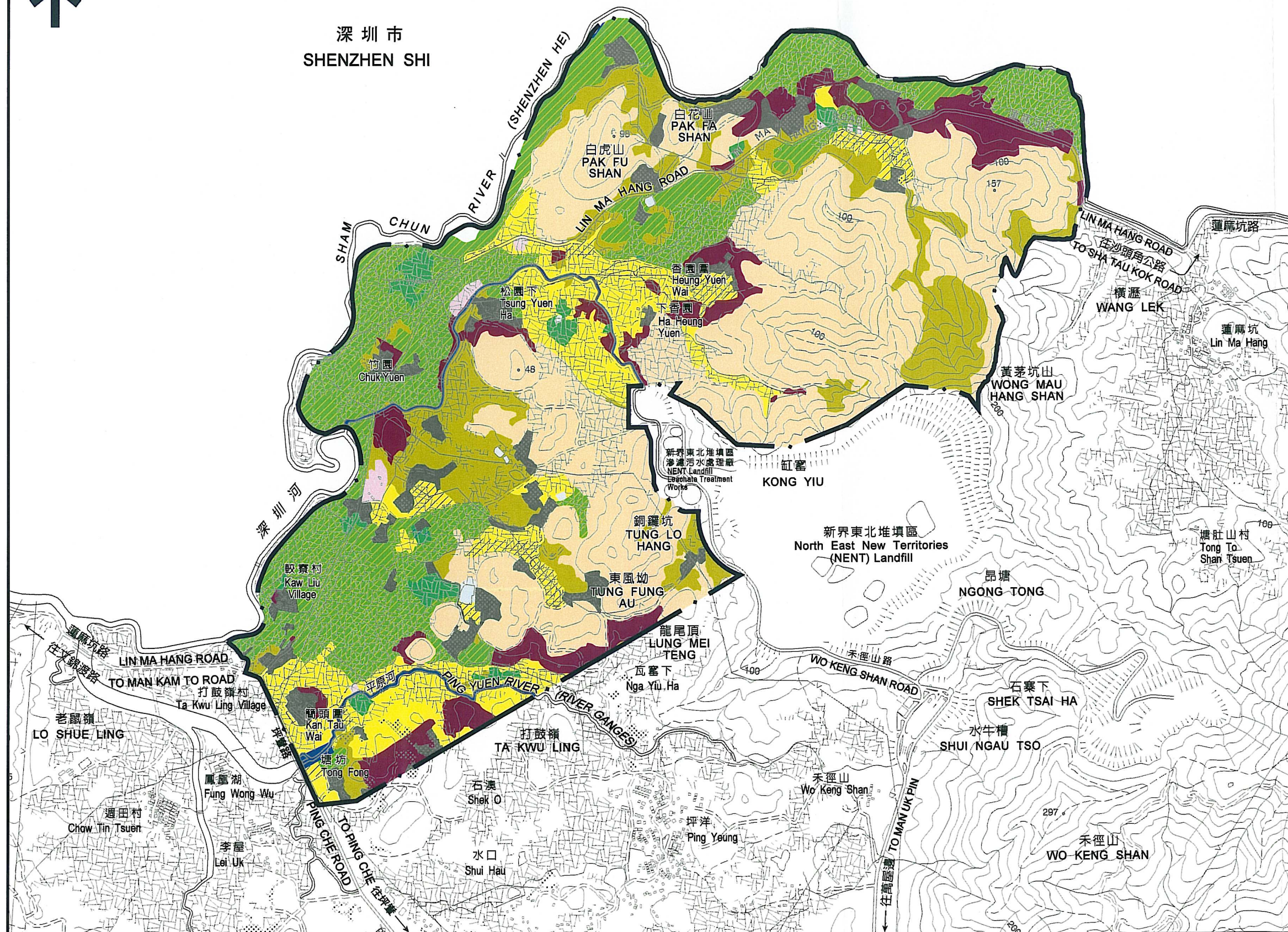


REFERENCE No.
M/NE/13/46A














PLAN
4



深圳市
SHENZHEN SHI



LEGEND

-  BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
-  POND
-  MAJOR STREAM / DRAINAGE CHANNEL
-  ACTIVE WET AGRICULTURAL LAND
-  ACTIVE DRY AGRICULTURAL LAND
-  INACTIVE DRY AGRICULTURAL LAND
-  SEASONALLY WET GRASSLAND
-  LOWLAND GRASSLAND
-  UPLAND GRASSLAND
-  GRASSLAND / SHRUBLAND
-  SHRUBLAND
-  SECONDARY WOODLAND / PLANTATION
-  DEVELOPED LAND

EXTRACT PLAN PREPARED ON 17.4.2013
BASED ON SERIES HM20C SHEET 3

HABITAT MAP OF TA KWU LING NORTH

SCALE 1 : 15 000

PLANNING DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN 5



深圳市
SHENZHEN SHI

TA KWU LING POLICE STATION (GRADE 3)
(PHOTO TAKEN ON 8-2-2013)



MACINTOSH FORT (PAK FU SHAN) (GRADE 2)
(PHOTO TAKEN ON 1-2-2013)



LEGEND

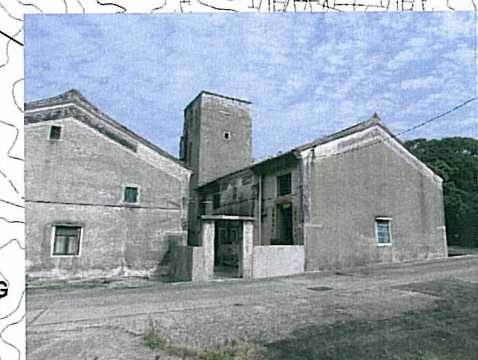
— • — BOUNDARY OF TA KWU LING NORTH
PLANNING SCHEME AREA

GRADED BUILDINGS

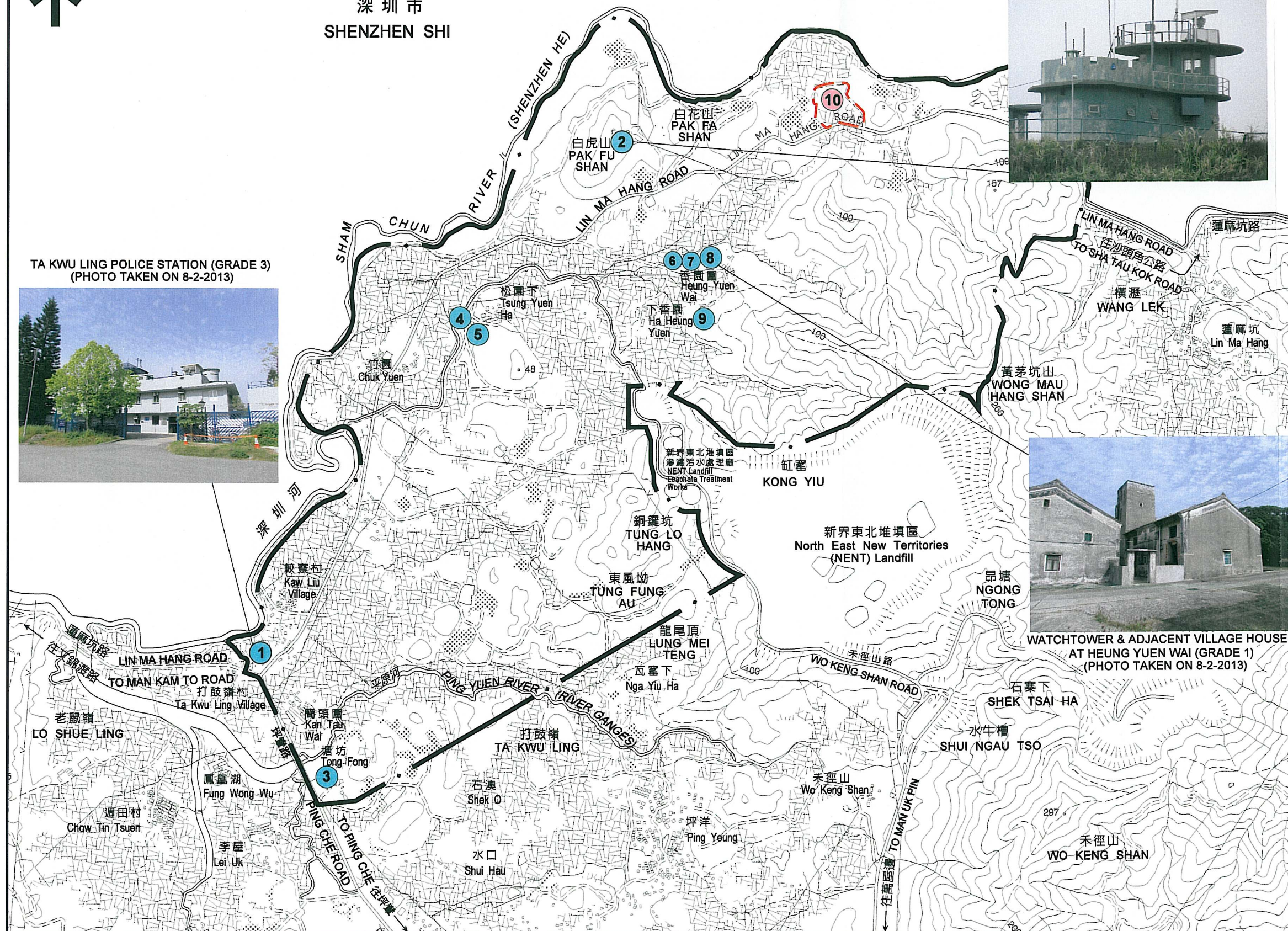
- ① TA KWU LING POLICE STATION (GRADE 3)
- ② MACINTOSH FORT (PAK FU SHAN)(GRADE 2)
- ③ WING KIT STUDY HALL (TONG FONG)(GRADE 3)
- ④ KIU FONG ANCESTRAL HALL (TSUNG YUEN HA)(GRADE 3)
- ⑤ Nos. 57, 58 AND 59 (TSUNG YUEN HA)(GRADE 3)
- ⑥ Nos. 1A, 1, 1B, 2 AND 3 (HEUNG YUEN WAI)(GRADE 1)
- ⑦ Nos. 4 AND 5 (HEUNG YUEN WAI)(GRADE 1)
- ⑧ WATCHTOWER (No. 4 HEUNG YUEN WAI)(GRADE 1)
- ⑨ Nos. 76 TO 78 (HEUNG YUEN WAI)(GRADE 1)

SITE OF ARCHAEOLOGICAL INTEREST

- ⑩ PAK FU SHAN
SITE OF ARCHAEOLOGICAL INTEREST



WATCHTOWER & ADJACENT VILLAGE HOUSES
AT HEUNG YUEN WAI (GRADE 1)
(PHOTO TAKEN ON 8-2-2013)



EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON SERIES HM20C SHEET 3

CULTURAL HERITAGE PLAN OF TA KWU LING NORTH

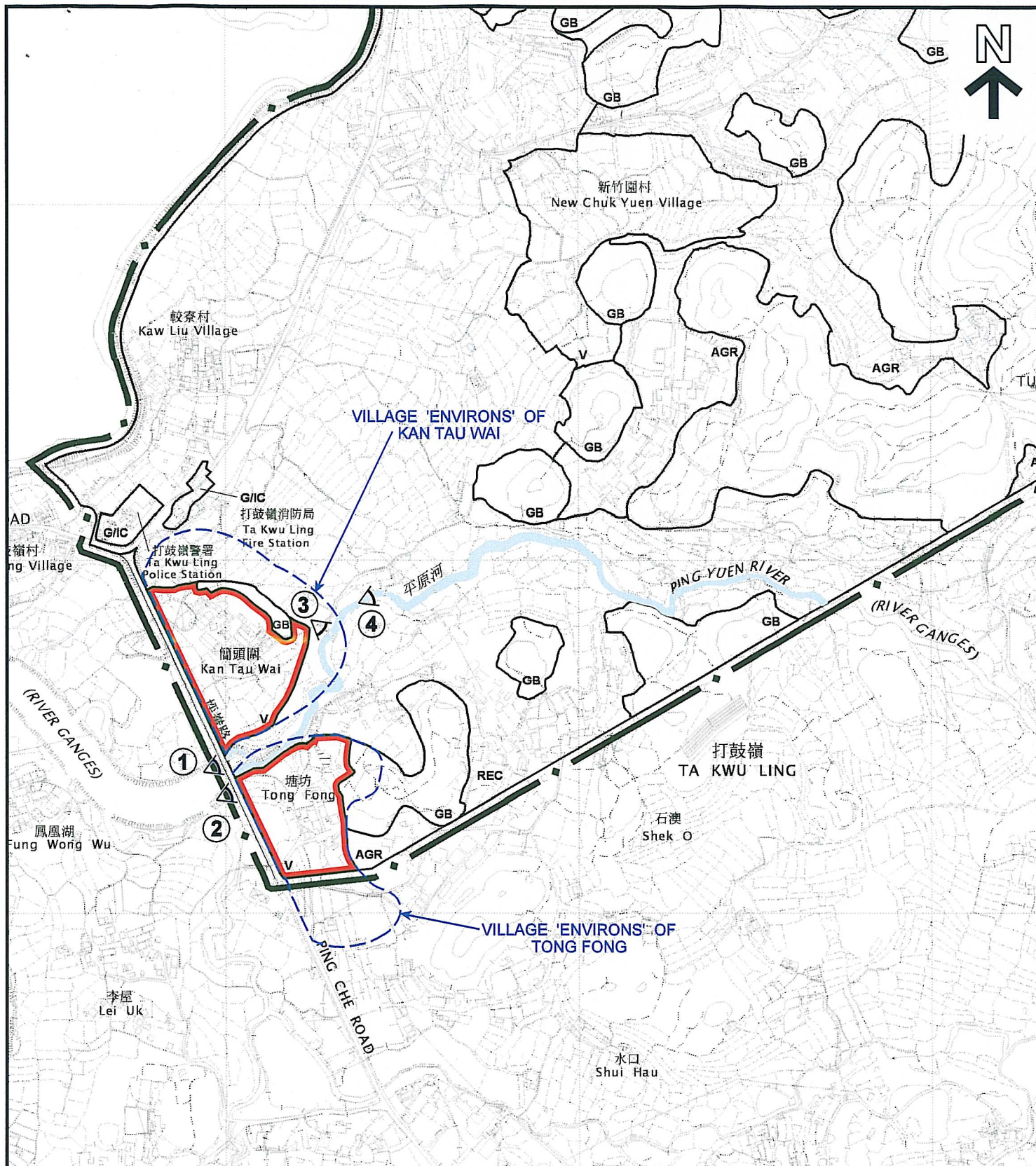
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PLANNING DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN 6



LEGEND

- PING YUEN RIVER
- 1 ◀ VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 23.4.2013
 BASED ON DEVELOPMENT PERMISSION
 AREA PLAN No. DPA/NE-TKLN/3
 APPROVED ON 8.5.2012

REVIEW OF THE LANDUSE ZONINGS ALONG PING YUEN RIVER

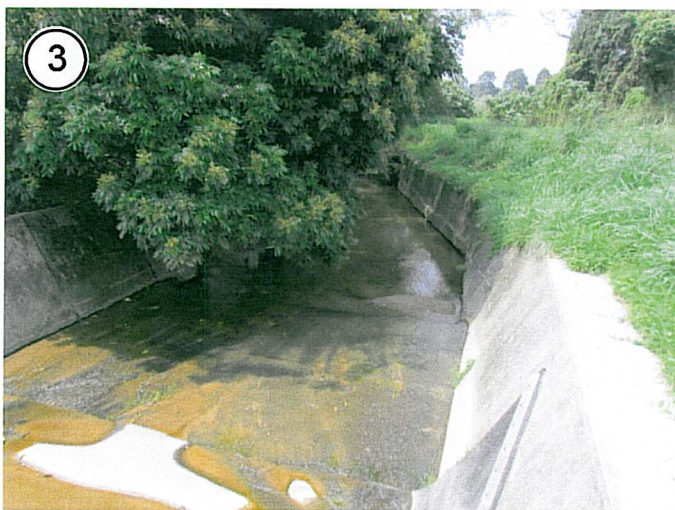
SCALE 1 : 7 500

PLANNING
 DEPARTMENT



REFERENCE No.
 M/NE/13/46A

PLAN
 7



**RIVER CHANNEL OF PING YUEN RIVER
(SECTION BETWEEN KAN TAU WAI AND TONG FONG)
(PHOTO TAKEN ON 8.2.2013)**

PLAN PREPARED ON 23.4.2013

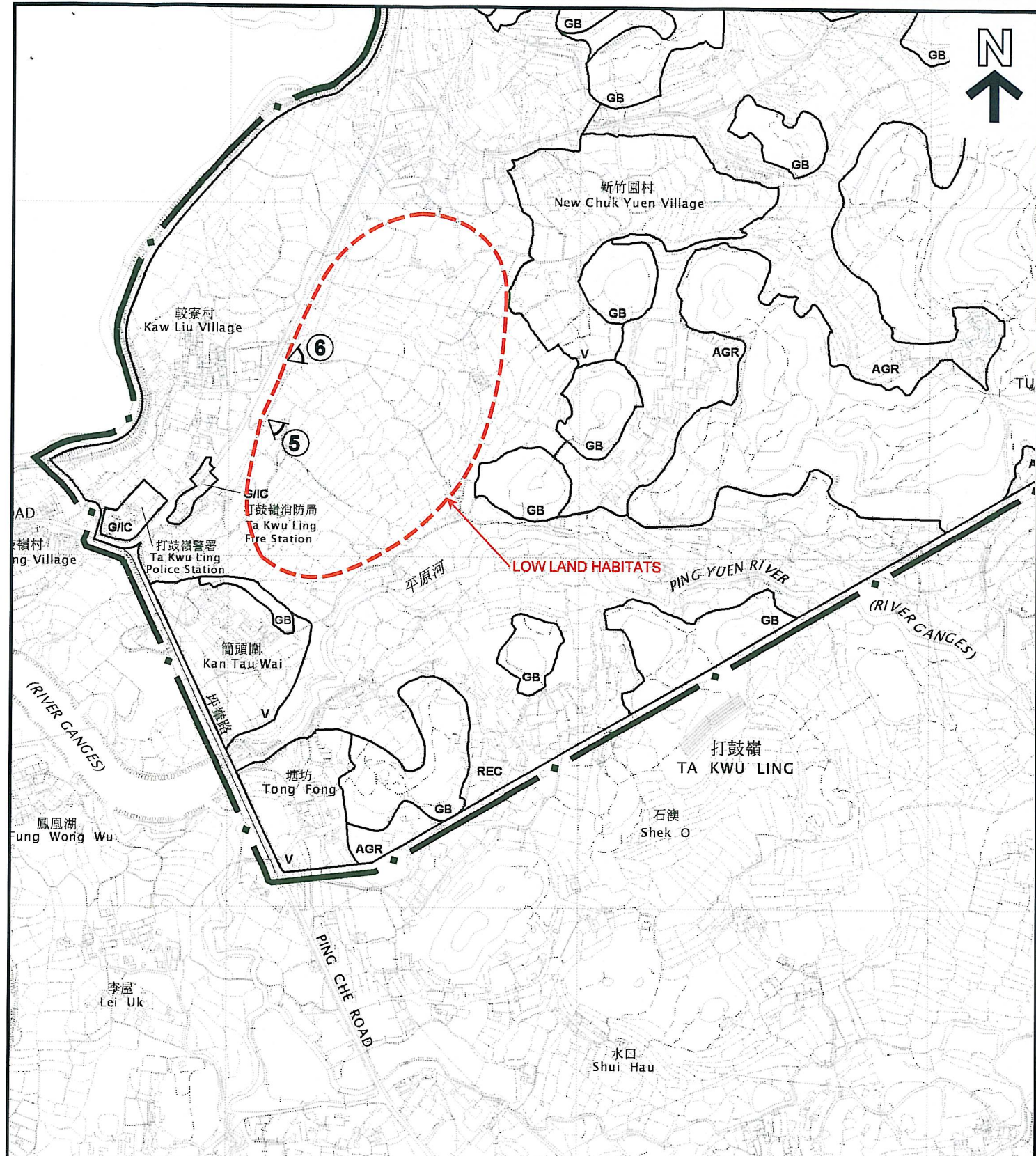
REVIEW OF THE LANDUSE ZONINGS ALONG PING YUEN RIVER

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

PLAN
8



LEGEND

 **LOW LAND HABITATS**

 **VIEWING POINT OF SITE PHOTO**

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF LOW LAND HABITATS BETWEEN KAN TAU WAI AND HEUNG YUEN WAI

SCALE 1 : 7 500

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

**PLAN
9**



LOW LAND HABITATS NEAR KAN TAU WAI
(PHOTO TAKEN ON 18.3.2013)



LOW LAND HABITATS NEAR KAN TAU WAI
(PHOTO TAKEN ON 18.3.2013)

PLAN PREPARED ON 23.4.2013

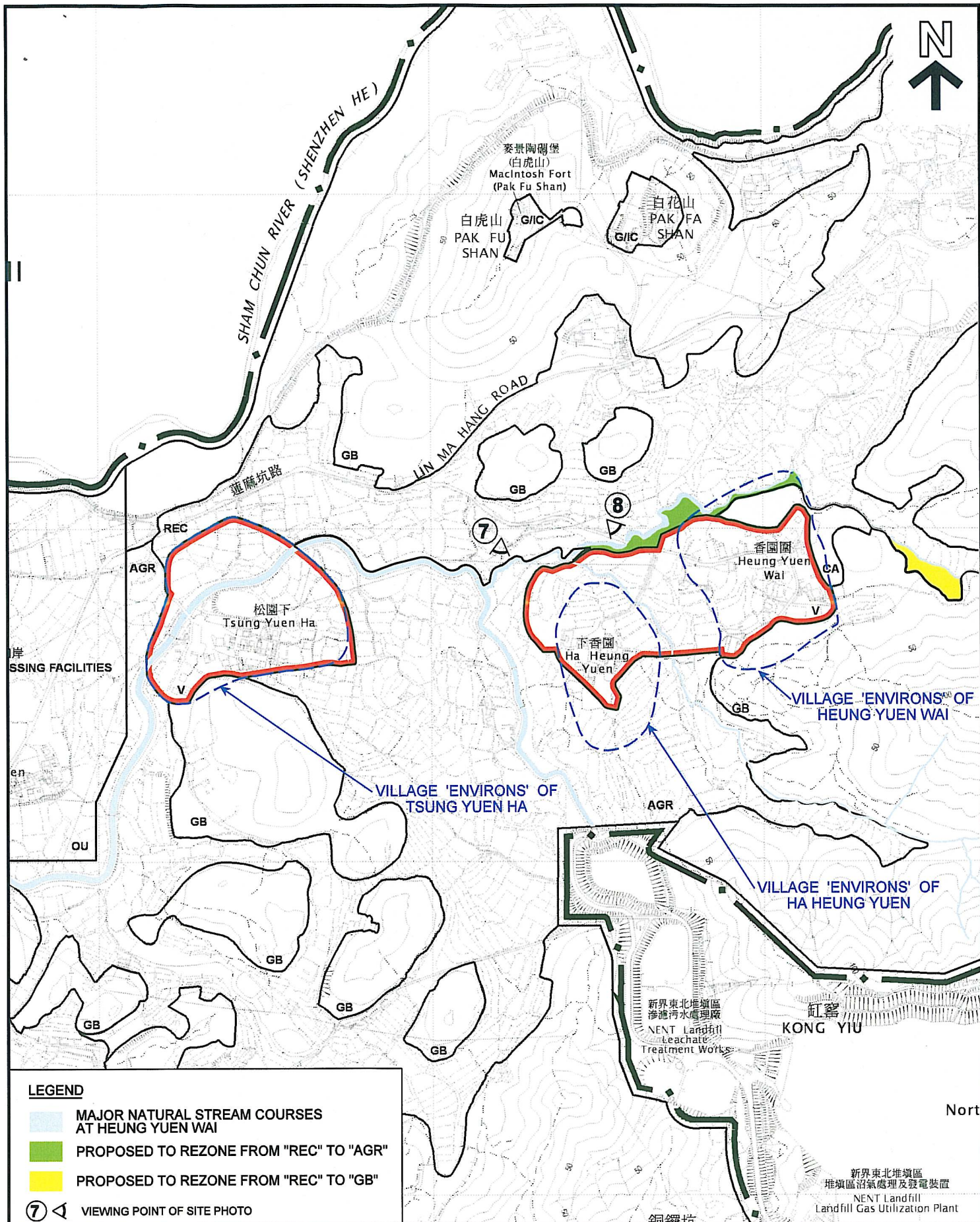
**REVIEW OF LOW LAND HABITATS
BETWEEN KAN TAU WAI
AND HEUNG YUEN WAI**

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

**PLAN
10**



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN
11



NATURAL STREAM COURSES AT HEUNG YUEN WAI

(PHOTO TAKEN ON 8.2.2013)

PLAN PREPARED ON 23.4.2013

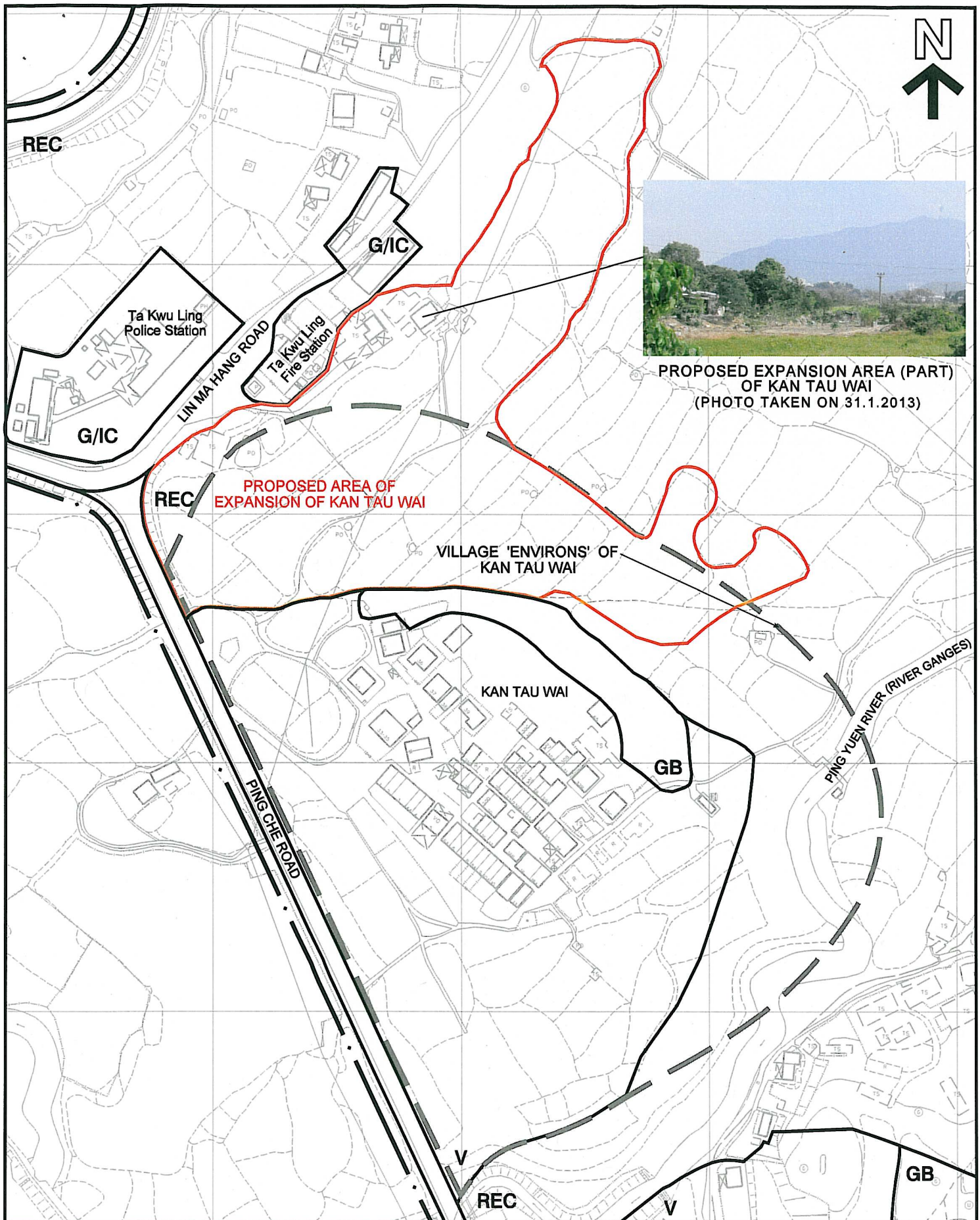
REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN
12



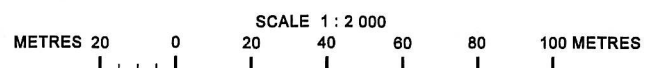
PROPOSED EXPANSION AREA (PART)
OF KAN TAU WAI
(PHOTO TAKEN ON 31.1.2013)

SITE PLAN

**PROPOSED AREA OF
EXPANSION OF KAN TAU WAI**

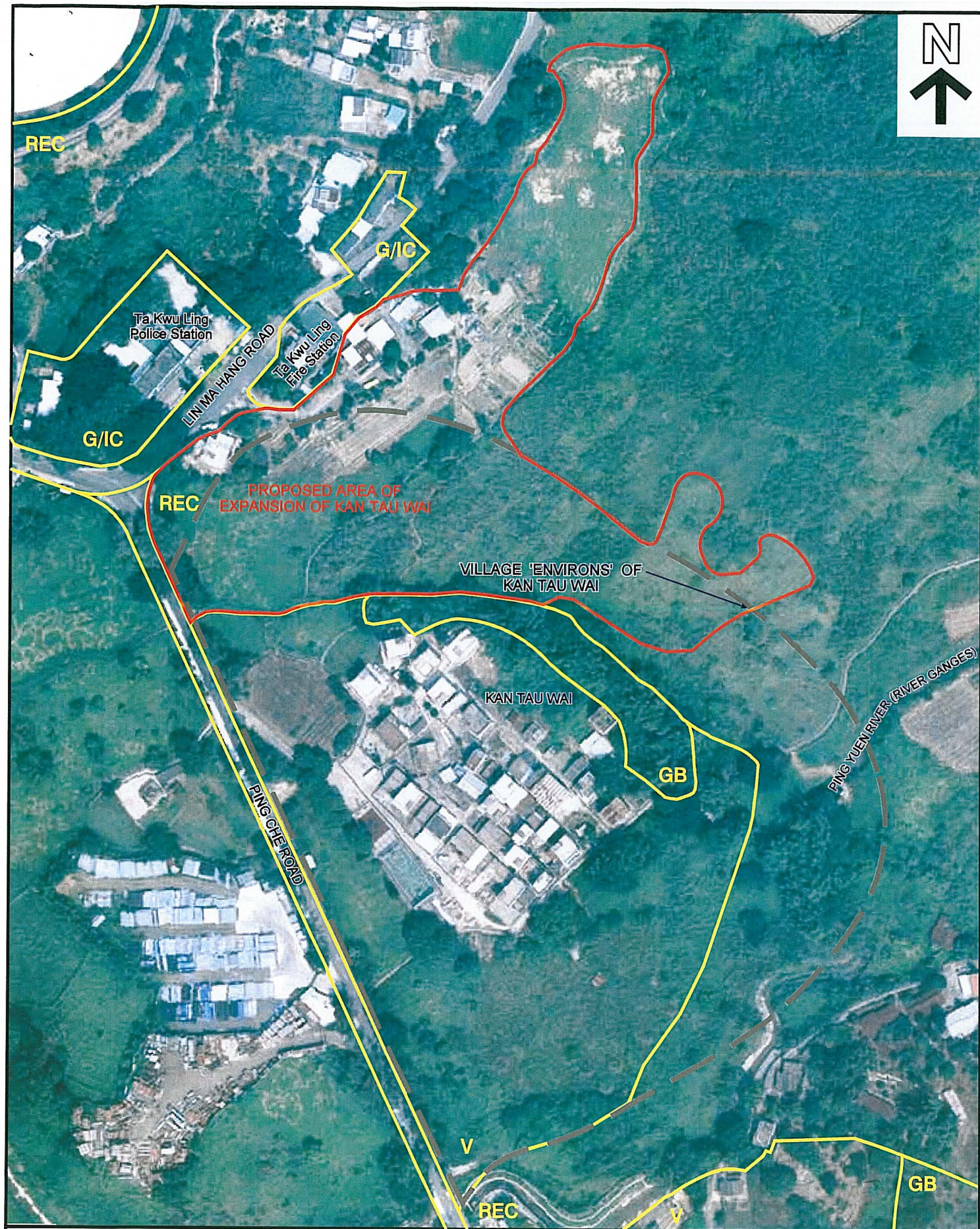
EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON SURVEY SHEET No.
3-NW-13C & 3-NW-18A

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

**PLAN
13**

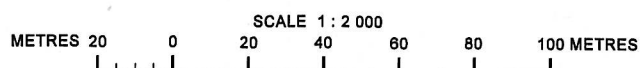


AERIAL PHOTO

**PROPOSED AREA OF
EXPANSION OF KAN TAU WAI**

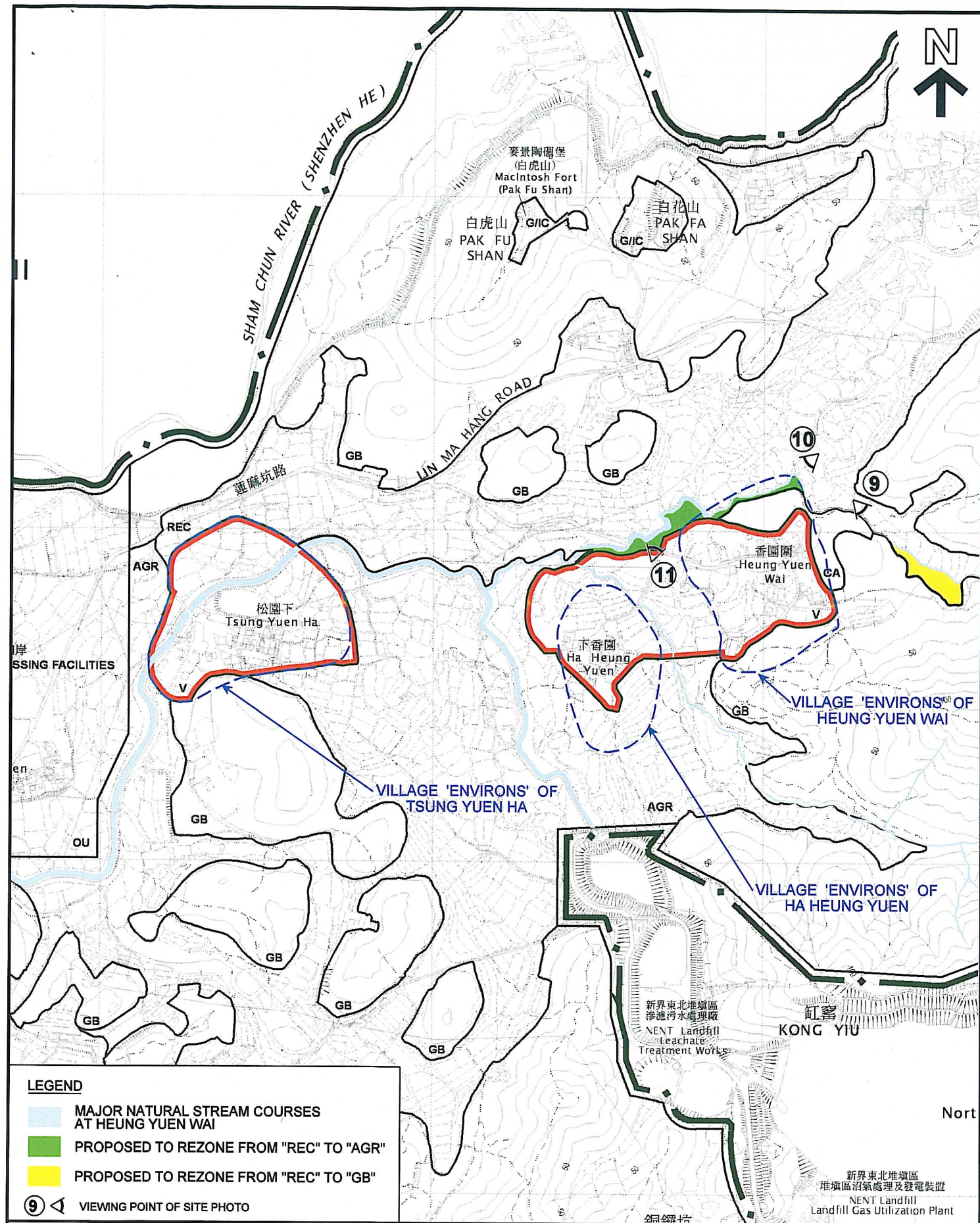
EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON AERIAL PHOTO No.CS40346R
TAKEN ON 29.9.2012 BY
LANDS DEPARTMENT

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

**PLAN
14**



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN
15



NATURAL STREAM COURSES AT HEUNG YUEN WAI

(PHOTO TAKEN ON 8.2.2013)

PLAN PREPARED ON 23.4.2013

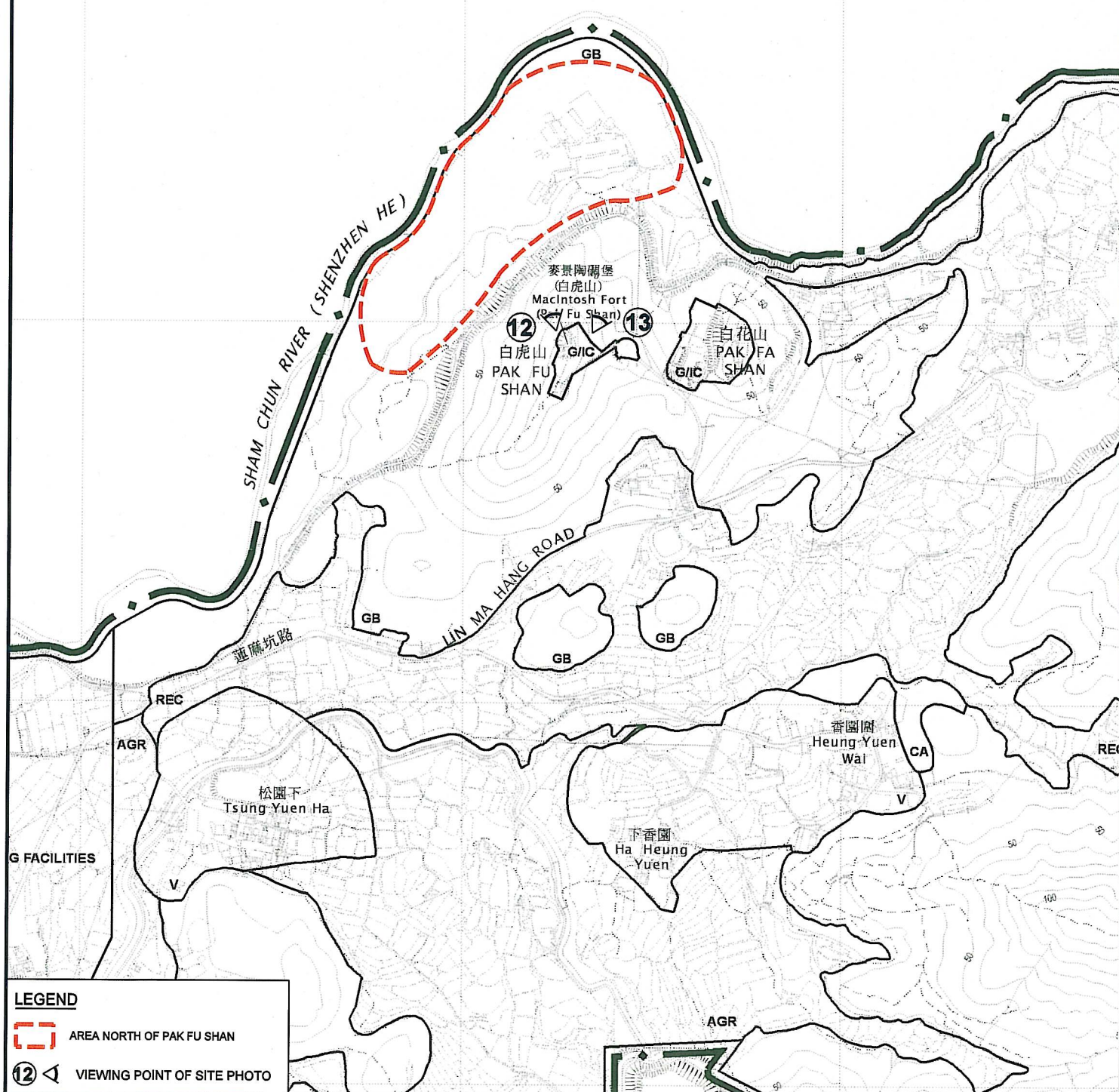
REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN
16



LEGEND

 AREA NORTH OF PAK FU SHAN

 VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

**REVIEW OF LAND USE ZONING
IN THE AREA NORTH OF PAK FU SHAN**

SCALE 1 : 7 500

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/46A

**PLAN
17**

SHENZHEN SHI



AREA NORTH OF PAK FU SHAN

(PHOTO TAKEN ON 1.2.2013)

PLAN PREPARED ON 23.4.2013

REVIEW OF LAND USE ZONING
IN THE AREA NORTH OF PAK FU SHAN

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/46A

PLAN
18

Annex A

1. INTRODUCTION

1.1 Purpose of the Planning Report

The purpose of the Planning Report is to give an account of the background and an appraisal of the existing conditions, characteristics and development requirements of Ta Kwu Ling North area (the Area). It aims to provide a basis for the preparation of the Ta Kwu Ling North Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

1.2 Background

- 1.2.1 On 10 September 2004, under the power delegated by the Chief Executive (CE), the then Secretary for Housing, Planning and Lands directed the Town Planning Board (the Board), under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a draft plan designating the Area as a development permission area (DPA). Subsequently on 17 June 2010, the Secretary for Development directed the Board to extend the coverage of the draft DPA plan.
- 1.2.2 On 30 July 2010, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 3 valid representations were received. On 8 October 2010, the representations were published for three weeks for public comments and 1 valid comment was received.
- 1.2.3 On 25 February 2011, the Board considered the representations and comment and decided to defer the consideration of the representations and comments pending further review by the Planning Department on the land use proposals, in particular on the “Village Type Development” (“V”) zones, taking into account the views of the representers and commenters and any other relevant planning considerations.
- 1.2.4 On 16 June 2011, the CE, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft DPA Plan to the Chief Executive in Council (CE in C) for approval for a period of six months from 30 June 2011 to 30 December 2011.
- 1.2.5 On 8 September 2011, the Board further considered the representations and comment and decided not to uphold the representations.
- 1.2.6 On 28 October 2011, the draft Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/2, incorporating amendments to rezone an area to the north-east of Tong Fong from “Recreation” (“REC”) to “V”, areas to the north and east of Tsung Yuen Ha from “REC” and “Agriculture” (“AGR”) to “V” and an area to the north-west of Ha Heung Yuen from “AGR” to “V” and a strip of land to the north of Ha Heung Yuen close to an existing stream from “V” to “REC”, was exhibited for public inspection under section 7 of the Ordinance. Upon expiry of the two-month public inspection period, one representation was received. On 13 January 2012, the Board agreed that the representation was invalid.
- 1.2.7 On 8 May 2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Ta Kwu Ling North DPA Plan, which was subsequently re-numbered as DPA/NE-TKLN/3. On 18 May 2012, the approved Ta Kwu Ling North DPA

Plan No. DPA/NE-TKLN/3 was exhibited for public inspection under section 9(5) of the Ordinance.

- 1.2.8 In accordance with section 20(5) of the Ordinance, the DPA Plan is effective for three years unless an extension is obtained from the CE in C. On 8 February 2013, under the power delegated by the CE in C, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Ta Kwu Ling North area.

2. THE PLANNING SCHEME AREA

2.1 Location

The Ta Kwu Ling North Area (the Area) covers about 431 ha of land. It is located approximately 6.7 km to the north-east of Fanling / Sheung Shui. It is bounded by Sham Chun River in the immediate north and Shenzhen Shi, which is outside the Hong Kong Special Administrative Region, in further north and west, Wong Mau Hang Shan, Lin Ma Hang and Tong To Shan Tsuen in the east, Wo Keng Shan, Ping Yeung, Ta Kwu Ling and the North East New Territories (NENT) Landfill in the south and south-east, Ping Che Road, Chow Tin Tsuen, Fung Wong Wu, Lei Uk, Ta Kwu Ling Village and Ping Yuen River in the south-west (**Appendix I**). The location of the Area is shown in **Figure 1**.

2.2 The Surrounding Area

Except Shenzhen Shi in the north and the NENT Landfill in the south-east, the Area and its surroundings are mainly rural in character and remain unspoiled and comprise various types of natural habitats. The nearest urban clusters are found at Ping Che which is about 3 km to its south. The NENT Landfill is located to the south-east of the Area at Wong Mau Hang Shan. An aerial view and an overview of the Area and its surrounding areas is shown in **Figure 2**.

2.3 Physical Setting and Topography

- 2.3.1 The Area has two major topographical features, i.e. the hilly terrain to the east and the low-lying inland rural plain dominating the western and central parts. The densely vegetated Wong Mau Hang Shan (243 mPD), Pak Fa Shan (75 mPD), Pak Fu Shan (98 mPD) and Tung Lo Hang (87 mPD) are the prominent ridges in the Area.
- 2.3.2 Lying between these ridges are low-lying areas intersected with watercourses. The main watercourse is Ping Yuen River which flows from the ridges of Wo Keng Shan to the lowland in the south-western part of the Area before joining Sham Chun River. The extensive lowlands mainly comprise arable land intermixed with livestock farms and clusters of settlements, woodlands and other vegetated habitats (**Figure 3**).
- 2.3.3 The landscape features of the Area cover a spectrum of natural habitats, including 'fung-shui' woods, freshwater / brackish wetland, lowland forest, mixed shrub land and natural watercourse with details as follows:

(a) Woodland

The majority of woodlands are found scattered at hilly knolls, foothills and backdrops of villages within the Area. They contain dense mature trees with a diversity of native species.

(b) 'Fung-Shui' Wood

Three 'fung-shui' woodlands are located at the backdrops of Heung Yuen Wai, Tsung Yuen Ha and Kan Tau Wai. Although these woodlands show some signs of human disturbance, several mature and fine specimens of Camphor and Ficus trees of high amenity values are found. *Aquilaria sinensis*, a tree species of conservation value, is found in the 'fung-shui' woodlands at Heung Yuen Wai.

(c) Lowland Forests and Mixed Shrubland

Lowland forests and mixed shrub-lands are confined at low-lying areas and hillslopes. The most dominant shrub-land is found in the eastern portion of the Area.

(d) Watercourses

The south-western part of the area is traversed by Ping Yuen River which flows from the mountainous ridges of Wo Keng Shan to the lowland of the Area before discharges into Sham Chun River in the north. In addition, there are a few watercourses in Wong Mau Hang Shan and Tung Lo Hang.

2.4 **Population and Employment**

2.4.1 According to the 2011 Census, the Area had a total population of about 550. There are 6 recognized villages, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong.

2.4.2 Economic activities are limited mainly to agricultural practices in the Area due to its rugged topography and limited accessibility. Farmers are mainly self-employed and engaged in operating pigsties and poultry farms to raise hogs or chickens, as well as growing of vegetables, flowers and fruits.

2.5 **Existing Land Uses**

Major existing land uses of the Area include the following (**Figure 4**):

2.5.1 **Rural Settlements**

Existing rural settlements are concentrated in Kaw Liu Village and the 6 recognized villages (i.e. Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong) in the Area. Kaw Liu Village is not a recognized village and has been established for a few decades only. The majority

of the village houses are traditional village houses ranging from one to three storeys. Some of the traditional domestic structures are in dilapidated conditions and left vacant. Sporadic village houses and temporary structures, as well as on-farm domestic structures, are scattered in the Area.

2.5.2 Agricultural Use

Abundant agricultural land is found within the Area. The majority of the agricultural land is classified as good quality while that at the southeast is classified as fair quality. Farming activities in the Area is declining and a considerable amount of agricultural land is lying fallow.

2.5.3 Livestock Farming

Livestock farming, including pigsties and poultry farms, is active in the Area and many of them are of a significant scale. Workers are hired with the provision of on-farm staff quarters.

2.5.4 Burial Grounds

There are ten permitted burial grounds for indigenous villagers in the Area. They are mainly designated on the hill knolls at Pak Fu Shan, Pak Fa Shan, Tung Lo Hang and Tung Fung Au.

2.5.5 Government, Institution and Community (GIC) Uses (Figures 5 and 6)

The main GIC facilities in the Area include Ta Kwu Ling Police Station, Ta Kwu Ling Fire Station, Pak Fa Shan Police Operation Base and the MacIntosh Fort – Pak Fu Shan.

2.5.6 Historical and Cultural Heritage

Graded historic buildings within the Area include MacIntosh Fort at Pak Fu Shan (Grade 2), Ta Kwu Ling Police Station (Grade 3), Wing Kit Study Hall in Tong Fong (Grade 3), Kiu Fong Ancestral Hall in Tsung Yuen Ha (Grade 3) and a number of village houses in Heung Yuen Wai (Grade 1) and Tsung Yuen Ha (Grade 3). The Pak Fu Shan Site of Archaeological Interest also falls within the Area.

2.5.7 Land Ownership

About 33% of the Area is private lots mainly located at lowland areas of fallow agricultural land and village settlements (**Figure 7**). Government land, which covers about 67% of the Area, are mainly at the hills of Pak Fu Shan, Pak Fa Shan, Tung Lo Hang, Tung Fung Au and Wong Mau Hang Shan, and land around the proposed Liantang/Heung Yuen Wai Boundary Crossing Point (LT/HYW BCP).

2.6 Transportation Facilities

2.6.1 The major access to the Area is via Lin Ma Hang Road in the north and Ping Che Road in the south-west. Lin Ma Hang Road is a closed single track access leading

from Ping Che Road in the west to connect Sha Tau Kok Road in the east. Ping Che Road is a single 2-lane carriageway leading from Ping Che in the south and connecting with Lin Ma Hang Road in the north. Apart from these major access roads, there are local van tracks traversing the settlement areas to serve the villagers.

- 2.6.2 The Area is not well served by public transport facilities due to restriction on access, remoteness and sparse population. There are franchised public bus service (No. 79K) and green minibus (No. 59K) plying between the Area and Sheung Shui Station.

2.7 Infrastructure and Utility Services

2.7.1 Water Supply

Water supply for the Area is provided by Sheung Shui Water Treatment Works via Ping Che Fresh Water Service Reservoir. Currently, fresh water for flushing is provided to the Area as supply of seawater for flushing is not available. Lin Ma Hang fresh water pump house, Pak Fu Shan fresh water header tank and various sizes of water mains are located within the Area. Advice from the Water Supplies Department should be sought if these existing waterworks facilities are affected.

2.7.2 Drainage and Sewerage

2.7.2.1 Most parts of the low-lying area are flood prone because the flow capacity of the existing drainage system within the Area is generally inadequate. The existing drainage system basically provides a very low flood protection standard that can only support rural development. The runoff from developments can be conveyed to Sham Chun River. Drainage system of the Area was improved by the river training works at Ping Yuen River which were completed in 2006. Drainage improvement works to Sham Chun River (Shenzhen River) under 'Regulation of Shenzhen River Stage 4' are scheduled for implementation in 2013 (**Figure 8**).

2.7.2.2 The Area is basically unsewered at present. Existing village type developments and livestock farms mainly rely on on-site sewerage treatment facilities, such as septic tanks and soakaway pits. The existing NENT Landfill Sewerage System in the Area is primarily for pumping leachate from the NENT Landfill plus some sewage along the pipeline alignment and Ping Che Road. With the implementation of the NENT Stage II Village Sewerage Scheme, the sewerage system can collect sewage from Ta Kwu Ling and the villages in the Area (i.e. Kaw Liu Village, Kan Tau Wai, Heung Yuen Wai, Ha Heung Yuen, Tsung Yeung Ha and Chuk Yuen). The sewerage system is not a trunk sewer and has limited capacity for other developments.

2.7.3 Solid Wastes

Solid waste disposal relies on small refuse collection points scattered throughout the Area. Collected wastes are transported to the NENT Landfill for disposal.

2.7.4 Electricity, Telephone and Gas Supply

There is no existing piped gas system in the Area. Electricity supply and telephone networks are available in the Area.

3. PLANNING ANALYSIS

3.1 Development Constraints

Within the Area, the following broad development constraints are identified (**Figure 8**):

3.1.1 Relief and Geotechnical Aspects

The eastern part of the Area is characterized by relatively steep mountains and naturally hilly terrain. There is a history of landslides on the natural terrain, such as Wong Mau Hang Shan. Such topographic relief imposes geotechnical constraints on development, and geotechnical assessment would be required for any proposed development involving site formation and slope stabilization works.

3.1.2 NENT Landfill

The south-eastern part of the Area falls within the 250 m landfill gas consultation zone for the NENT Landfill. Landfill gas hazard assessment will be required for development falling within the consultation zone.

3.1.3 Boundary Crossing Point

The proposed LT/HYW BCP will create a dramatic change to the scenic quality of the Area and will take up approximately 24 ha of land. In addition, the associated connecting roads will create a source of potential adverse noise and air quality impacts on the Area.

3.1.4 Traffic

Vehicular accesses are of a limited capacity and not intended for heavy traffic. Due to the limited transport infrastructure in the Area, uncoordinated development would create problems and hazards to both pedestrians and vehicular traffic. Improvement to transport facilities are required if the Area is released from the Frontier Closed Area (FCA) in future.

3.1.5 Drainage

Most parts of the low-lying areas are flood prone. Therefore, any development must demonstrate that the proposal would not cause any increase in the flooding susceptibility of the adjoining areas and be subject to a comprehensive Drainage Impact Assessment (DIA).

3.1.6 Sewerage

The Area falls within the Deep Bay catchment, therefore, no additional pollution loading should be discharged into the Deep Bay as a result of any new and proposed developments. New developments should therefore include proper on-site sewerage treatment facilities or be connected to public sewer, when available. Lack of public sewer has imposed severe constraints for large-scale developments in the Area.

3.1.7 Water Supply

If major development is to be planned, upgrading of water supply system and construction of additional waterworks installation may be required.

3.1.8 Land Ownership

About 33% of the Area is private land which is predominantly located in the low-lying areas along the northern, western and southern boundaries of this Planning Area. The hilly terrain, the majority of which adjacent to the western and northern boundaries of the NENT Landfill, is Government land (**Figure 7**).

3.1.9 Overhead Transmission Lines

There is a set of 132 kV overhead transmission lines running across the south-western portion of the Area. Relevant guidelines in Chapter 7 of the Hong Kong Planning Standards and Guidelines should be observed.

3.1.10 Burial Grounds

The ten permitted burial grounds for indigenous villagers are proposed to be retained.

3.1.11 Historical and Cultural Heritage

Graded historic buildings within the Area include four Grade 1 historic buildings, i.e. Nos. 1A, 1, 1B, 2 and 3, Nos. 4 and 5, Watchtower of No. 4 and Nos. 76-78 in Heung Yuen Wai; one Grade 2 historic building, i.e. MacIntosh Fort at Pak Fu Shan; and four Grade 3 historic buildings, i.e. Ta Kwu Ling Police Station, Wing Kit Study Hall in Tong Fong, Kiu Fong Ancestral Hall and Nos. 57, 58 and 59 in Tsung Yuen Ha. Also, the Pak Fu Shan Site of Archaeological Interest falls within the Area. All the above sites of archaeological interest and graded historic buildings / structures are worthy of preservation (**Figure 9**)

3.2 Development Opportunities (**Figure 8**)

3.2.1 Cross Boundary Facilities

The Plan makes provision for the future LT/HYW BCP which provides

development of boundary crossing facilities and other necessary supporting facilities for increased access.

3.2.2 Tourism

The Area is scenically attractive with green environment. The villages are relatively unspoiled and much of their traditional character has been retained. Such setting provides a wide array of unique and attractive tourism opportunities. There is also good potential for cultural heritage and eco-tourism. Provision of tourism and recreation-related developments such as well-connected footpaths, cycle tracks and dining / overnight accommodation facilities would be required to realize its tourism potential.

There is agricultural land around Pak Fu Shan, north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai currently occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some limited open storage uses. This area could be designated for recreational purposes as it has low environmental and scenic value with a mixture of temporary structures. Another large area east of Kan Tau Wai at the south-western part of the Area can also be designated for recreational use. It is intended to provide indirect economic benefits to the nearby villages and adjacent to potential recreational facilities such as hiking / heritage trails and bicycle tracks as well as the potential Robin's Nest (Hung Fa Leng) Country Park so that it can utilize the future facilities of this area.

3.2.3 Agriculture

Extensive agricultural land of good quality is found in the northern and western parts of the Area, some of which is still under active cultivation. The lowland topography coupled with the presence of river tributaries for irrigation offers suitable conditions of using the Area for agricultural related activities. With basic infrastructure, including irrigation facilities, fallow arable land can be rehabilitated for agricultural purposes.

3.2.4 Nature Conservation

The Area comprises large tracts of dense and undisturbed woodland, seasonally wet grassland, ponds and 'fung-shui' woods. The natural vegetation together with the rugged topographic backdrops provides a picturesque landscape forming an integral part of the natural environment that should be conserved.

Future development of the Area needs to take into account the areas of high ecological values, such as the fung-shui woods to the east and north-east of Heung Yuen Wai. Prior consultation with relevant Government departments should be conducted if development proposals would affect the places of ecological interest.

3.3 Review of Zoning Boundaries

Review of "V" Zone Boundaries (Figure 10)

- 3.3.1 The existing conditions within the “Village Type” (“V”) zones and in the immediate vicinities have been reviewed. Following the current practice, the District Lands Officer/North, Lands Department (DLO/N, LandsD) was approached to provide the latest Small House (SH) demand figures. The information provided by DLO/N has taken account of the outstanding SH applications and the 10-year demand forecast supplied by the Indigenous Inhabitants Representatives. It should be noted that the 10-year SH demand forecasts have not been supported by evidence and will not be subject to verification by DLO/N during the SH application stage. However, if there is a substantial increase between the updated 10-year demand figure and the figure previously adopted when preparing the DPA Plan, the latter would be adopted in the preparation of the Plan unless strong justifications are received by the respective Village Representatives.
- 3.3.2 Based on the updated demand figures of 2012, the “V” zones within the Area were then reviewed in an attempt to meet the SH demand. On-site surveys were carried out to consider the “V” zones, taking into account the existing village ‘environs’ (‘VE’), local topography, settlement patterns, ecologically important areas and other site specific characteristics including vegetations, burial grounds and stream courses etc.
- 3.3.3 As agreed by the Town Planning Board on 8 September 2011, the following established criteria have been adopted in reviewing the “V” zones:
- (a) The current “V” zones on the DPA Plan will be extended if the available land for SH development within the “V” zones cannot meet the demand figures. “V” zone areas adjusted should be within or contiguous to the ‘VE’ and should preferably include Government land, if available, in the vicinity and take due considerations of the topography, woodlands, roads, streams, burial grounds and ecological features etc.
 - (b) The “V” zones would be adjusted to meet the increased demand figure but up to the limit equivalent to the area bounded by the ‘VE’.
 - (c) The current “V” zones on the DPA Plan will not need to be adjusted if the available land for SH development within the “V” zones is sufficient to meet the increase demand figure. As such, the area of “V” zones would remain smaller than that of ‘VE’.
 - (d) In determining land for SH developments, both government land and private land would be considered.
 - (e) In the event that the designated “V” zones (albeit size already adjusted to match the size of the ‘VE’) are still not sufficient to meet the future demand, there is provision under the Notes of the draft OZP for planning applications of SH developments to the Town Planning Board.
- 3.3.4 The updated information collected from the DLO/N on the latest 10-year SH demand forecast and outstanding SH applications figures as at 2012 is contained in **Appendix I**. It is noted that there is a substantial increase in total SH demand for Heung Yuen Wai (including Ha Heung Yuen) from 232 to 593, an increase of total SH demand for Kan Tau Wai from 73 to 222 and a slight

increase in total SH demand for Tong Fong and Tsung Yuen Ha from 151 and 185 to 168 and 187 respectively, and a decrease in total SH demand for New Chuk Yuen Village from 65 to 22 as compared with the figures adopted in the preparation of the draft OZP and those presented to the Board during the hearings of representations/comments in 2011. As the substantial increase in SH demand for Heung Yuen Wai (including Ha Heung Wai) is not supported by evidence and not verified, its “V” zone boundaries are reviewed based on the criteria agreed by the Board in 2011 and the 10-year forecast adopted then, i.e. total SH demand would be 233 (i.e. current outstanding plus 10-year forecast in 2011) instead of 593.

- 3.3.5 For Kan Tau Wai, it is noted that the original “V” zone is not sufficient to meet the total SH demand. However, it is noted that there is scope to enlarge the “V” zone to the same area of the ‘village environs’ of Kan Tau Wai by rezoning an area of about 2.46 ha which covers mainly vacant or abandoned agricultural land, or is occupied by temporary structures adjacent to the northeast of the village from “REC” to “V” (**Figures 12 to 14**).
- 3.3.6 No changes were proposed for Heung Yuen Wai (including Ha Heung Yuen) and Tsung Yuen Ha as the size of the existing “V” zones of the two villages was already equivalent to the size of the village ‘environs’ (‘VE’) of the recognized villages (**Figures 10 and 11**).
- 3.3.7 For Tong Fong, no changes within the Ta Kwu Ling North OZP were proposed for the village as the site character of the village surroundings, which includes Ping Yuen River which runs through the north, existing woodlands and agricultural land, are not suitable for further expansion. However, it is possible to extend the village zone to the south of the village where suitable flat land with little vegetation is available. As this area in question is located in the Ping Che and Ta Kwu Ling OZP, the proposal could be considered separately when the land uses in Ping Che and Ta Kwu Ling are to be reviewed (**Figures 10 and 11**).
- 3.3.8 For Chuk Yuen, there is no amendment to the “V” zone as sufficient area has been reserved in the New Chuk Yuen Village to accommodate the relocation of the existing village, which was affected by the LT/HYW BCP project and its further expansion.

Review of Zoning Boundaries from Nature Conservation and Ecological Perspectives

- 3.3.9 The Kadoorie Farm and Botanic Garden (KFBG) and Worldwide Fund for Nature (WWF) Hong Kong in November and January 2013 submitted a proposal to PlanD requesting for a review of the land use zonings to reflect the ecological value of the following areas within the Ta Kwu Ling North amongst others:

Ping Yuen River (**Figures 16 to 18**)

- 3.3.9.1 An uncommon dragonfly species, *Paragomphus capricornis* or commonly known as Tawny Hooktail (鈎尾副春蜓), is found around an upper tributary of Ping Yuen River near the “V” zones of Tong

Fong and Kan Tau Wai. KFBG and WWF have proposed the area to be rezoned to “CA” or “GB”

- 3.3.9.2 The upper section of Ping Yuen River, which falls mainly within the “REC” zone is natural and of moderate ecological value according to the FCA Study. As there is no material change in planning circumstances of the area, it is considered appropriate to retain the existing land uses under Column 1 of the “REC” zone. To avoid adverse impact from incompatible development in the stream and surrounding areas, the ‘Remarks’ of the Notes stipulates the requirement that any diversion of streams or filling of pond in area zoned “REC”, that to effect a change of use to any of those specified in Columns 1 and 2, or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft DPA Plan without the permission from the Board under section 16 of the Ordinance. This would ensure that any works and alternation of the existing stream course will be under the control of the statutory planning system.

Lowland Habitats from Kan Tau Wai to Heung Yuen Wai (Figures 19 and 20)

- 3.3.9.3 Seasonally wet grassland, lowland grassland and grassland / shrubland mosaic, species of conservation concern, including Greater Painted-snipe (彩鶺) and Large Grass Warbler (*Graminicola stiatu*) (大草鶺) are recorded in the lowland habitats from Kan Tau Wai to Heung Yuen Wai. It is proposed that the area be rezoned from “REC” zone to “CA” zone
- 3.3.9.4 Regarding the KFBG’s proposal to rezone the lowland habitats between Kan Tau Wai and Heung Yuen Wai from “REC” to “CA” which is covered with grass and shrubs, isolated tree clusters and temporary structures (Figures 19 and 20), according to the findings of the Study, the lowland habitats have low to moderate ecological value with low habitat diversity and low faunal diversity. In this regard, AFCD considers that the current “REC” zone is in line with the recommendation of the FCA Study and appropriate.

Natural Stream Courses at Heung Yuen Wai (Figures 21 and 22)

- 3.3.9.5 The area along the stream courses near Heung Yuen Wai are largely natural vegetated riparian zone and natural stream bed. KFBG and WWF have suggested that the area should be considered of high ecological value.
- 3.3.9.6 According to the FCA Study and further information from KFBG and WWF, Heung Yuen Wai Stream, which falls mainly within the “REC” zone, has a high ecological value in its current undisturbed state as the fish community and odonate diversity there is abundant, and the

diverse fish species does not include exotic species. Its riparian vegetation, generally well-developed with little disturbance, creates a variety of stream conditions and shows good linkage to other nearby habitats, including woodland and grassland habitats. Although the upper reaches of Heung Yuen Wai Stream is of high ecological value according to the FCA Study, it should be recognized that the stream is not a Site of Special Scientific Interest (SSSI) or an ecologically important stream (EIS) and does not attain a high conservation status of an SSSI or an EIS such as Lin Ma Hang River. Therefore, it is proposed to rezone a strip of land between the natural stream course at Heung Yuen Wai and north of Heung Yuen Wai and Ha Heung Yuen from “REC” to “AGR” and a piece of land to the east of Heung Yuen Wai from “REC” to “GB” within which there is a general presumption against development. AFCD considers that the proposed “GB” and “AGR” zones would offer better protection of the stream.

Buffer Distance from existing Stream Courses

- 3.3.9.7 Green Groups (including KFBG and WWF) have also expressed concerns about potential adverse impacts of development within the “V” zones of Tsung Yuen Ha, Heung Yuen Wai and Ha Heung Yuen on the water quality of nearby natural stream courses.
- 3.3.9.8 Regarding the Green Groups’ (including KFBG and WWF) concerns on potential impacts of developments (in particular Small House) on existing stream courses in the Area, it should be noted that in accordance with the Environmental, Transport and Works Bureau’s Technical Circular (Works) No. 5/2005, under the current administrative practice, development proposals / submissions that may affect natural streams / rivers, the approving / processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments / advice as conditions of approval wherever possible. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. It is also suggested to clearly state this requirement in the Explanatory Statement of the “V” zone that when processing Small House grant and applications in close proximity to existing stream courses, AFCD and PlanD should be consulted.

Area North of Pak Fu Shan (Figures 23 and 24)

- 3.3.9.9 In response to a Board member’s request in the further consideration of the representations and comment on 9.9.2011 to review the zoning of the area between Pak Fu Shan and Sham Chun River from “GB” to “REC” or “AGR”, the area is predominantly covered with trees and shrubs, with scattered temporary structures and small scale farming

activities. As there is no direct road access to the area, small scale passive recreational use can be supported in the area. Nevertheless, if the area is developed for active recreational uses, the existing road access and other infrastructure must be provided. In view that there is limited infrastructure of the area and no active recreational and other uses have been identified for the area, the “GB” zone is considered appropriate to preserve its natural state.

4. PLANNING PROPOSALS

4.1 The Outline Zoning Plan (OZP)

The draft Ta Kwu Ling North OZP (the Plan) prepared under section (3)(1)(a) of the Town Planning Ordinance (the Ordinance) is to provide a statutory basis for planning control over the Area. It will supersede the approved Ta Kwu Ling North DPA Plan No. DPA/NE-TKLN/3, which was exhibited for public inspection under section 9(5) of the Ordinance on 18 May 2012. Uses and development that are always permitted and those uses that require permission from the Board upon application in various land-use zones are set out in a schedule of Notes attached to the Plan. Also accompanying the Plan is an Explanatory Statement to assist an understanding of the Plan and to reflect the planning intentions and objectives of Board for various land-use zonings.

4.2 Objectives of the Plan

The objectives of the Plan are to establish the broad land use zonings to provide an interim statutory planning control and guidance for future development of the Area and to enable enforcement actions to be taken against any unauthorized development. It also provides a general planning framework for preparing more detailed non-statutory plans which form the basis for infrastructure planning and site reservation for various uses.

4.3 Planning Intention

4.3.1 The strategic role of the Closed Area is recognized for creation of a conservation, cultural heritage and sustainable development belt between HKSAR and Shenzhen. There is a need to strengthen nature conservation of rich natural resources, to conserve cultural heritage resources worthy of preservation, to promote sustainable uses by capitalizing on the boundary location and to allow sustainable development compatible with the surroundings so as to achieve a balance between conservation and development in the Closed Area.

4.3.2 The Area is situated at the middle portion of the Closed Area and has a number of village settlements, traditional buildings and agricultural land. The general planning intention of the Area is to promote cultural conservation and recreation tourism. The rural character, natural habitats including the undisturbed woodland and lowland river habitats, the unique landscape as well the ecologically important areas and the upland scene of the Planning Scheme Area should be conserved. Provision has been made for an extensive recreation area stretching across the north of the Planning Scheme Area to provide low-intensity recreational uses to complement other nearby land uses. The Plan also makes provision for the future LT/HYW BCP. Development in recognized villages to meet the anticipated

10-year Small House demand will be concentrated within the existing village proper or at suitable locations for more orderly and efficient use of land and conserving the surrounding natural setting.

4.4 Population and Provision of GIC Facilities

4.4.1 Population

Based on the following proposed land uses, the future expansion of population in the Area will be concentrated in the recognized villages. It is estimated that the planned population of the Area will reach about 6,206 persons (see **Appendix I**).

4.4.2 GIC Facilities

Based on the planned population, the requirements for open space and GIC facilities in the Area are summarized at **Appendix II**. The required provisions will either be met within the Area or in the adjoining areas in Ta Kwu Ling and Fanling / Sheung Shui.

4.5 Land Use Proposals

In designation of various land use zones in the Area, consideration has been given to the natural environment, physical landform, vegetation, existing development pattern, demand for Small Houses, and availability of infrastructure. The following land use proposals are proposed to be designated on the Plan (**Figure 15**):

4.5.1 “Village Type Development” (“V”): Total Area 27.83 ha

- (a) The planning intention of this zone is to designate existing recognized villages, and areas of 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 under the Small House Policy. 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 infrastructure 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 (NTEH). Other commercial, community and recreational uses may be permitted on application to the Town Planning Board (the Board). In order to provide opportunities for short-term accommodation in existing NTEH, “Hotel (Holiday House only)” may also be permitted on application to the Board. The accommodation can complement the establishment of proposed agricultural and recreational uses to promote village life experience, leisure farming and agri-tourism.
- (b) There are six recognized villages within the Area, namely Chuk Yuen, Heung Yuen Wai, Ha Heung Yuen, Tsung Yuen Ha, Kan Tau Wai and Tong Fong. The boundaries of the “V” zone for these villages are drawn up with regard to the village ‘environs’, local topography, settlement

pattern, Small House demand forecast, areas of ecological importance, as well as other site specific characteristics.

- (c) The proposed boundary crossing facilities and related uses of LT/HYW BCP would require resumption of Chuk Yuen Village. It is the policy of the Government that, whenever indigenous villages are resumed, the Government will offer land to the affected indigenous villagers to allow them to rebuild village houses. As a result, further resumption of land for resiting Chuk Yuen Village would be required to meet this obligation. Planning Department undertook a minor study to identify the potential sites for village resettlement.
- (d) A site lying at about 500 m from the south-eastern side of Chuk Yuen Village was subsequently identified. This site was considered acceptable by the relevant Government departments. This site for the implementation of the Chuk Yuen Village Resite Area was subsequently endorsed by the Committee on Planning and Land Development (CPLD) on 20 May 2009. The subject site is zoned “V” and to be developed as the new Chuk Yuen Village for resite and future extension purposes.
- (e) The south-western part of the Ha Hueng Yuen Village falls within 250 m of the NENT Landfill Consultation Zone. To compensate for the loss of land for building of village houses, an area to the east of the village (outside of the 250 m Landfill Gas Consultation Zone) has been provided and is zoned “V” for village type development. To address potential risks associated with the landfill gas consultation zone, mitigation measures should be submitted to the Lands Department in considering future applications for Small House grants within the Consultation Zone. These provisions should also be implemented for any other structures by relevant Government authorities in considering licensing / applications for column 1 uses where there is no planning control (e.g. eating places, schools on ground floor of a NTEH).
- (f) Except for those specified, development on land zoned “V” is subject to a maximum building height of 3 storeys (8.23 m), or the height of the building which was in existence on the date of the publication in the Gazette of the notice of this draft DPA Plan, whichever is the greater.
- (g) In order to address the potential impacts from developments on existing stream courses in general, concerned departments including Agriculture, Fisheries and Conservation Department and Planning Department should be consulted when processing Small House grant and applications in close proximity to existing stream courses, to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- (h) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

- (i) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

4.5.2 “Government, Institution or Community” (“G/IC”): Total Area 1.98 ha

- (a) This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, the region as well as 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.
- (b) Existing facilities under this zoning include Ta Kwu Ling Police Station, Ta Kwu Ling Fire Station, Pak Fa Shan Police Operation Base and MacIntosh Fort – Pak Fu Shan.

4.5.3 “Recreation” (“REC”): Total Area 111.83 ha

- (a) Extensive areas on the Plan have been identified for potential recreational uses that will serve the local population and provide low-intensity facilities for visitors. The recreation areas are intended to integrate with other potential recreational facilities such as hiking / heritage trails, bicycle tracks and the potential Robin’s Nest Country Park, while integrating with the villages and agricultural land to provide an integrated provision of low-intensity tourism while preserving the natural and rural character.
- (b) 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. The targeted low-intensity uses such as horse riding schools, dog boarding / training / recreation facilities, visitor centres, local historical museums, adventure parks, organic farms, pick-your-own-crops, hobby-farms, accommodation (camping grounds), reststops, BBQ areas and other uses that are primarily outdoor nature-based activities will allow the common land-owner to become actively involved in attracting visitors to the area and stimulating the local economy.
- (c) There are fallow agricultural land around Pak Fu Shan, north of Tsung Yuen Ha, Ha Heung Yuen and Heung Yuen Wai, which are currently occupied by a number of temporary structures that are used for domestic and non-domestic purposes as well as some open storage uses. This area is designated for recreational purposes as it has low environmental value and low scenic value with a mixture of temporary structures. Another large area to the east of Kan Tau Wai along Lin Ma Hang Road at the south-western part of the Area is also designated as “REC” zone on the Plan.
- (d) Kaw Liu Village, which contains mainly village settlements without a recognized village status, is included in this zoning. The house structures

built in this area are mainly domestic structures. Although expansion of this rural settlement is not encouraged, redevelopment of existing NTEHs and domestic houses may be allowed in this zoning, subject to obtaining of permission from the Board.

- (e) Recreational uses such as horse riding schools, visitor centres, local historical museums, adventure parks, organic farms, hobby-farms, camping grounds, BBQ areas and other recreation-related uses that are primarily outdoor nature-based activities are permitted within this zone. These facilities should work in parallel with the promotion of Heung Yuen Wai and other villages which are connected by the proposed heritage and hiking trails. However, the recreational development in this Area should be restricted to low-density development so as not to overload the infrastructure of the Area and create nuisance to nearby villagers.
- (f) No residential development shall result in a total development in excess of a maximum plot ratio of 0.2 and a maximum building height of 2 storeys. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the plot ratio and building height restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- (g) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

4.5.4 “Other Specified Uses” (“OU”): Total Area 23.82 ha

- (a) The only site zoned “OU” (Boundary Crossing Facilities)” (“OU(BCF)” on the Plan is the area to the south-west of Pak Fu Shan (**Figure 15**).
- (b) This zone is intended primarily for the development of boundary crossing facilities and related activities for the proposed LT/HYW BCP. Major facilities include vehicle clearance facilities, passenger clearance building, transit halls, pick-up/drop-off zones for passengers, public transport interchange, public car parking facilities, Government offices and other necessary supporting facilities. These facilities are arranged so as to achieve proper and smooth operation of the clearance procedures and traffic movements.

4.5.5 “Agriculture” (“AGR”): Total Area 55.92 ha

- (a) This zone is intended primarily to retain and safeguard good quality agricultural land, farm and fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation of cultivation and other agricultural purposes.
- (b) The majority of agricultural land of good quality are found in lowland areas in the northern and eastern parts of the Area. With basic infrastructure, including irrigation facilities, fallow arable land can easily

be rehabilitated for agricultural purposes.

- (c) As diversion of stream or filling of land / pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2 m in thickness for cultivation, or construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

4.5.6 “Green Belt” (“GB”): Total Area 208.13 ha

- (a) 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 outlet. There is a general presumption against development within this zone.
- (b) However, 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.
- (c) The “GB” zone mainly covers the prominent hilly areas of the densely vegetated Wong Mau Hang Shan, Pak Fu Shan and Tung Lo Hang. Green buffer areas also include permitted burial grounds within the Planning Area and the ‘fung-shui’ woodland adjoining the villages of Tsung Yuen Ha, Kan Tau Wai and Tong Fong. For the area located to the north of Pak Fu Shan which is predominantly covered with trees and shrubs with no direct road access, it is recommended to retain as a “GB” to preserve its natural state.
- (d) As filling of land / pond, excavation of land and diversion of streams may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

4.5.7 “Conservation Area” (“CA”): Total Area 1.1 ha

- (a) This zone 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 from the adverse impacts of development.
- (b) There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- (c) The ‘fung-shui’ woods at the backdrops of Heung Yuen Wai is zoned “CA” to retain and preserve the existing natural character. Environmental

surveys have identified that this ‘fung-shui’ woods has great environmental significance in terms of plant diversity and woodland integrity with minimal human disturbance and it requires increased protection to protect the integrity and ecological diversity of the area, which warrants a higher level of protection of the woodland under the “CA” zone.

- (d) As filling of land / pond, excavation of land and diversion of streams may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

5. IMPLEMENTATION

- 5.1 The draft OZP provides a broad land use framework for development control and implementation of planning proposals for the Area. Detailed plans will be prepared as a basis for public works planning and private developments. The type of permitted developments and uses on land within the Area are listed in the Notes of the Plan. Implementation of the proposed land uses and development control would be made according to the planning intentions and stated restrictions of the respective zones of this draft OZP. Provision for planning application would allow flexibility in land use planning and control of development to meet changing needs.

5.2 Recreation Area

The planning intention should promote nature-based activities, low-scale accommodation, agri-tourism and eco-tourism that does not detract from the natural, historic or rural settings in the Area. Complimentary uses could include, but not be limited to, low-intensity uses such as horse riding schools, dog boarding / training / recreation facilities, visitor centres, local historical museums, adventure parks, organic farms, pick-your-own-crops, hobby-farms, accommodation (camping grounds), rest-stops, BBQ areas and other uses that are primarily outdoor nature-based activities as well as eco-parks and nature parks. In this regard, there would be a presumption against significant development such as major theme parks and hotels which should be detailed in the explanatory statement. The existence of the helipad at Pak Fu Shan requires setback for sensitive uses and the submission of an environmental report addressing the noise issues. There would be an assumption that any residential development could only be ancillary to other uses such as short-term or employee accommodation. Development would rely on private sector initiatives, taking into account the improved infrastructure and increased tourism opportunities in the Area. There is some Government land scattered throughout the site which could be released to facilitate development consistent with the planning intention. In connection with the BCP development, a dual carriageway connecting road will be constructed and pass through Ping Che, Fanling Highway and connect to Tolo Highway.

5.3 New Boundary Crossing Point at Liantang / Heung Yuen Wai

Both the Government of the Hong Kong Special Administrative Region and Shenzhen Municipal People’s Government have long recognized the need to enhance cross-boundary transport infrastructure for long-term economic growth and further

regional co-operation. A joint study was commissioned in 2006 to explore the need, function and benefits of a new BCP at LT/HYW. The Planning Department also commissioned a study in 2007 to examine the planning, traffic, environmental and engineering issues of the new crossing, including land requirements and associated connecting road within Hong Kong. Both studies were completed in June 2008 and confirmed the need for a new BCP at LT/HYW. In September 2008, the two Governments decided to implement the new BCP, which is expected to be operational in 2018.

5.4 Road Improvement

Widening works is proposed at Lin Ma Hang Road between Tsung Yuen Ha and Lin Ma Hang for upgrading to single-2 lanes. The project is now being investigated while Lin Ma Hang Road (section between Ping Che Road and Tsung Yuen Ha) will be widened separately under the Liantang / Hueng Yuen Wai BCP project. Traffic management measures should be implemented at the section of Lin Ma Hang road between Pak Fu Shan and Wang Lek if its widening works could not be tied in with the opening of the Closed Area in the Area. Minor improvement works (construction of passing bays) is also proposed to the local access road of Ha Heung Yuen and the proposed relocation site of Chuk Yuen (due to the construction of Liantang / Heung Yuen Wai BCP). However, it is not a critical improvement and therefore it is subject to the planning of the maintenance agent and the construction schedule of the relocated Chuk Yuen Village.

5.5 Utility Infrastructure

Given the small scale development proposed in the Area, there is no overall programme for the provision of utility infrastructure within the Area.

5.6 Planning Enforcement

Any development, other than those referred to in paragraph 5.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the notice of the draft DPA plan may be subject to enforcement proceedings under the Ordinance.

Sha Tin, Tai Po and North District Planning Office
PLANNING DEPARTMENT
APRIL 2013

Small House Demand for the Recognized Villages within Ta Kwu Ling North

Recognised Villages	Demand figure prepared for TPB hearings in 2011		New demand figures		'VE' Approx. Area (ha)	"V" zone on draft OZP (ha)	Required land to meet new demand (ha)	Available Land to meet new demand figure (ha)	Percentage of the new demand met by available land (%)
	Outstanding Demand	10-year forecast	Outstanding Demand	10-year forecast					
Tong Fong (TKLN)	6	145	23	145	4.17	3.78 ⁺	4.20	1.25	29.8
Kan Tau Wai (TKLN)	13	60	22	200	5.53	5.53	5.55	2.92	52.6
Tsung Yuen Ha (TKLN)	5	180	7	180	5.88	5.88	4.68	4.14	88.5
New Chuk Yuen Village (TKLN)	15	50	0	22	-	6.20	0.55	5.45	100
Heung Yuen Wai (incl. Ha Heung Yuen) (TKLN)	12	220	13	580	7.88	7.88	5.83*	5.12	87.8

+ including proposed extension of "V" zone on Ta Kwu Ling OZP (1.44ha) to meet total demand of 3.78ha as at 2011

* When considering the land use zoning for the "V" zone of Heung Yuen Wai, it is noted that no justification has been received from the village representative for the substantial increase in SH demand from 2011. In such circumstances, the figure of SH demand forecast in 2011 is adopted in preparation of the draft OZP.

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP**Existing Population: 550 persons****Planned Population: 6,206 persons**

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
OPEN SPACE		0.06	0.20	0.14	0.62	0.20	-0.42	Noting the rural locations of these settlements which enable the residents to have more easy access to the countryside, and the small population level, there is no provision of Local Open Space. Sufficient local open spaces are available in the rural settlements to serve local residents' needs.
1. Local Open Space	10 ha per 100,000 persons							
2. District Open Space	10 ha per 100,000 persons	0.06	0.00	-0.06	0.59	0.00	-0.62	Noting the rural locations of these settlements which enable the residents to have more easy access to the countryside, and the small population level, there is no provision of District Open Space. Sufficient district open spaces are available in North District to serve the Area.

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
RECREATIONAL FACILITIES		0.01	0.00	-0.01	0.10	0.00	-0.10	
1. Sports Centre	1 per 50, 000 – 65, 000 persons							
2. Sports Ground/ Sports Complexes	1 per 200, 000 – 250, 000 persons							
3. Swimming Pool Complex	1 per 287, 000 persons							
4. Indoor Stadium (Sports)	Territorial facility based on need							
5. Outdoor Stadium	Territorial facility based on need							
EDUCATION								

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
1. Nursery Classes and Kindergartens	26 classrooms for every 1000 children aged 3- under 6	0.18	0.00 (0 School)	-0.18	4.76	0.00 (0 School)	-4.76	Kindergarten facilities in Sha Tau Kok Area 6 and Caritas Nursery Schools at Ping Che Road, Ta Kwu Ling cover the Ta Kwu Ling North Area (the Area). Existing School: Ta Kwu Ling Ling Ying Public School. Fanling / Sheung Shui will provide secondary school places for the Area.
2. Primary Schools	1 whole-day classroom per 25.5 persons aged 6-11	0.73	0.00 (0 School)	-0.73	17.06	0.00 (0 School)	-17.06	
3. Secondary Schools	1 whole-day classroom per 40 persons aged 12-17	1.24	0.00 (0 School)	-1.24	8.61	0.00 (0 School)	-8.61	
4. Special Schools	No set standard	N/A	0.00 (0 School)	N/A	N/A	0.00 (0 School)	N/A	
MEDICAL AND HEALTH SERVICES								Requirements are covered by North District Hospital in Sheung Shui
1. Hospitals	5.5 beds per 1,000 persons	3.03	0.00 (0 Hospitals)	-3.03	34.13	0.00	-34.13	
2. Polyclinics/ Specialist Clinic	1 specialist clinic/polyclinic	N/A	0.00	N/A	N/A	0.00	N/A	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
3.Clinics/Health Centres	whenever a regional or district hospital is built 1 clinic/health centre per 100,000 persons	0.01	0.00	-0.01	0.06	0.00	-0.06	
SOCIAL WELFARE AND COMMUNITY SERVICES		N/A	0.00	N/A	N/A	0.00	N/A	Child care centre available in Caritas Centre at Ping Che Road, Ta Kwu Ling
1. Community Halls	To be determined on the basis of need, having regard to community aspirations and other relevant considerations.							
2. Child Care Centre	To be based on the estimated demand, socio-economic factors, district characteristics and the provision of other child care	N/A	0.00	N/A	N/A	0.00	N/A	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
3. Integrated Children and Youth Services Centres	support services for the area. 1 per 12,000 persons aged 6-24	0.00	0.00	0.00	0.03	0.00	-0.03	
4. District Elderly Community Centres	To be determined taking into account the elderly population, demographic characteristics, geographical factor, existing service provision and service demand.	N/A	0.00	N/A	N/A	0.00	N/A	
5. Neighbourhood Elderly Centres	To be determined taking into account the elderly population, demographic characteristics, geographical factor,	N/A	0.00	N/A	N/A	0.00	N/A	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
6. Day Care Centres for the Elderly	existing service provision and service demand. To be determined taking into account the elderly population, demographic characteristics, geographical factor, existing service provision and service demand.	N/A	0.00	N/A	N/A	0.00	N/A	
7. Day Care Unit for the Elderly in District Elderly Community Centres	To be determined taking into account the elderly population, demographic characteristics, geographical factor, existing service provision and service demand.	N/A	0.00	N/A	N/A	0.00	N/A	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
8. Day Care Unit for the Elderly in Residential Care Homes for the Elderly	To be determined taking into account the elderly population, demographic characteristics, geographical factor, existing service provision and service demand.	N/A	0.00	N/A	N/A	0.00	N/A	
9. Residential Care Homes for the Elderly	To be determined taking into account the service demand and the availability of suitable premises.	N/A	0.00	N/A	N/A	0.00	N/A	Caritas Fung Wong Fung Ting Home at Ping Che Road, Ta Kwu Ling serves the Area.
10. Integrated Family Service Centres	1 per 100,000 to 150,000 persons	N/A	0.00	N/A	0.04	0.00	-0.04	Care-and-Attention Homes available in Caritas Centre at Ping Che Road, Ta Kwu Ling
LAW AND ORDER								

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
1. District Police Stations	1 per 200,000 to 500,000 persons	0.00	0.00	0.00	0.01	0.00	-0.01	Requirement covered by Police Station at Lin Ma Hang Road, Ta Kwu Ling
2. Divisional Police Stations	1 per 100,000 to 200,000 persons	0.00	1.00	1.00	0.03	1.00	0.97	
3. Sub-divisional Police Stations/Police Posts	No set standard	N/A	1.00	N/A	N/A	1.00	N/A	
4. Divisional Fire Stations	Provision depends on graded response time determined by fire risk category system. Generally 1 standard divisional station is provided for 1 fire station	N/A	0.00	N/A	N/A	0.00	N/A	
5. Sub-divisional Fire Stations	depends on local needs.	N/A	0.00	N/A	N/A	0.00	N/A	Requirement covered by Fire Station at Lin Ma Hang Road, Ta Kwu Ling
6. Non-standard Fire Stations	depends on local needs.	N/A	1.00	N/A	N/A	1.00	N/A	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

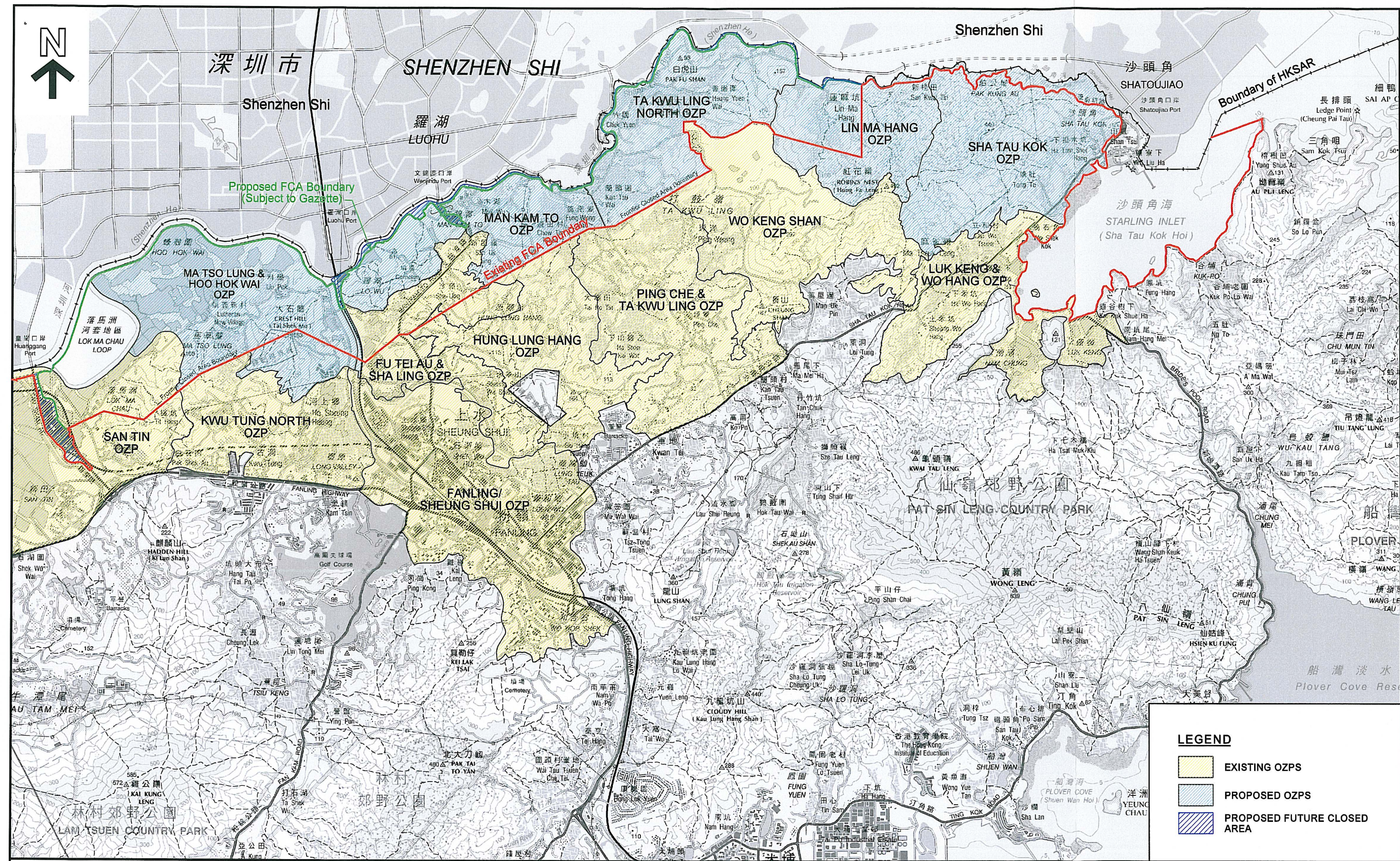
Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
7. Ambulance Depots and Ambulance Stations	Provision depends on the requirement of accommodation for ambulance to give an emergency coverage of 10 minutes and 20 minutes in urban/new towns and rural areas respectively	N/A	0.00	N/A	N/A	0.00	N/A	
8. Magistracies (with 8 courtrooms)	1 per 660,000 persons	0.00	0.00	0.00	0.01	0.00	-0.01	
OTHER COMMUNITY FACILITIES								
1. Arts Venues	No set standard	N/A	0.00	N/A	N/A	0.00	N/A	
2. Library	1 district library per 200,000 persons	0.00	0.00	0.00	0.03	0.00	-0.03	
3. Post office	In rural areas, a distance of 3.2 km should be assumed.	0.02	0.00	-0.02	0.21	0.00	-0.21	

Schedule of Requirements and Provision of Open Space and Major GIC Facilities in Draft Ta Kwu Ling North OZP

Existing Population: 550 persons

Planned Population: 6,206 persons

Type of Facility	HKPSG Requirements	Existing			Planned			Remarks
		Theoretical Minimum Requirements	Provision	Surplus/ Deficit	Theoretical Minimum Requirements	Provision	Surplus/ Deficit	
4. Study Rooms	<p>In general, 1 for a population of not less than 30,000 persons</p> <p>(a) Usually one in each public major / district library.</p> <p>(b) Provision in Community Centre is governed by the approved schedule of accommodation.</p> <p>(c) Provision in public housing estates is based on a need basis</p>	N/A	0.00	N/A	N/A	0.00	N/A	

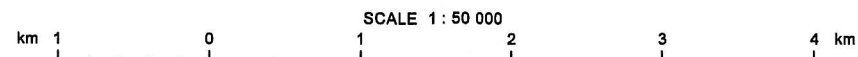


LEGEND

- EXISTING OZPS
- PROPOSED OZPS
- PROPOSED FUTURE CLOSED AREA

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM50C/1 & HM50C/2

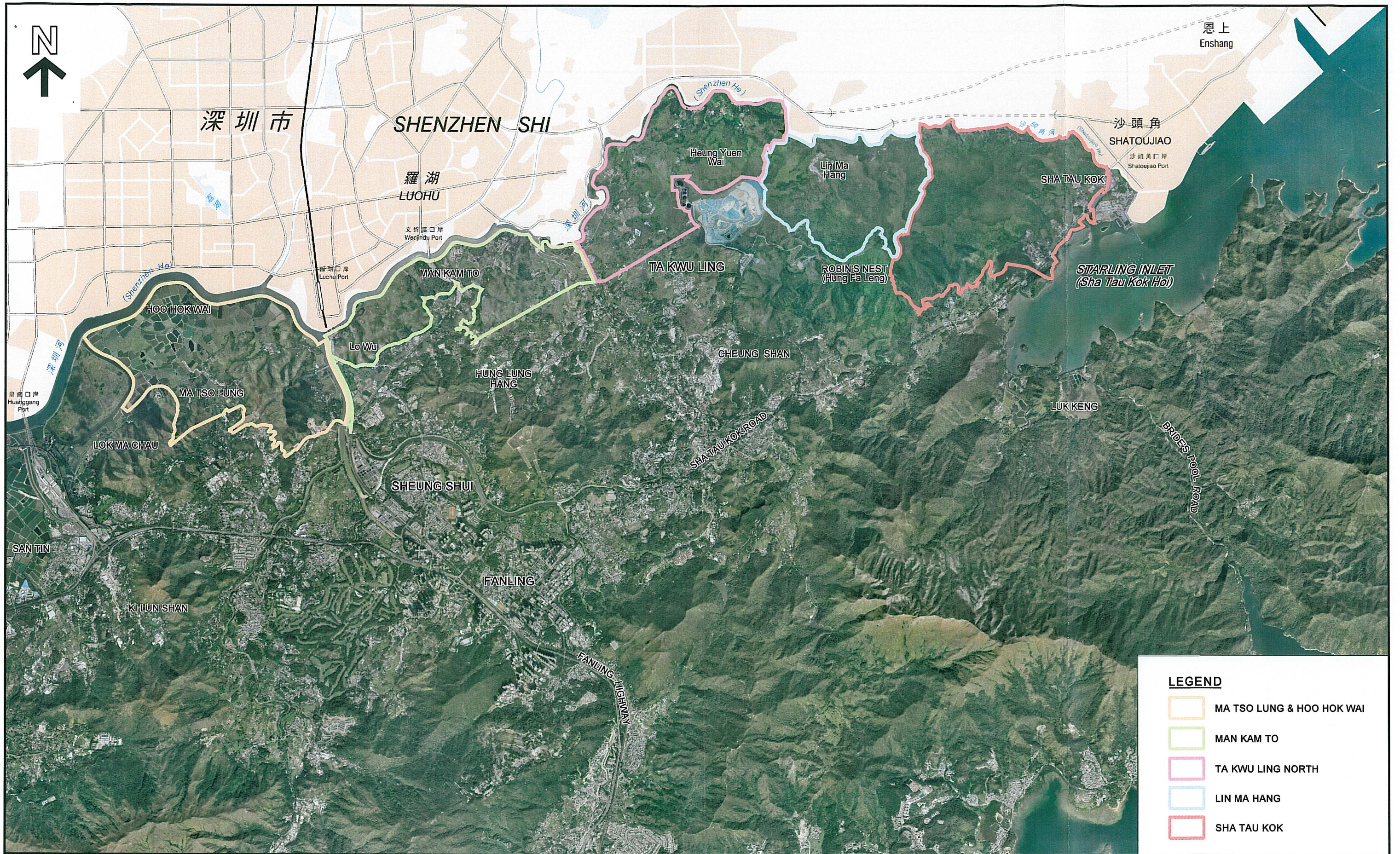
EXISTING AND PROPOSED STATUTORY PLANS



PLANNING DEPARTMENT

REFERENCE No.
M/NE/13/36A

FIGURE 1



EXTRACT PLAN PREPARED ON 23.4.2013
 BASED ON ORTHOPHOTO 2011 PREPARED
 BY LANDS DEPARTMENT

AERIAL PHOTO OF FIVE OUTLING ZONING PLANS

PLANNING DEPARTMENT

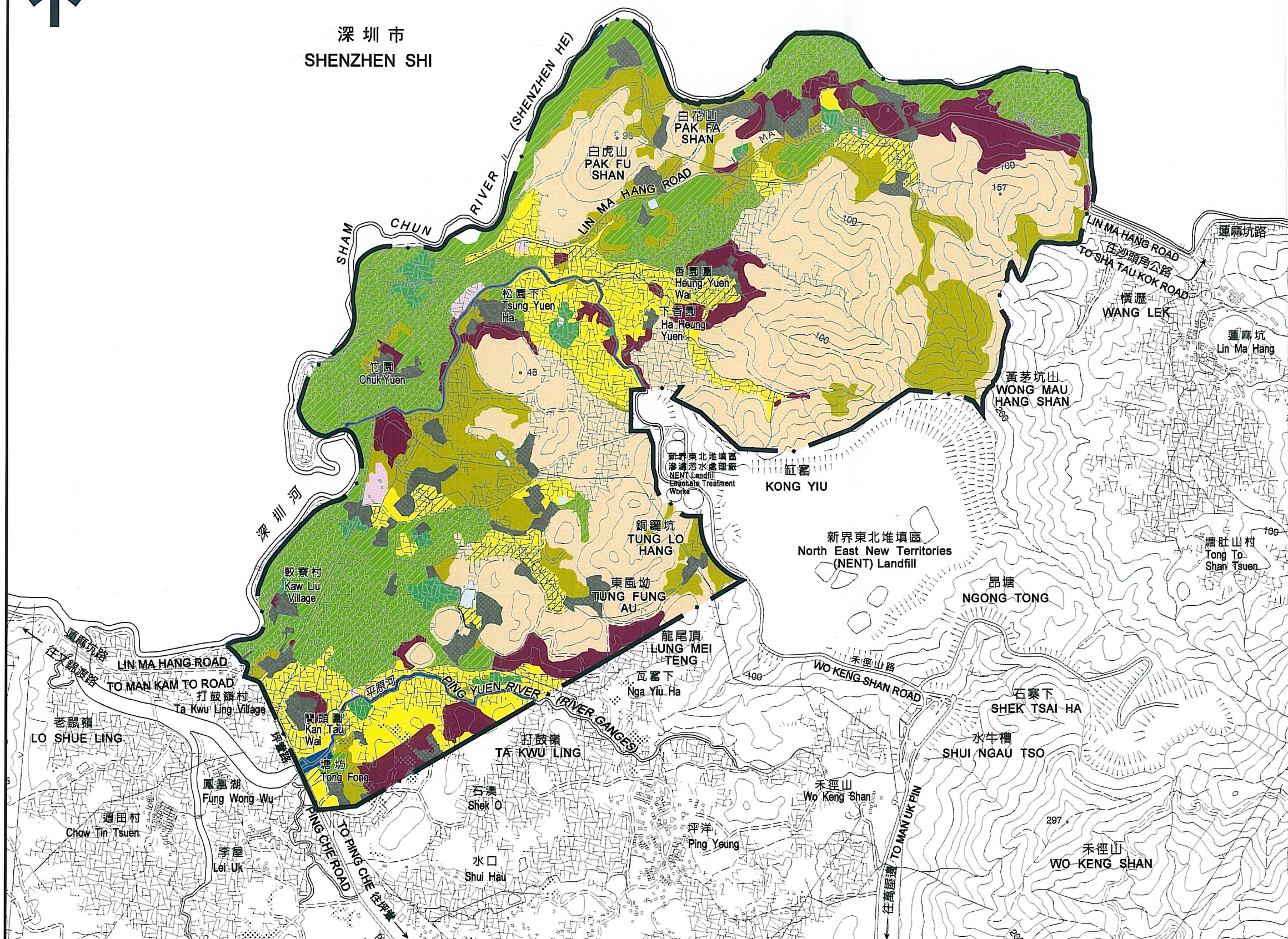


REFERENCE No.
 M/NE/13/36A














FIGURE 2



深圳市
SHENZHEN SHI



LEGEND

-  BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
-  POND
-  MAJOR STREAM / DRAINAGE CHANNEL
-  ACTIVE WET AGRICULTURAL LAND
-  ACTIVE DRY AGRICULTURAL LAND
-  INACTIVE DRY AGRICULTURAL LAND
-  SEASONALLY WET GRASSLAND
-  LOWLAND GRASSLAND
-  UPLAND GRASSLAND
-  GRASSLAND / SHRUBLAND
-  SHRUBLAND
-  SECONDARY WOODLAND / PLANTATION
-  DEVELOPED LAND

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM20C SHEET 3

HABITAT MAP OF TA KWU LING NORTH

SCALE 1 : 15 000

PLANNING DEPARTMENT

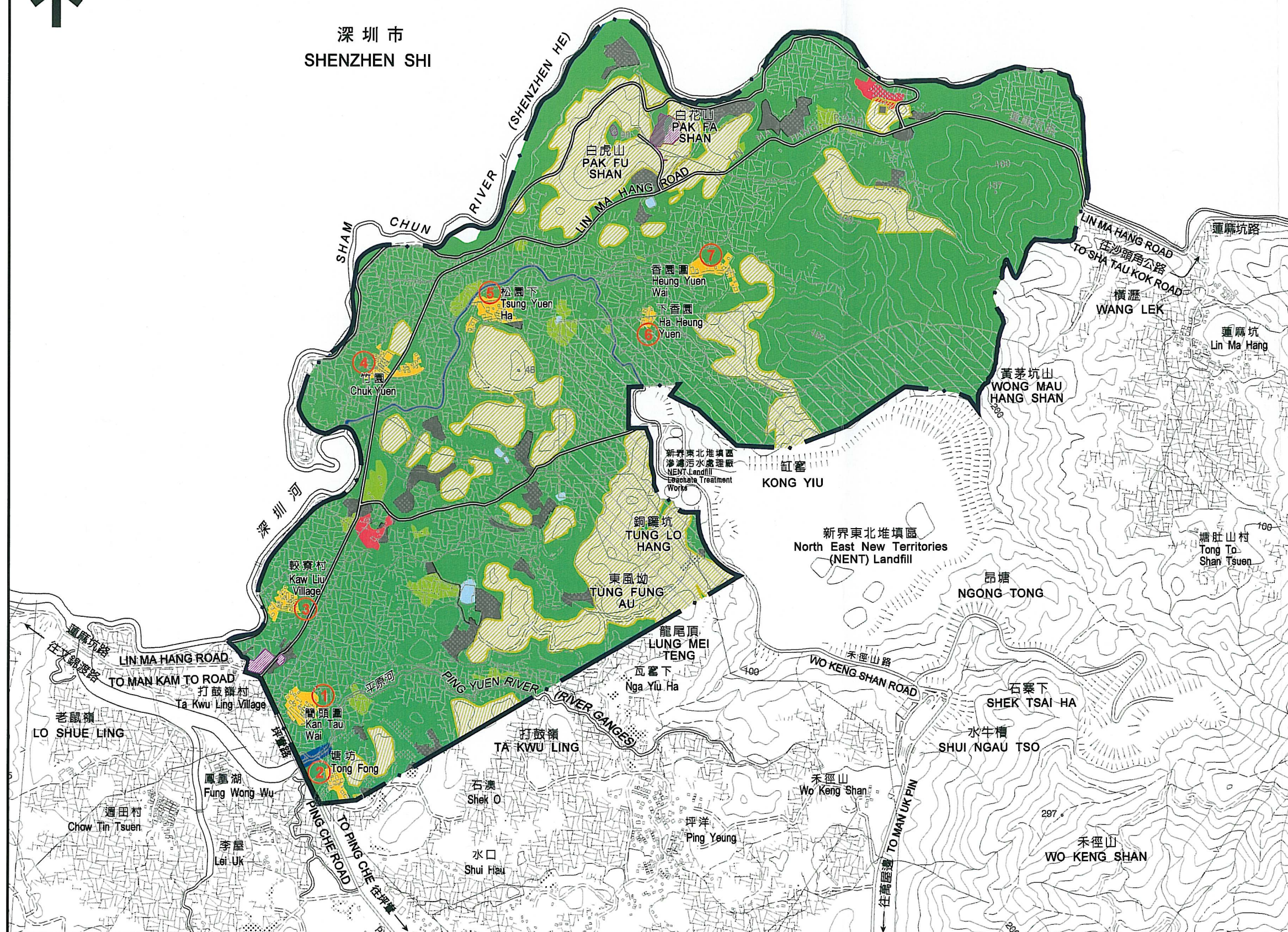


REFERENCE No.
M/NE/13/36A

FIGURE 3



深圳市
SHENZHEN SHI



LEGEND

- BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
- ROAD
- PERMITTED BURIAL GROUND
- EXISTING G/C SITES
- OPEN STORAGE
- RURAL SETTLEMENT
- POND AREA
- MAJOR STREAM / DRAINAGE CHANNEL
- AGRICULTURAL LAND
- VEGETATED LAND
- DEVELOPED LAND
- CONSULTATION ZONE FOR LANDFILL
- 1 KAN TAU WAI (INDIGENOUS VILLAGE)
- 2 TONG FONG (INDIGENOUS VILLAGE)
- 3 KAW LIU VILLAGE
- 4 CHUK YUEN (INDIGENOUS VILLAGE)
- 5 TSUNG YUEN HA (INDIGENOUS VILLAGE)
- 6 HA HEUNG YUEN (INDIGENOUS VILLAGE)
- 7 HEUNG YUEN WAI (INDIGENOUS VILLAGE)

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM20C SHEET 3

EXISTING LAND USE OF TA KWU LING NORTH

SCALE 1 : 15 000

PLANNING DEPARTMENT

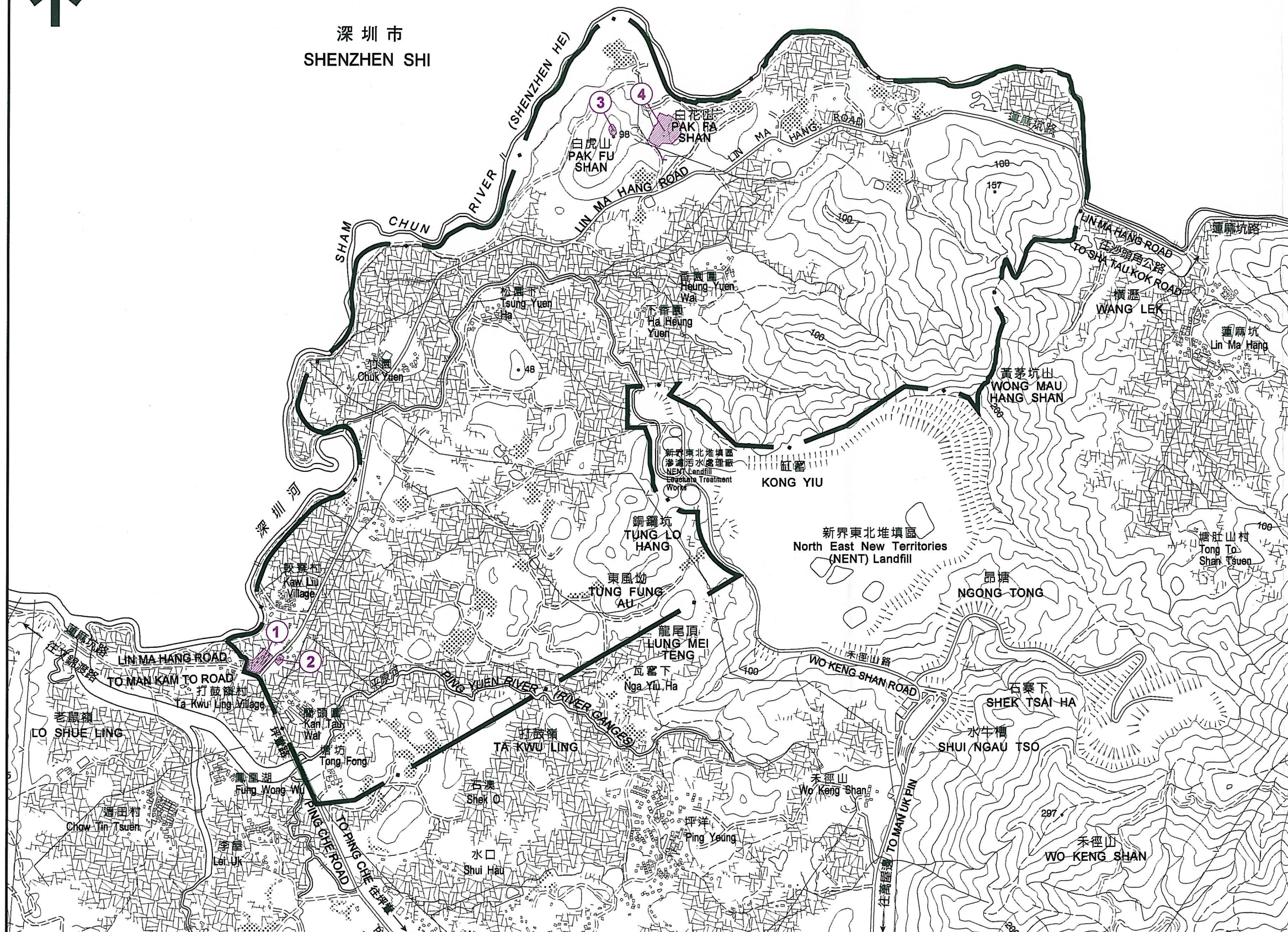


REFERENCE No.
M/NE/13/36A







FIGURE 4



深圳市
SHENZHEN SHI



LEGEND

-  BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
-  EXISTING G/I/C SITES
-  1 TA KWU LING POLICE STATION
-  2 TA KWU LING FIRE STATION
-  3 MACINTOSH FORT (PAK FU SHAN)
-  4 PAK FA SHAN OPERATION BASE TA KWU LING DIVISION

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM20C SHEET 3

EXISTING G/I/C SITES OF TA KWU LING NORTH

SCALE 1 : 15 000

PLANNING DEPARTMENT

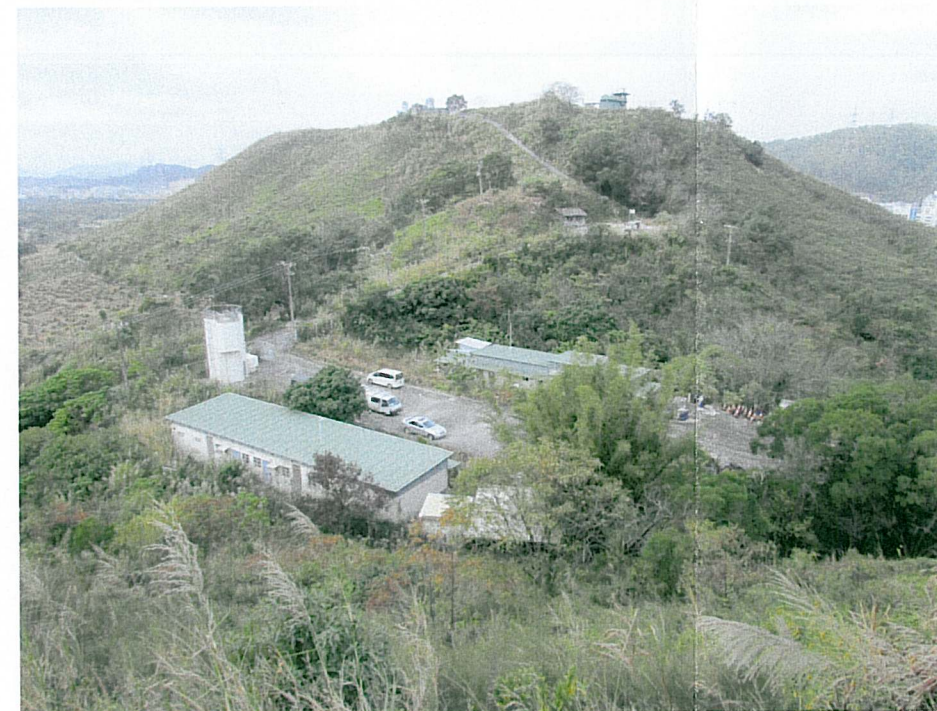


REFERENCE No.
M/NE/13/36A

FIGURE 5



**MACINTOSH FORT
(PAK FU SHAN)**
(PHOTO TAKEN ON 1.2.2013)



**PAK FA SHAN OPERATION BASE
TA KWU LING DIVISION**
(PHOTO TAKEN ON 8.2.2013)



TA KWU LING POLICE STATION
(PHOTO TAKEN ON 8.2.2013)



TA KWU LING FIRE STATION
(PHOTO TAKEN ON 12.5.2010)

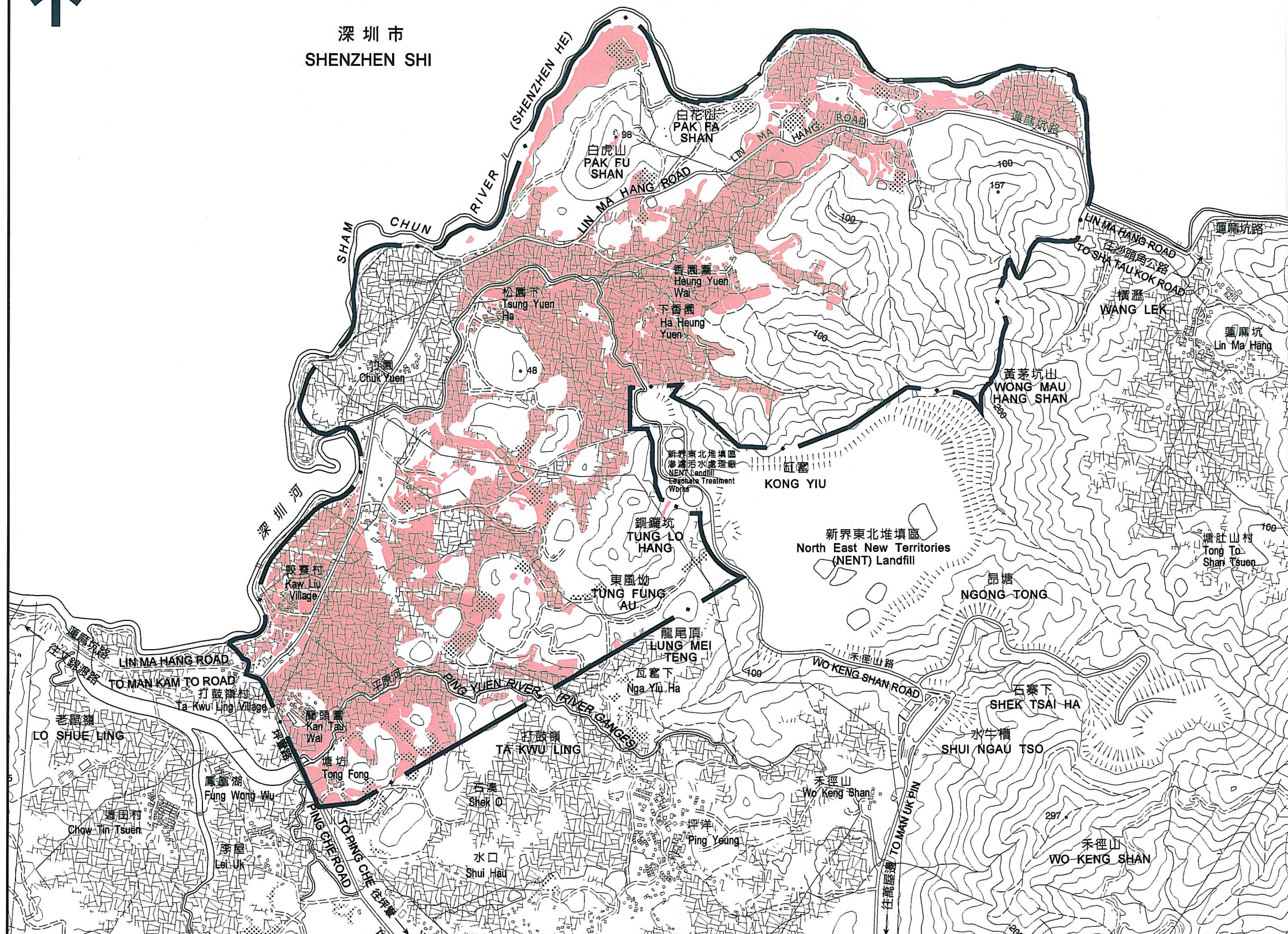


深圳市
SHENZHEN SHI

LEGEND

— • — BOUNDARY OF TA KWU LING NORTH
PLANNING SCHEME AREA

PRIVATE LAND



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SERIES HM20C SHEET 3

EXISTING LAND OWNERSHIP OF TA KWU LING NORTH

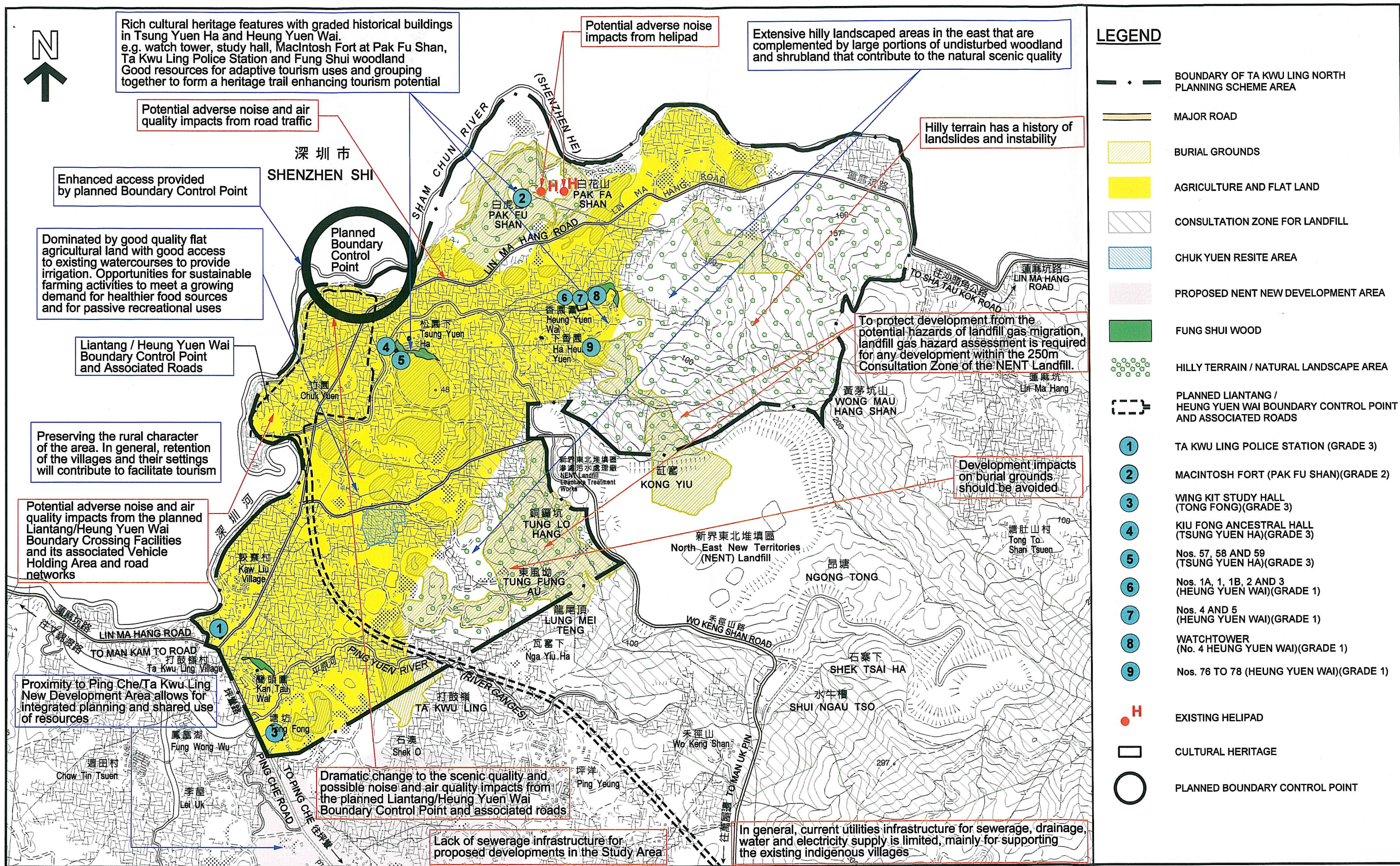
SCALE 1:15 000

PLANNING DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE 7



LEGEND

- BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
- MAJOR ROAD
- BURIAL GROUNDS
- AGRICULTURE AND FLAT LAND
- CONSULTATION ZONE FOR LANDFILL
- CHUK YUEN RESITE AREA
- PROPOSED NENT NEW DEVELOPMENT AREA
- FUNG SHUI WOOD
- HILLY TERRAIN / NATURAL LANDSCAPE AREA
- PLANNED LIANTANG / HEUNG YUEN WAI BOUNDARY CONTROL POINT AND ASSOCIATED ROADS
- 1 TA KWU LING POLICE STATION (GRADE 3)
- 2 MACINTOSH FORT (PAK FU SHAN)(GRADE 2)
- 3 WING KIT STUDY HALL (TONG FONG)(GRADE 3)
- 4 KIU FONG ANCESTRAL HALL (TSUNG YUEN HA)(GRADE 3)
- 5 Nos. 57, 58 AND 59 (TSUNG YUEN HA)(GRADE 3)
- 6 Nos. 1A, 1, 1B, 2 AND 3 (HEUNG YUEN WAI)(GRADE 1)
- 7 Nos. 4 AND 5 (HEUNG YUEN WAI)(GRADE 1)
- 8 WATCHTOWER (No. 4 HEUNG YUEN WAI)(GRADE 1)
- 9 Nos. 76 TO 78 (HEUNG YUEN WAI)(GRADE 1)
- H EXISTING HELIPAD
- CULTURAL HERITAGE
- PLANNED BOUNDARY CONTROL POINT

EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON SERIES HM20C SHEET 3

DEVELOPMENT CONSTRAINTS & OPPORTUNITIES OF TA KWU LING NORTH

SCALE 1 : 15 000

PLANNING DEPARTMENT

REFERENCE No.
M/NE/13/36A

FIGURE
8



深圳市
SHENZHEN SHI

TA KWU LING POLICE STATION (GRADE 3)
(PHOTO TAKEN ON 8-2-2013)



MACINTOSH FORT (PAK FU SHAN) (GRADE 2)
(PHOTO TAKEN ON 1-2-2013)



LEGEND

— • — BOUNDARY OF TA KWU LING NORTH
PLANNING SCHEME AREA

GRADED BUILDINGS

- ① TA KWU LING POLICE STATION (GRADE 3)
- ② MACINTOSH FORT (PAK FU SHAN)(GRADE 2)
- ③ WING KIT STUDY HALL (TONG FONG)(GRADE 3)
- ④ KIU FONG ANCESTRAL HALL (TSUNG YUEN HA)(GRADE 3)
- ⑤ Nos. 57, 58 AND 59 (TSUNG YUEN HA)(GRADE 3)
- ⑥ Nos. 1A, 1, 1B, 2 AND 3 (HEUNG YUEN WAI)(GRADE 1)
- ⑦ Nos. 4 AND 5 (HEUNG YUEN WAI)(GRADE 1)
- ⑧ WATCHTOWER (No. 4 HEUNG YUEN WAI)(GRADE 1)
- ⑨ Nos. 76 TO 78 (HEUNG YUEN WAI)(GRADE 1)

SITE OF ARCHAEOLOGICAL INTEREST

- ⑩ PAK FU SHAN
SITE OF ARCHAEOLOGICAL INTEREST



WATCHTOWER & ADJACENT VILLAGE HOUSES
AT HEUNG YUEN WAI (GRADE 1)
(PHOTO TAKEN ON 8-2-2013)

EXTRACT PLAN PREPARED ON 16.4.2013
BASED ON SERIES HM20C SHEET 3

CULTURAL HERITAGE PLAN OF TA KWU LING NORTH

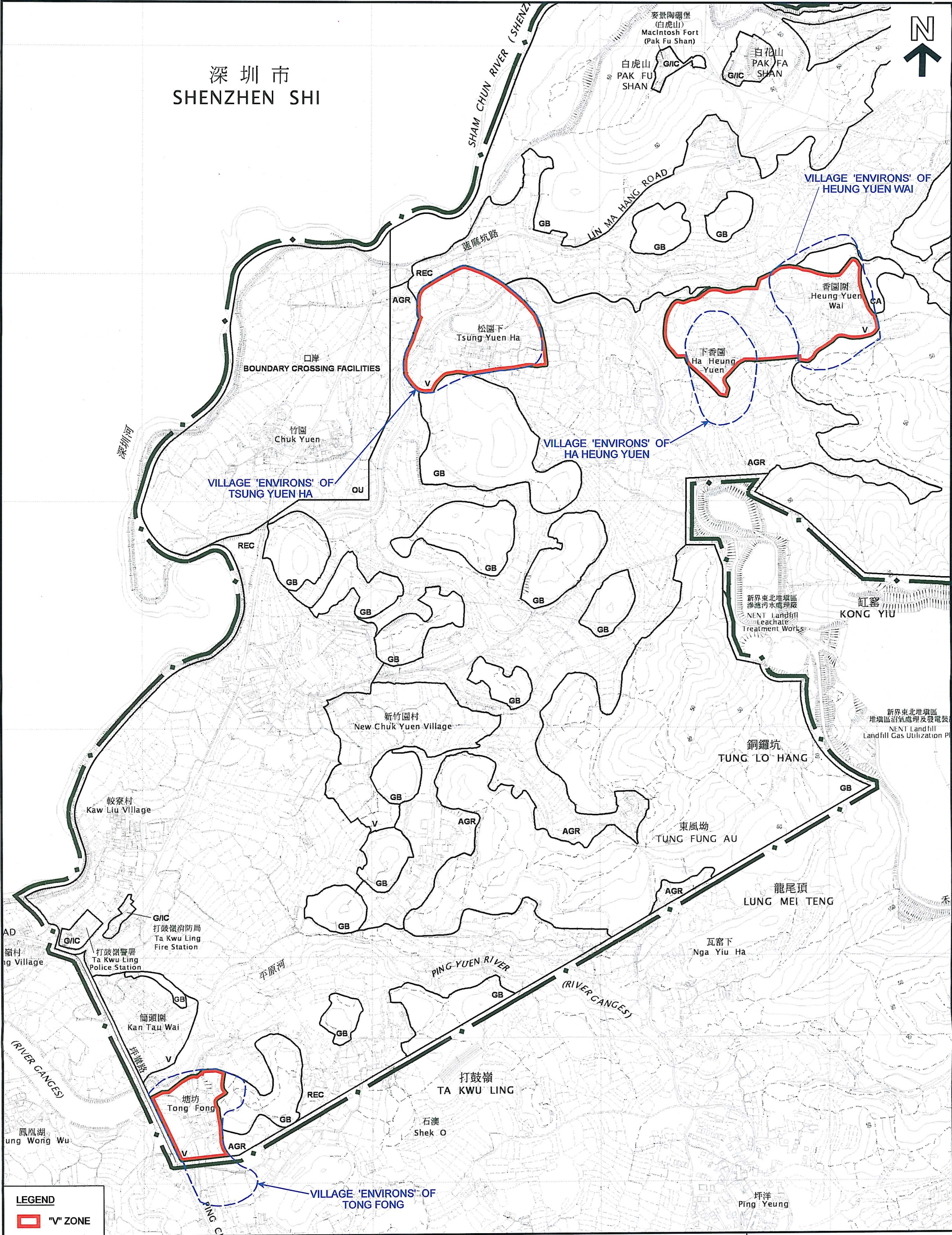
SCALE 1 : 15 000

PLANNING DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE 9



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF THE BOUNDARY OF THE "V" ZONES OF
TONG FONG, TSUNG YUEN HA AND HEUNG YUEN WAI
(INCLUDING HA HEUNG YUEN)

SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
10



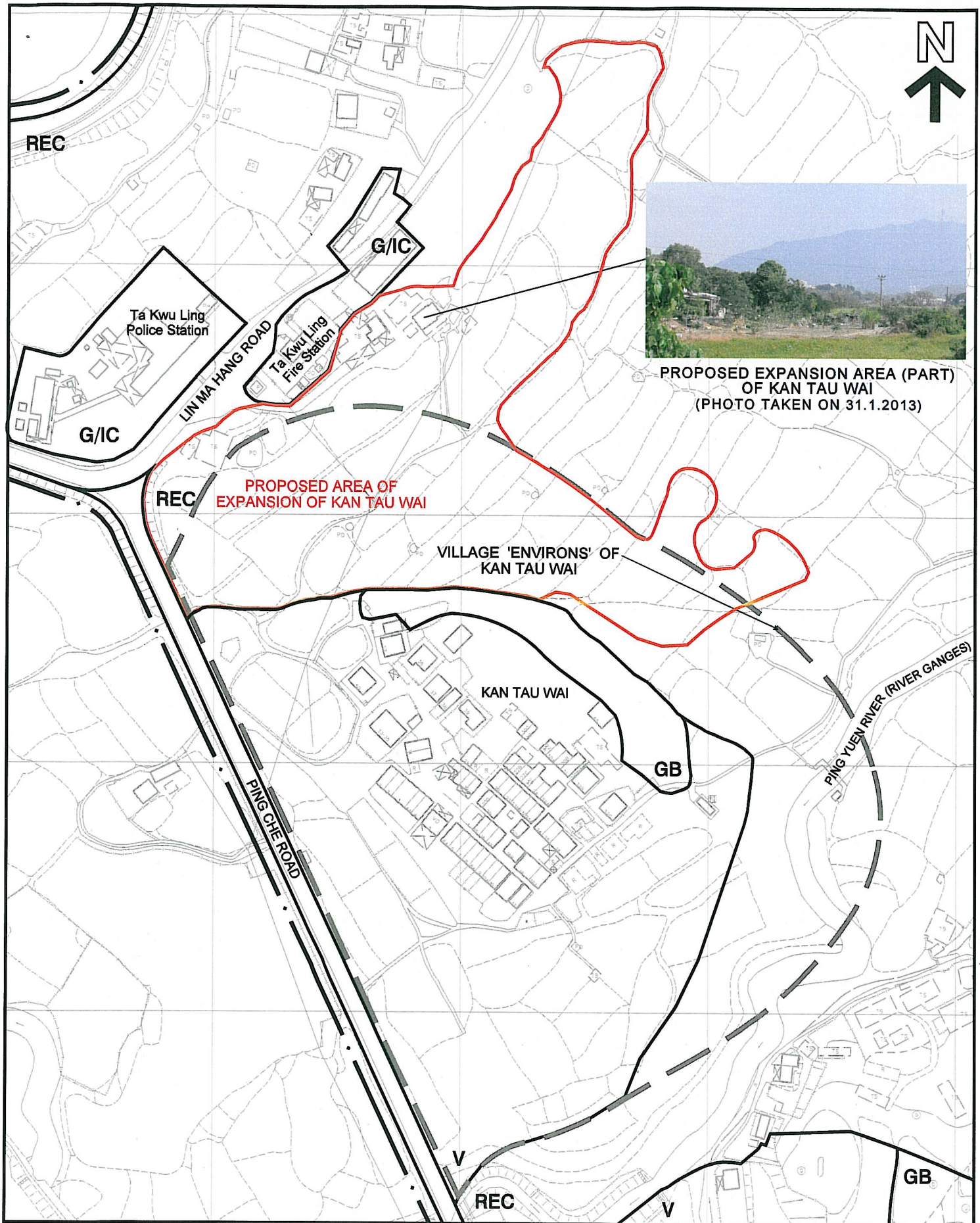
HEUNG YUEN WAI
(PHOTO TAKEN ON 18.3.2013)



TSUNG YUEN HA
(PHOTO TAKEN ON 18.3.2013)



TONG FONG
(PHOTO TAKEN ON 18.3.2013)



SITE PLAN

PROPOSED AREA OF EXPANSION OF KAN TAU WAI

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON SURVEY SHEET No.
3-NV-13C & 3-NV-18A

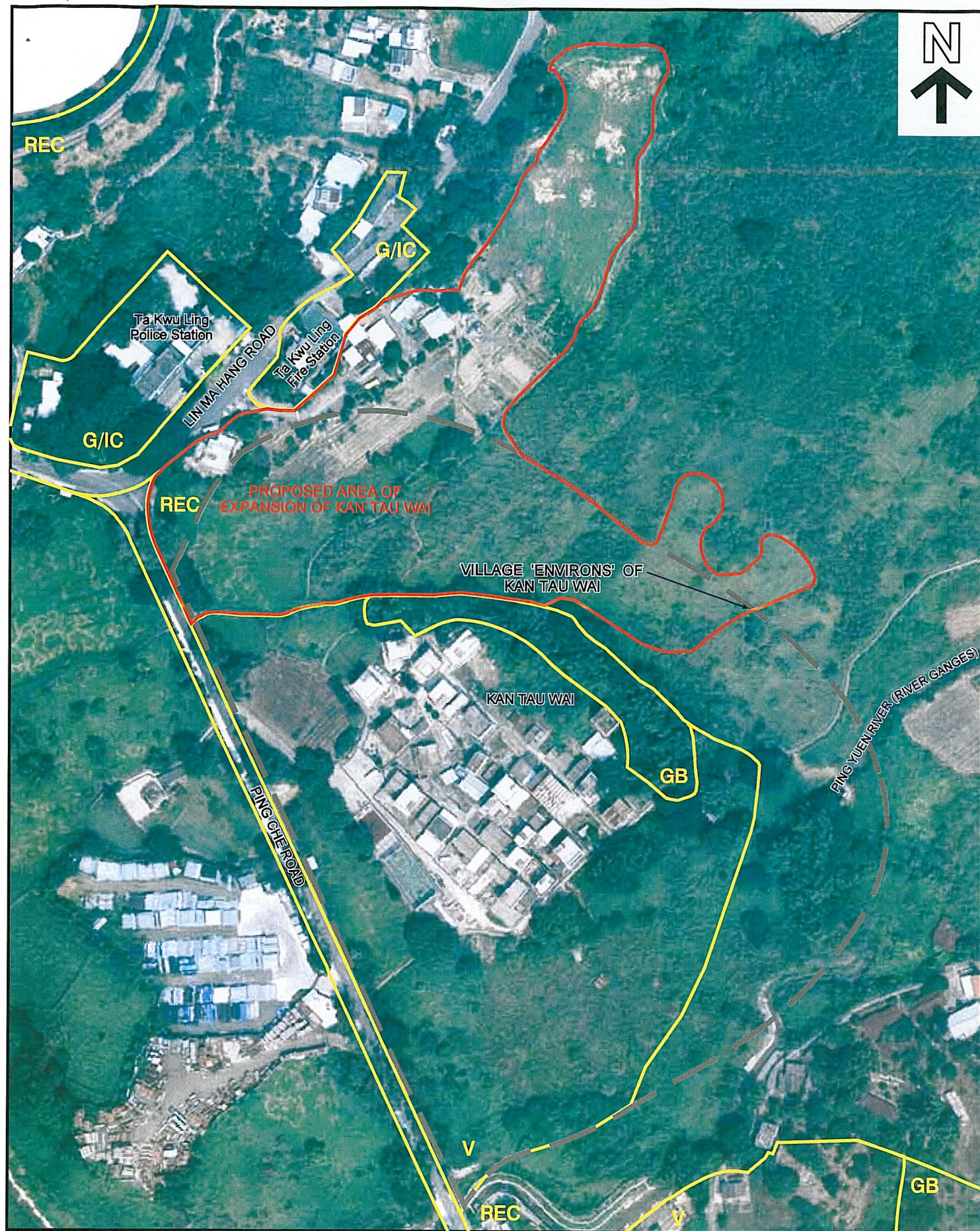
**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/36A

**FIGURE
12**

SCALE 1 : 2 000
METRES 20 0 20 40 60 80 100 METRES



AERIAL PHOTO

PROPOSED AREA OF EXPANSION OF KAN TAU WAI

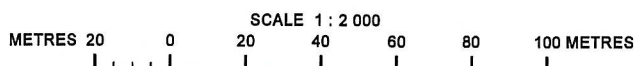
EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON AERIAL PHOTO No.CS40346R
TAKEN ON 29.9.2012 BY
LANDS DEPARTMENT

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
13



PROPOSED AREA OF
EXPANSION OF KAN TAU WAI

KAN TAU WAI



PLAN PREPARED ON 23.4.2013
PHOTO TAKEN ON 8.2.2013

PROPOSED AREA OF EXPANSION OF KAN TAU WAI

PLANNING
DEPARTMENT

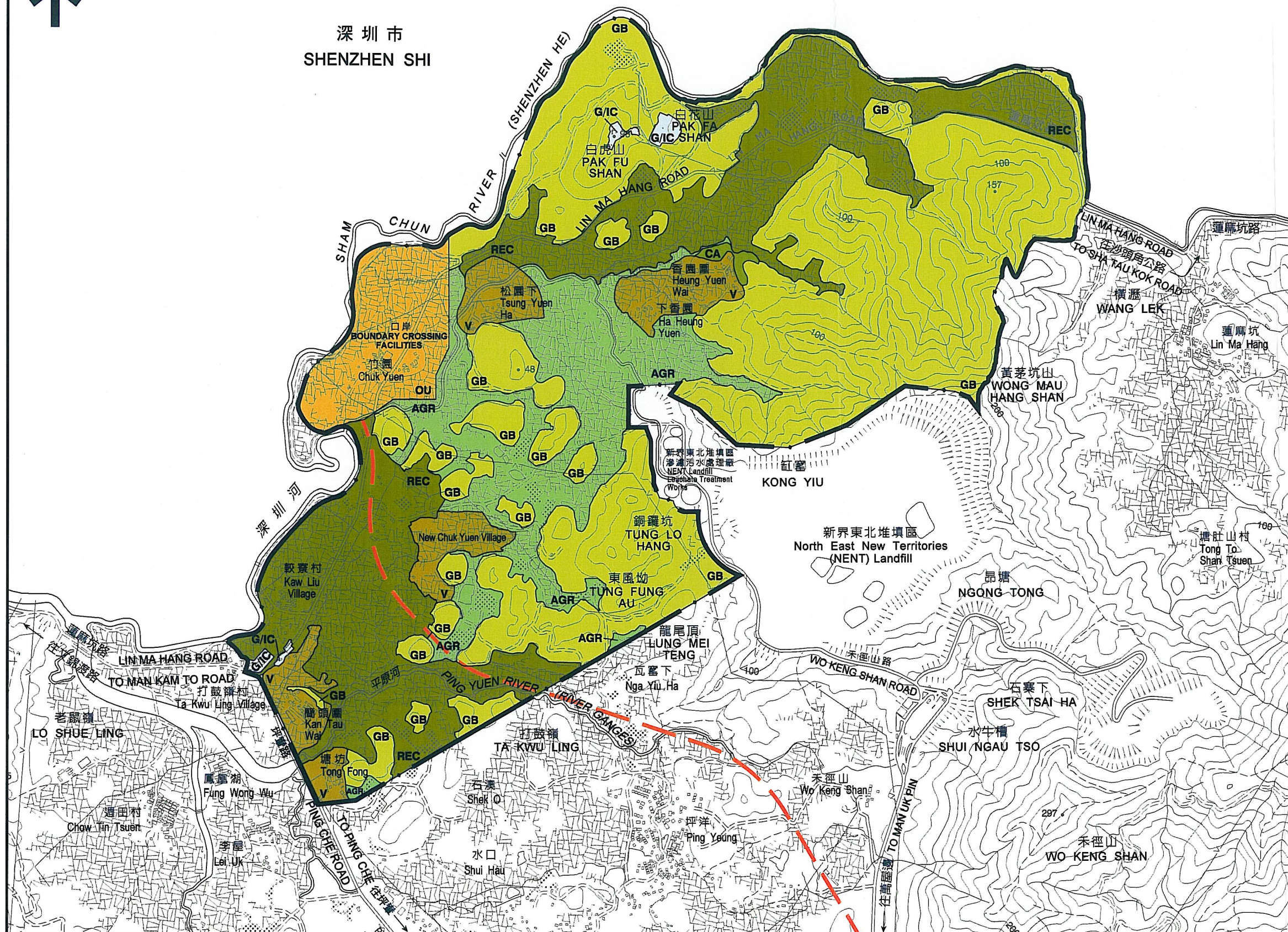


REFERENCE No.
M/NE/13/36A

FIGURE
14



深圳市
SHENZHEN SHI



LEGEND

- BOUNDARY OF TA KWU LING NORTH PLANNING SCHEME AREA
- VILLAGE TYPE DEVELOPMENT
- GOVERNMENT, INSTITUTION OR COMMUNITY
- RECREATION
- OTHER SPECIFIED USES
- AGRICULTURE
- GREEN BELT
- CONSERVATION AREA
- MAJOR ROAD AND JUNCTION
- PROPOSED LIANTANG / HEUNG YUEN WAI CONNECTING ROAD (ALIGNMENT SUBJECT TO DETAILED DESIGN)

EXTRACT PLAN PREPARED ON 19.4.2013
BASED ON SERIES HM20C SHEET 3

LAND USE ZONES OF DRAFT TA KWU LING NORTH OZP

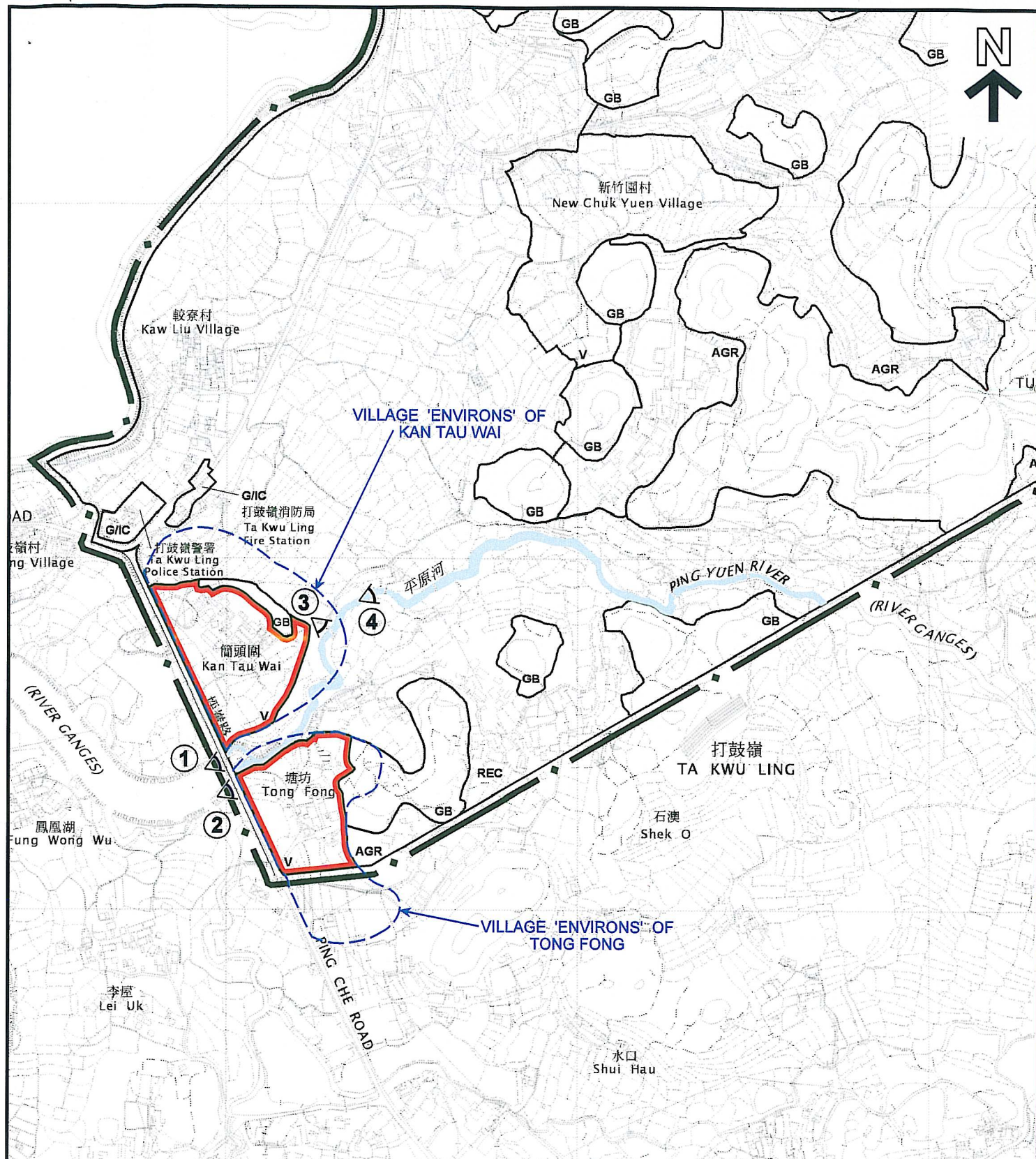
SCALE 1 : 15 000

PLANNING DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
15



LEGEND

- PING YUEN RIVER
- 1 VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

REVIEW OF THE LANDUSE ZONINGS ALONG PING YUEN RIVER

SCALE 1 : 7 500

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
16



**RIVER CHANNEL OF PING YUEN RIVER
(SECTION BETWEEN KAN TAU WAI AND TONG FONG)
(PHOTO TAKEN ON 8.2.2013)**

PLAN PREPARED ON 23.4.2013

REVIEW OF THE LANDUSE ZONINGS ALONG PING YUEN RIVER

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/36A

**FIGURE
17**



EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON AERIAL PHOTO No.CS40346R
TAKEN ON 29.9.2012 BY
LANDS DEPARTMENT

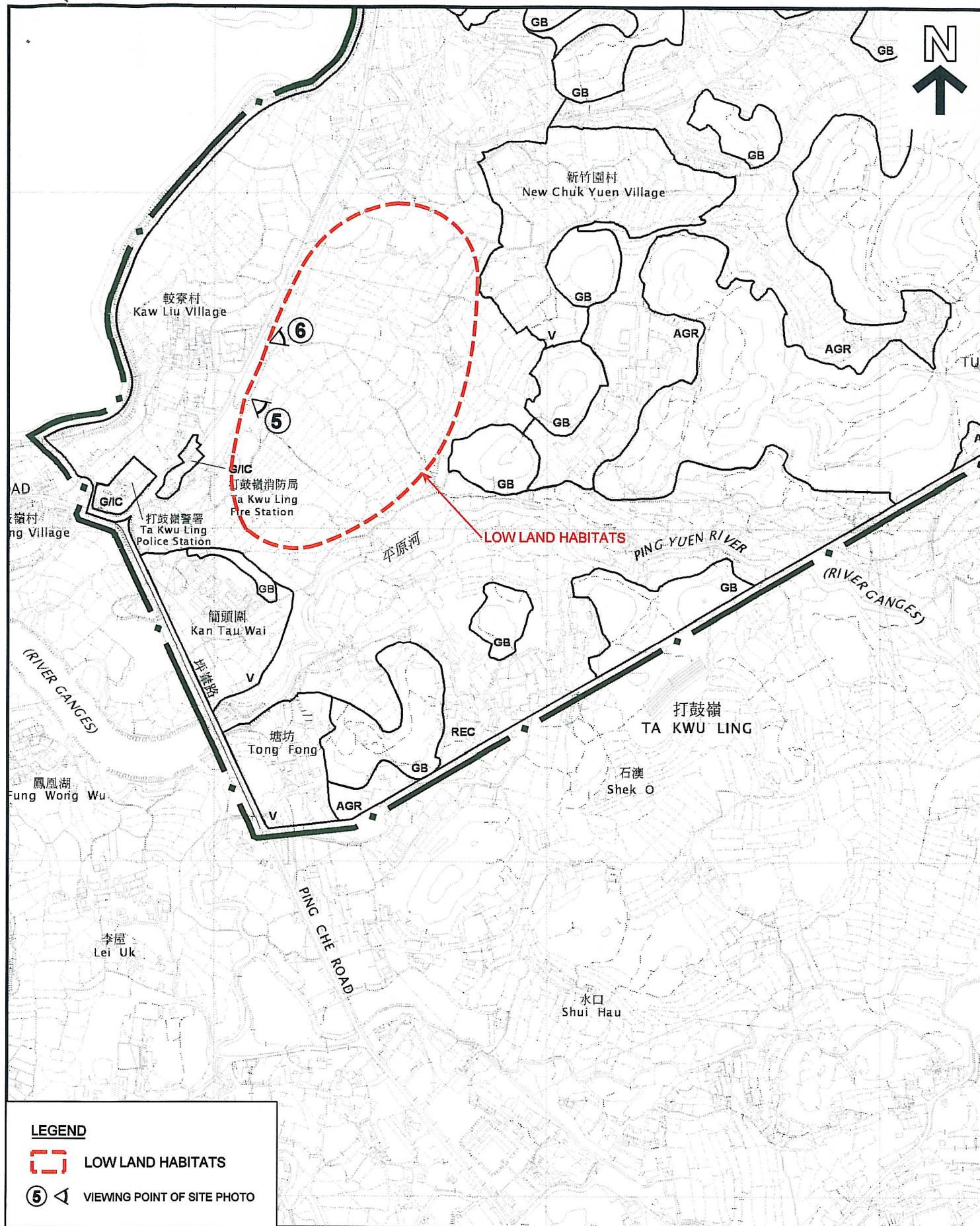
REVIEW OF THE LANDUSE ZONINGS ALONG PING YUEN RIVER

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
18



EXTRACT PLAN PREPARED ON 23.4.2013
 BASED ON DEVELOPMENT PERMISSION
 AREA PLAN No. DPA/NE-TKLN/3
 APPROVED ON 8.5.2012

REVIEW OF LOW LAND HABITATS BETWEEN KAN TAU WAI AND HEUNG YUEN WAI

SCALE 1 : 7 500

PLANNING
 DEPARTMENT



REFERENCE No.
 M/NE/13/36A

FIGURE
 19



LOW LAND HABITATS NEAR KAN TAU WAI
(PHOTO TAKEN ON 18.3.2013)



LOW LAND HABITATS NEAR KAN TAU WAI
(PHOTO TAKEN ON 18.3.2013)

PLAN PREPARED ON 23.4.2013

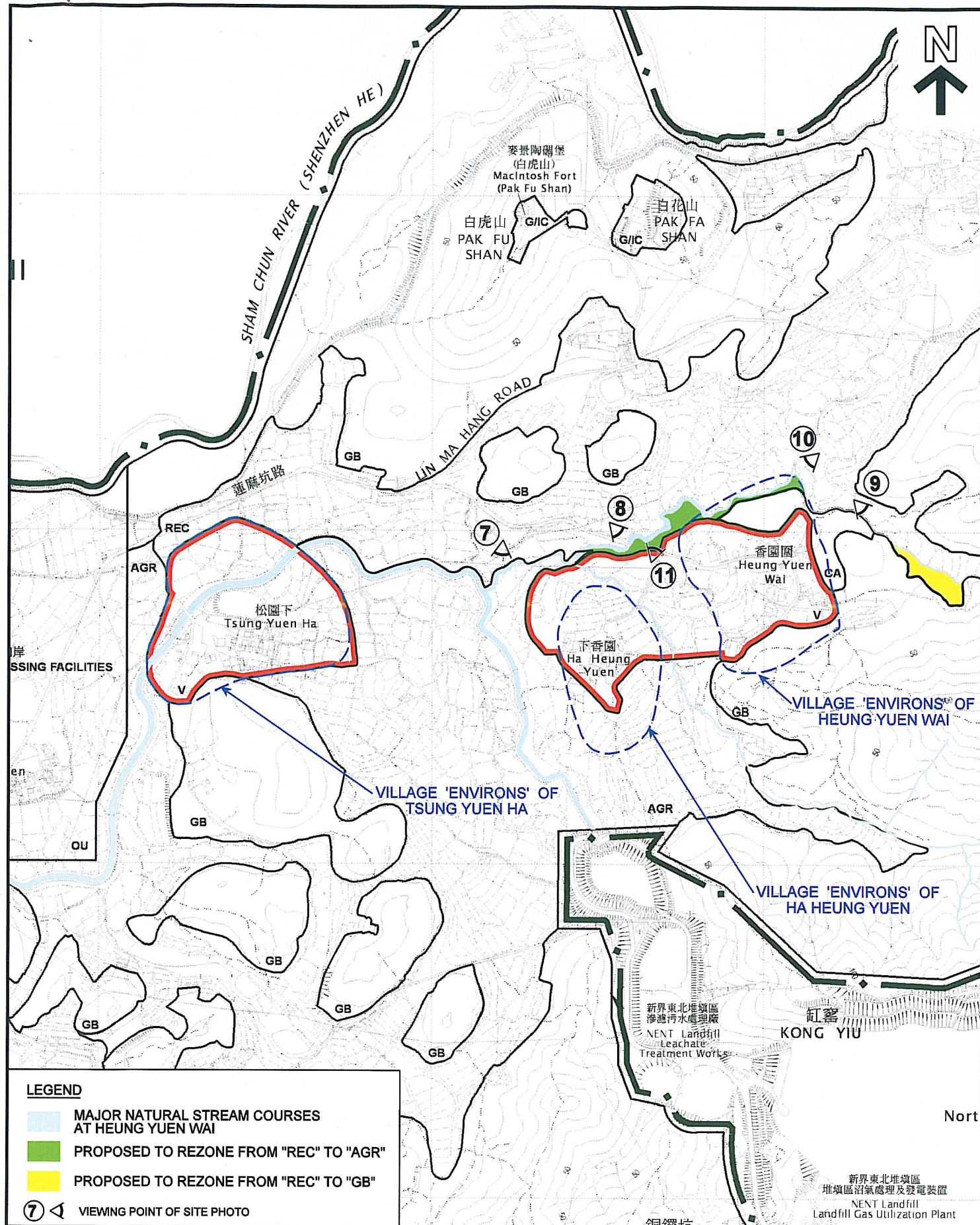
**REVIEW OF LOW LAND HABITATS
BETWEEN KAN TAU WAI
AND HEUNG YUEN WAI**

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/36A

**FIGURE
20**



EXTRACT PLAN PREPARED ON 23.4.2013
 BASED ON DEVELOPMENT PERMISSION
 AREA PLAN No. DPA/NE-TKLN/3
 APPROVED ON 8.5.2012

REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

SCALE 1 : 7 500

PLANNING
 DEPARTMENT



REFERENCE No.
 M/NE/13/36A

FIGURE
 21



NATURAL STREAM COURSES AT HEUNG YUEN WAI

(PHOTO TAKEN ON 8.2.2013)

PLAN PREPARED ON 23.4.2013

**REVIEW OF LAND USE ZONINGS
ALONG NATURAL STREAM COURSES
AT HEUNG YUEN WAI**

**PLANNING
DEPARTMENT**



**REFERENCE No.
M/NE/13/36A**

**FIGURE
22a**



PLAN PREPARED ON 23.4.2013

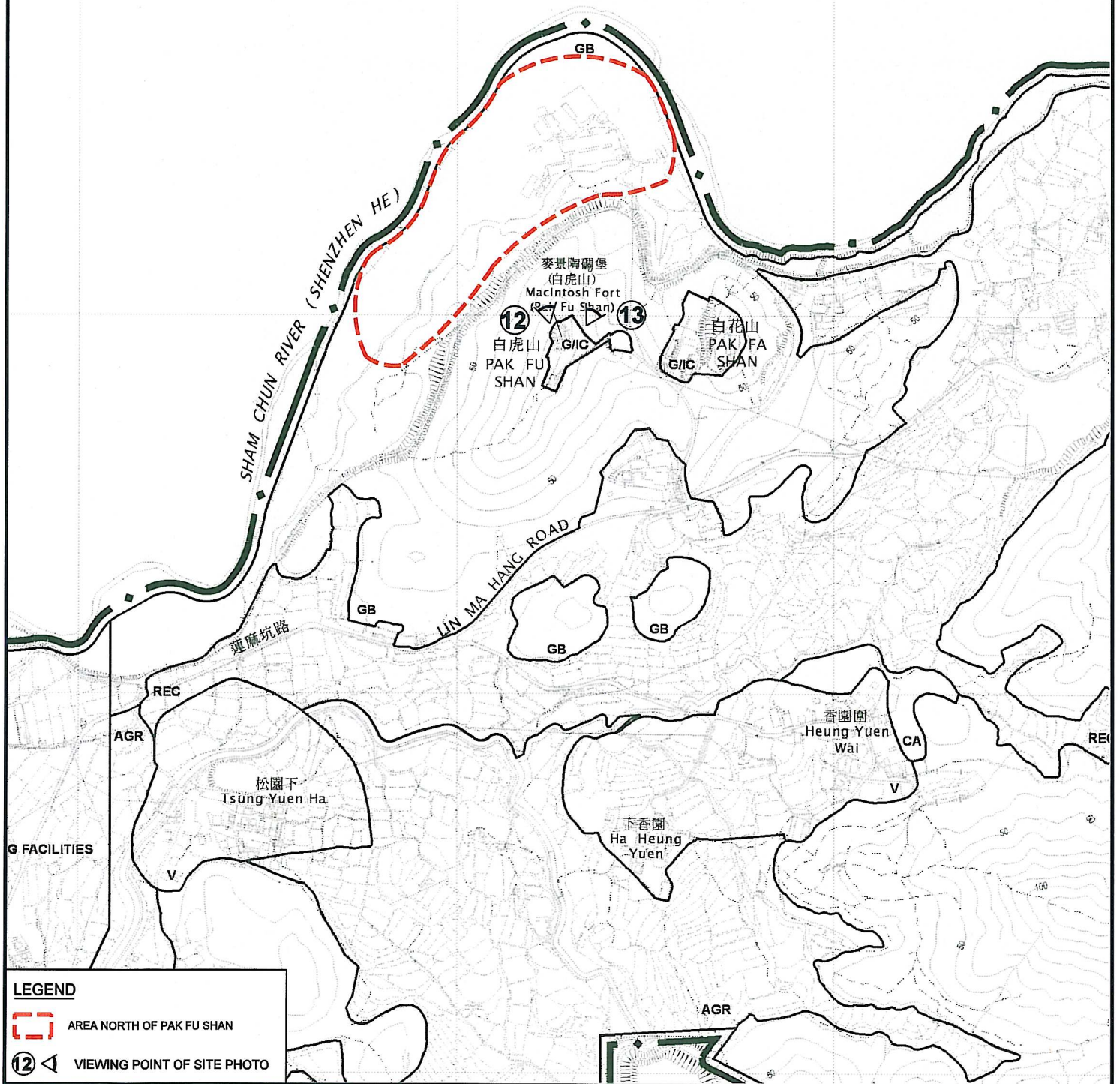
REVIEW OF LAND USE ZONINGS ALONG NATURAL STREAM COURSES AT HEUNG YUEN WAI

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
22b



LEGEND

 AREA NORTH OF PAK FU SHAN

 VIEWING POINT OF SITE PHOTO

EXTRACT PLAN PREPARED ON 23.4.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-TKLN/3
APPROVED ON 8.5.2012

**REVIEW OF LAND USE ZONING
IN THE AREA NORTH OF PAK FU SHAN**

SCALE 1 : 7 500

**PLANNING
DEPARTMENT**



REFERENCE No.
M/NE/13/36A

**FIGURE
23**

SHENZHEN SHI



AREA NORTH OF PAK FU SHAN

(PHOTO TAKEN ON 1.2.2013)

PLAN PREPARED ON 23.4.2013

REVIEW OF LAND USE ZONING IN THE AREA NORTH OF PAK FU SHAN

PLANNING
DEPARTMENT



REFERENCE No.
M/NE/13/36A

FIGURE
24

"Tony Nip"
<tonynip@kfbg.org> To <okcchan@pland.gov.hk>
13/05/2013 下午 04:49 cc <dcctsang@pland.gov.hk>
"Ming Chuan Woo" <mcwoo@kfbg.org>
<roy@cahk.org.hk>
"Debby Chan" <debby@designinghongkong.com>
"Karen" <karen@greenpower.org.hk>
"Henry" <henry@greenpower.org.hk>
"Alan Leung" <ALeung@wwf.org.hk>
"Tobi Lau" <tlau@wwf.org.hk>
Sub Zonings in Frontier Closed Area
jec
t

Dear Otto,

Nice to meet you on 2 May 2013, and we also spoke this noon.

I would like to reiterate some of the points I made during our conversation this noon, and some additional views.

Draft Ta Kwu Ling North OZP

1. As mentioned repeatedly (in our document sent to you earlier this year and also in the Feasibility Study for the land use planning for the closed area commissioned by the PlanD; PlanD (2010)), the Heung Yuen Wai Stream is of high conservation concern and should be protected (see attached figure entitled HYW). We urge that this stream and its riparian zone (at least 5 to 10 m) should NOT be covered with zonings for development/ recreation (e.g. V zone/ REC zone). We sincerely hope that the final draft of the OZP can accommodate this request; this can show that the recommendation regarding ecologically important issue made in PlanD (2010) and Environmental NGOs' view are being respected. Attached please see the natural status of the Heung Yuen Wai Stream (natural bottom, naturally vegetated riparian zone). Please be informed (again) that an endemic freshwater crab species of high conservation importance (*Somanniathelphusa zanklon*; Globally Endangered in the IUCN redlist) inhabits this stream. Also, as mentioned in our earlier meeting, we have already recommended AFCD to designate this stream to be an Ecologically Important Stream (EIS); if this comes true but at the same time it is covered with V zone/ REC zone, we are concerned that this is showing a lack of consistency.

Draft Lin Ma Hang OZP

1. In general, we consider that, after KFBG' s internal discussion, it would

not be appropriate to rezone some AGR land to V zone (as a "compensation" for turning certain Lin Ma Hang Stream riparian GB zones back to CA); GB is already a conservation zoning and the intention is not for development.

2. But we would be grateful if more Lin Ma Hang Stream riparian GB zones can be turned back to CA (without "compensation").

Draft Sha Tau Kok OZP

1. In the document we sent to you earlier this year and the Feasibility Study by PlanD (PlanD 2010), we consider that you should have been aware that the streams in this OZP are of conservation interest (please see the attached figure entitled STK). We consider that these streams should not be covered with zonings for development/recreation such as V zone/ REC zone. In particular, the Ha Tam Shui Hang Stream zoning should be reverted (at least not under V zone). The original proposed zoning was AGR but now is V; we do not consider that the results of the FCA study report (PlanD 2010), especially the ecological part, have been respected based on this change.

2. Please be informed that in 2012 and later in January 2013, we have reported some suspected unauthorized cases related to Ha Tam Shui Hang Stream to relevant departments and we are greatly concerned that the situation would be worse if the Ha Tam Shui Hang Stream is entirely covered under V zone. We urge that this stream and its riparian area should not be covered with zonings for development/ recreation (such as V zone/ REC zone).

You should have known that an international convention - The Convention on Biological Diversity - has been extended to Hong Kong and a high level steering group is being formed by the Environment Bureau. Senior officials from relevant government departments (including PlanD) and bureaux would join this committee. We sincerely hope that the process of the making of the FCA OZPs can respect the spirit and the requirements of this convention.

Any enquires please feel free to contact me, and I expect we would meet later before the formal public consultation process.

References:

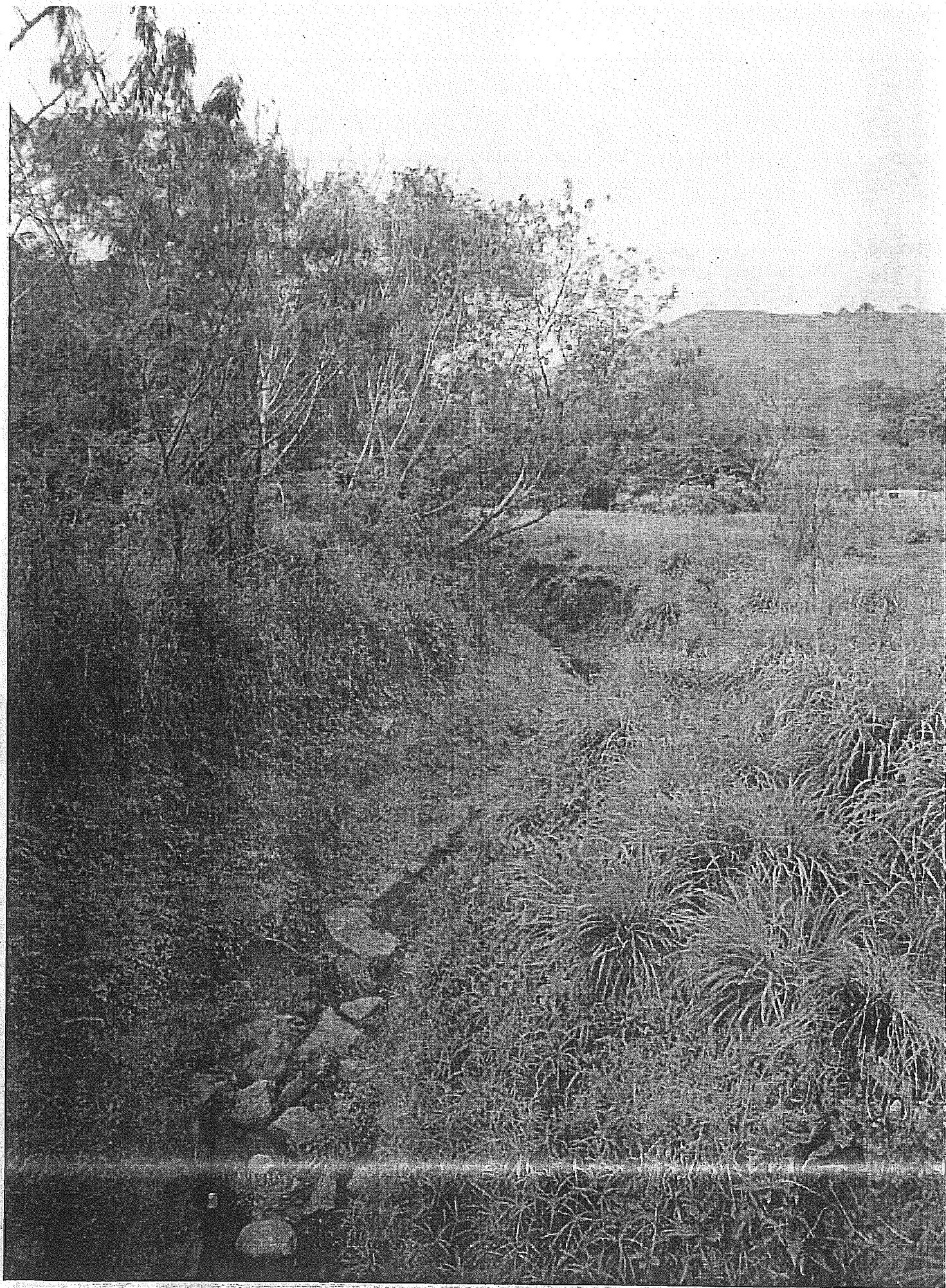
IUCN. 2012. The IUCN Red List of Threatened Species. <www.iucnredlist.org>

Downloaded in December 2012.

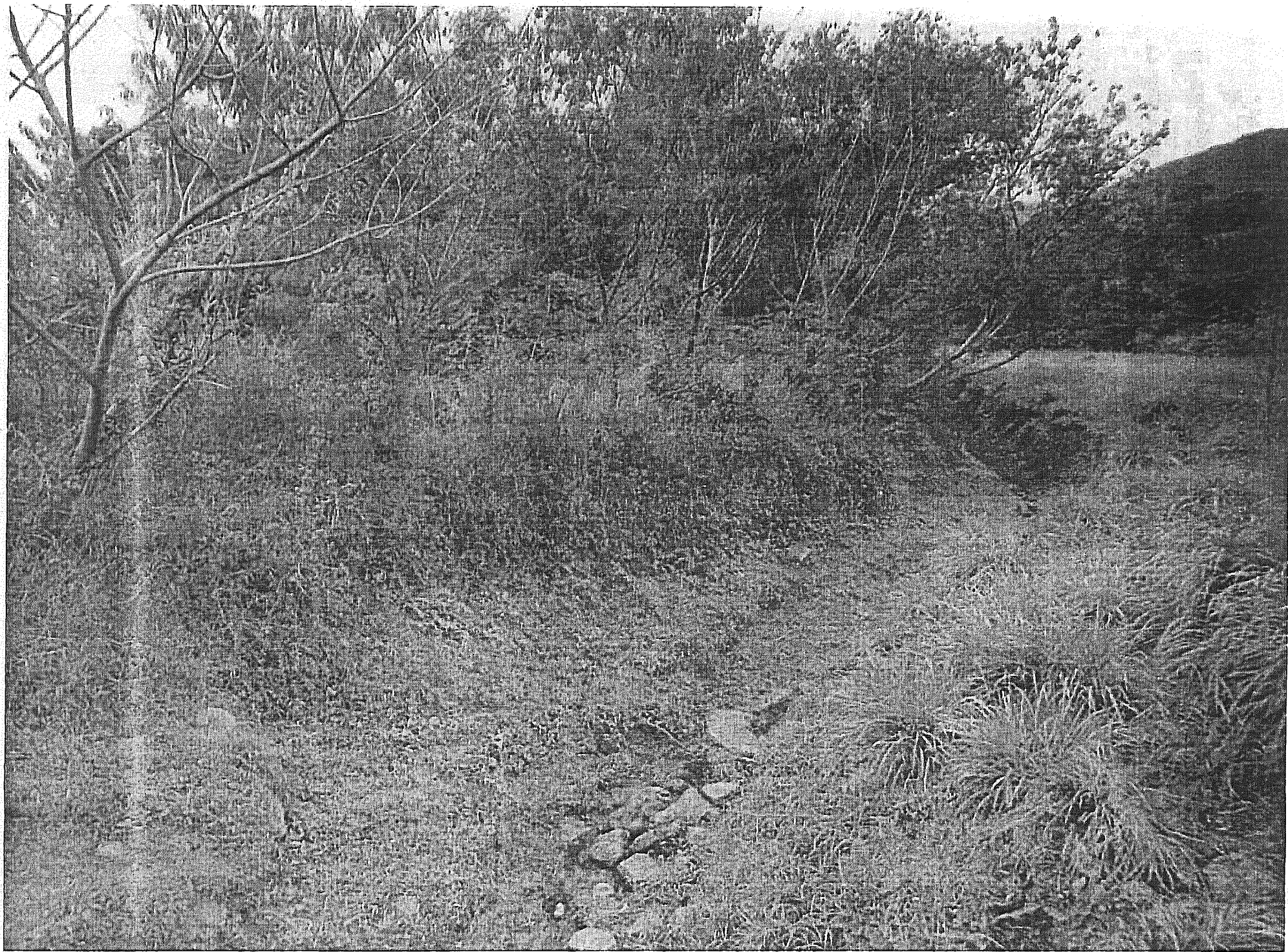
PlanD. 2010. Land Use Planning for the Closed Area - Feasibility Study (Final Report). Unpublished report submitted to Planning Department, Hong Kong Special Administrative Region.

Best Regards,

Tony Nip
Senior Ecologist
Ecological Advisory Programme
Kadoorie Farm and Botanic Garden Corporation
Lam Kam Rd., Tai Po, N.T., Hong Kong.



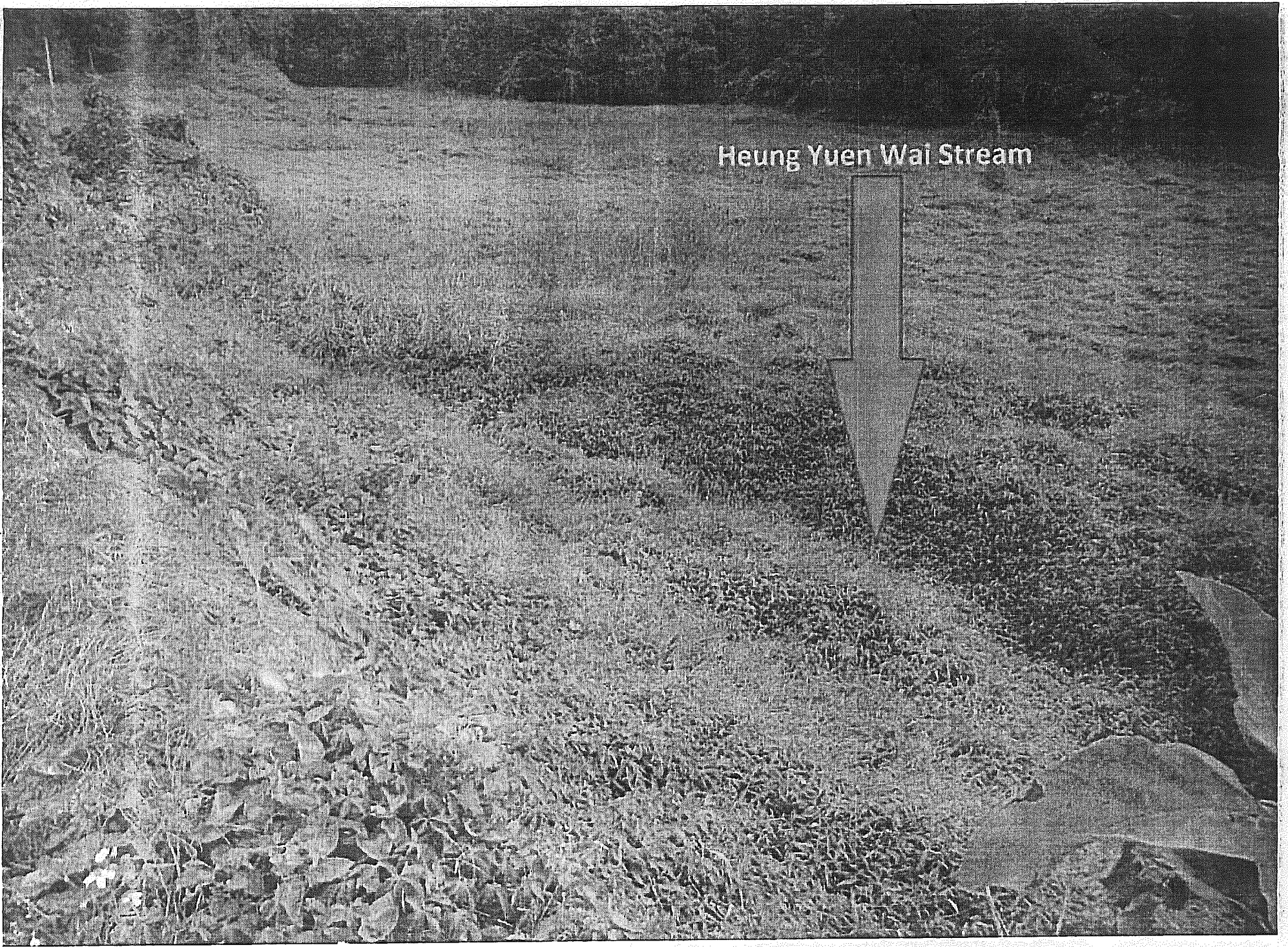
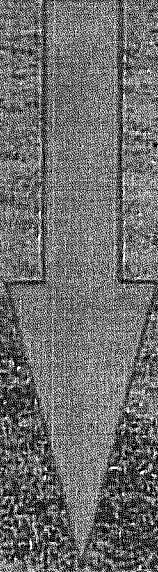






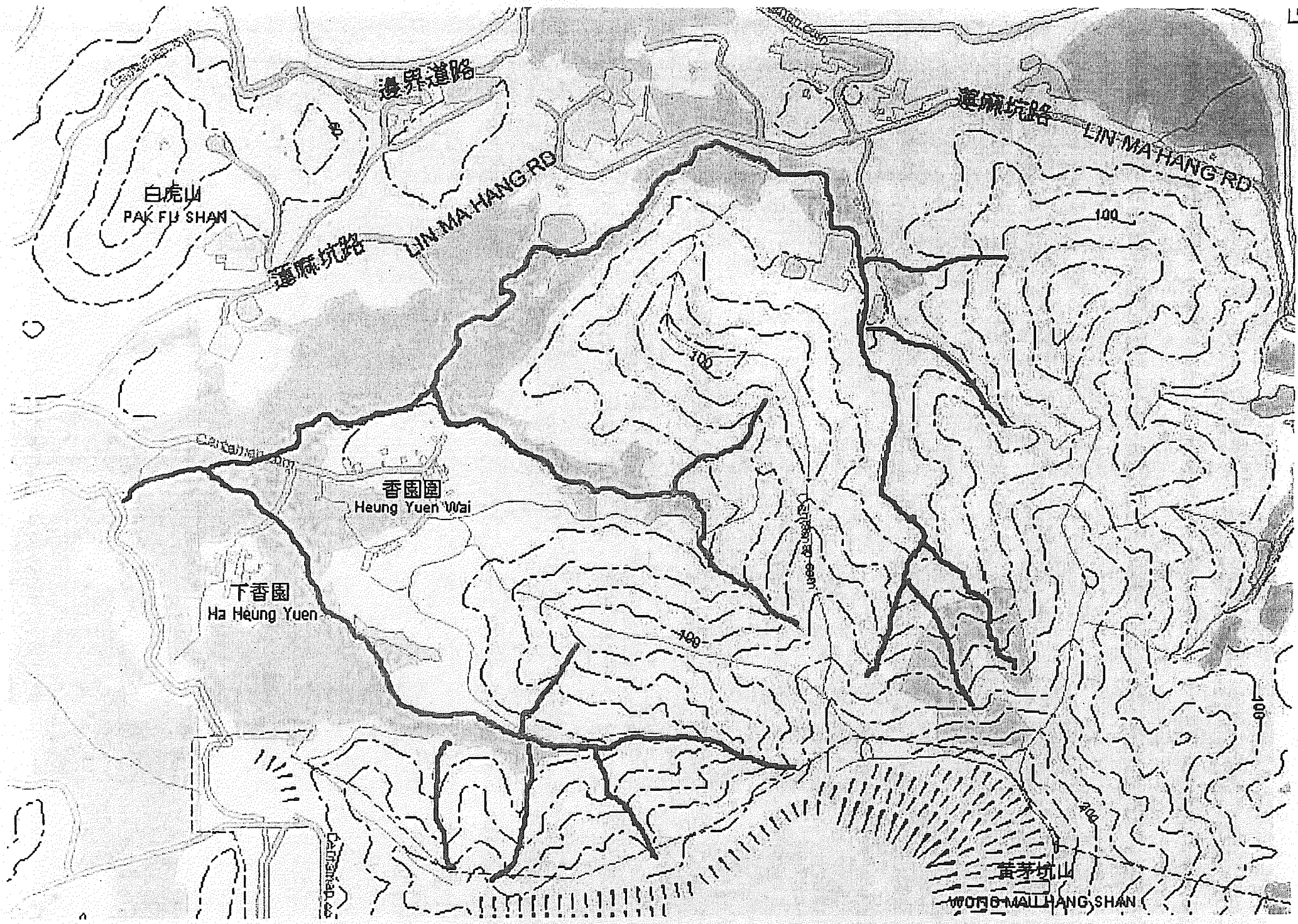


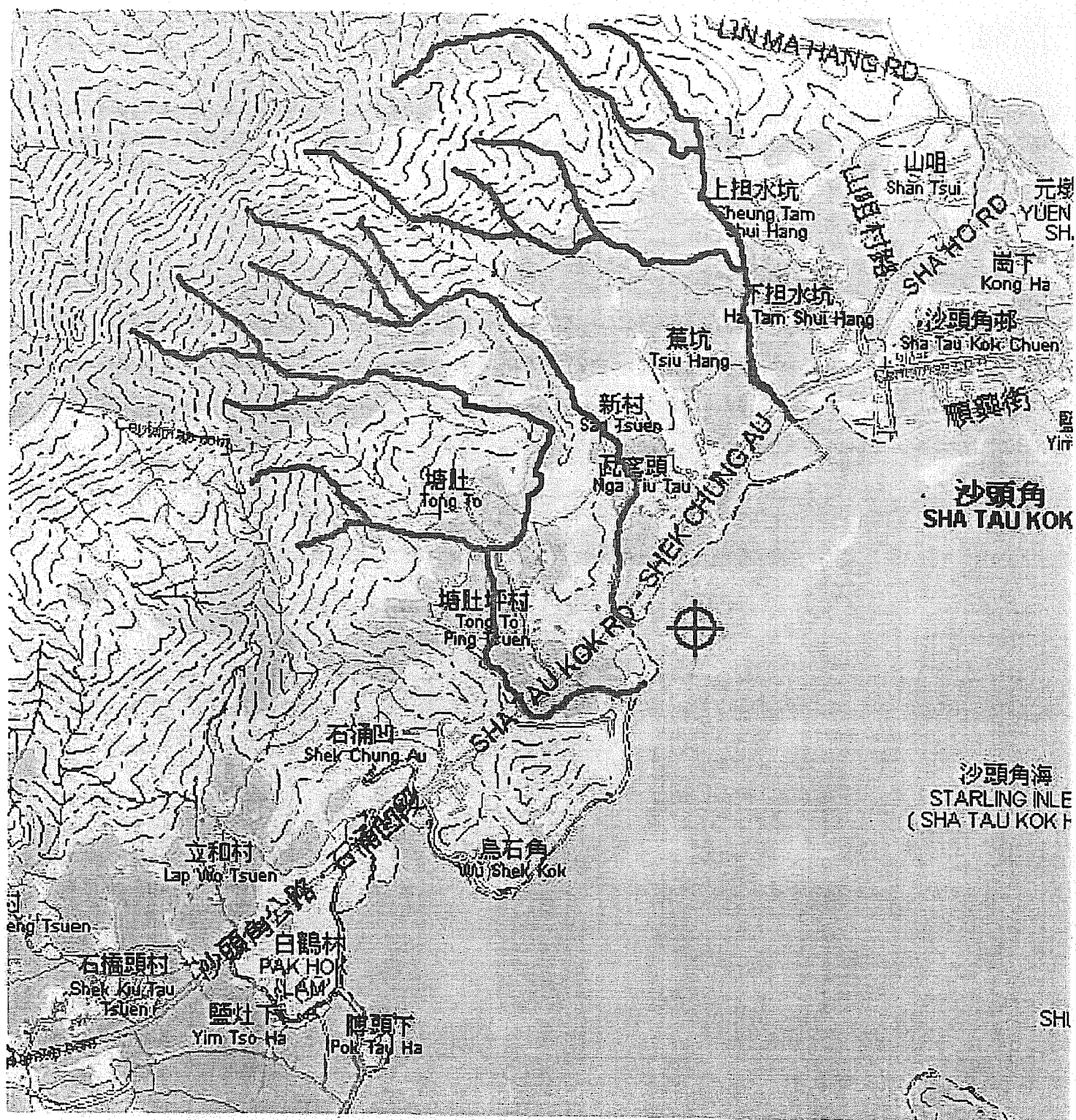
Heung Yuen Wai Stream





(c) Tony Nip © KFBC





Attachment VIb

"Andrew Chan"
<cmchan@wwf.org.hk> To <okcchan@pland.gov.hk>
16/05/2013 18:40 cc "Alan Leung" <ALeung@wwf.org.hk>
"Tony Hung" <thung@wwf.org.hk>
"Tobi Lau" <tlau@wwf.org.hk>
Sub WWF's Comments on FCA Draft OZPs
jec
t

Dear Otto,

Thanks for arranging the focus group meeting on 2 May 2013 regarding the captioned issue. As discussed in the meeting, here attached our comments and concerns on the FCA draft OZPs for your consideration.

If you have any enquiries, please feel free to contact us. Thank you very much!

Best Regards,

Andrew Chan
Assistant Conservation Officer, Local Biodiversity
WWF-Hong Kong
15/F, Manhattan Centre,
8 Kwai Cheong Road,
Kwai Chung, New Territories
Tel: (852) 2161 9667
Fax: (852) 2845 2764
Website: www.wwf.org.hk

WWF Hong Kong works to ensure a better environment for present and future generations in Hong Kong (See attached file: FCA draft OZPs comments_May

2013_WWF.pdf)

Comments & Recommendations on Draft FCA OZPs

Sha Tau Kok

1. Riparian Zone of the Stream between Tam Shui Hang & Tong To should be “GB” / “AGR”
 - The stream is regarded as moderate – high ecological value by TPB paper
 - Species of conservation found in the stream: *Zeuxine affinis*, Giant Mottled Eel and Mangrove Skimmer Dragonfly
 - Given no sewerage system in the area and within “V” zone, pollutants from village development will contaminate the stream and the mangroves at the estuary
 - “GB” / “AGR” is appropriate zoning to protect the riparian zone from future development.

2. Two Fish Ponds between Starling Inlet and south of Shau Tau Kok Road should be conservation zonings
 - Mangrove nearby is important habitat to globally vulnerable Mangrove Skimmer Dragonfly
 - Also, at least 15 nos. of wetland dependent avifauna species are using the fish ponds (refer to the attached WWF Letter on 27/9/2010).
 - To avoid any ecological impacts to the ponds and the mangroves nearby, conservation zoning is necessary, e.g. “CA”.

16 May 2013

Lin Ma Hang

1. Riparian zone of Lin Ma Hang SSSI should be "Conservation Area"
 - All the 20m riparian zone of Lin Ma Hang Stream (LMHS) SSSI within Lin Ma Hang Village should be zoned as "Conservation Area"
 - The importance of riparian zone to the LMHS SSSI has been repeatedly explained in green groups' joint letters (date of letter: 14 May 2012).
 - Riparian zone is important since it is an integral part of the stream ecosystem
 - Since Small House application is under Column 2, Small House development may encroach to LMHS's riparian zone if the riparian zone is "GB"
 - "CA" should be adopted to avoid any development on the riparian zones that will degrade the water quality of the LMHS SSSI.
 - Given no public sewer within the area, domestic sewerage from new Small Houses will be potentially drained into the LMHS SSSI
 - Adopting "CA" will be an effective measure to prevent any contamination to the SSSI from future village development
 - Sha Lo Tung can be the reference that riparian zone is under conservation zoning, i.e. "SSSI" to protect the integrity of stream ecosystem and prevent any degradation from development

Ta Kwu Ling North

1. All *Fung Shui* Woodlands zoned as "Conservation Area"
 - *Fung Shui* Woodlands near Kan Tau Wai and Tsung Yuen Ha should be zoned as "Conservation Area"
 - "V" zone of Kan Tau Wai has been expanded and nearly surrounded by village area. Thus, there will be development threat imposed if *Fung Shui* Woodland remains "GB"
 - Village development at Tsung Yuen Ha also threaten the *Fung Shui* Woodland nearby (zoned as "GB")
 - "CA" should be adopted to these two areas to prevent any development disturbing the woodlands
2. Heung Yuen Wai Stream to be zoned as "CA"
 - FCA study regards Heung Yuen Wai Stream (HYWS) as high ecological value
 - *Somanniathepphusa zanklon*, a Globally Endangered freshwater crab species under IUCN, inhabits in the HYW stream
 - To prevent any human disturbance and protect the endangered species, the stream course and riparian zone of HYWS should be changed from "REC" and "AGR" to "CA" and impose strict control on development
3. Concerns on Recreational landuse at the lowland between Kan Tau Wai & Heung Yuen Wai
 - There should be restriction on land filling and excavation in "REC" use.
 - We are of concern that unrestricted land fillings for recreational activities will lead to serious fly-tipping in the area.
 - Also, there will be impacts on existing drainage, ecology and landscape caused by fly-tipping.

16 May 2013

Ma Tso Lung & Hoo Hok Wai

1. Strong support to zone Hoo Hok Wai into CA(1)
 - We strongly support the zoning of CA(1) in Hoo Hok Wai and Ta Sha Lok
 - CA(1) can conserve the ecological value and function of the fish ponds which are part of the ecosystem of Deep Bay by prohibiting any development in this area
 - Therefore, CA(1) is appropriate to Hoo Hok Wai and Ta Sha Lok
2. Conservation zoning to Ma Tso Lung stream & riparian zone
 - 2 globally endangered species *Somanniathepphusa zanklon* 鎌刀束腰蟹 and *Cuora trifasciata* 金錢龜 have been found in the stream
 - Instead of "AGR", conservation zoning, e.g. "CA", is more appropriate to reflect the ecological importance of the stream in terms of these endangered species
 - As roots and stems of riparian grasses are also the habitats of this freshwater crab, riparian zone of MTL stream should also be zoned as "CA"
 - As part of the wetland ecosystem at Hoo Hok Wai, the stream should be further protected by "CA" against any development which can cause pollution to it.
3. Potential impacts of future development around Ma Tso Lung
 - Ecological impacts of LMC Loop bypass which is proposed to pass through HHW fish ponds
 - Future zoning of southern part of Ma Tso Lung where is duplicated with the proposed NENT NDA.
 - Upper MTL stream falls into the proposed NENT NDA which may be affected by the proposed development of NDA
 - PlanD should address the cumulative impacts of surrounding development plan and co-operate with different Government departments so that ecological values of habitats with high conservation interests will not be degraded.

Man Kam To

1. Fung Shui woodland at Muk Wu to be zoned as "Conservation Area"
 - Fung Shui woodland in Muk Wu should be zoned as "Conservation Area" to further conserve their ecological value to local biodiversity.
 - Since the Fung Shui woodland has significant size, about 2.5 hectare, the ecological value is high and thus it should be conserved.
 - As said in the board paper, Fung Shui woodland has high susceptibility. Therefore, "Conservation Area" is needed to restrict any potential development that encroach to Fung Shui woodland
2. Chow Tin Tsuen wet agricultural land to be zoned as "GB" or "AGR"
 - The wet agricultural lands should not be zoned as "V" since they are still actively using and the lands are outside "VE"
 - They will be under great development pressure from Small Houses if remains at "V"
 - As wet agricultural lands have been declining in Hong Kong due to development, conservation zoning is necessary to keep them intact from human disturbance and maintain their ecological function
3. Concerns on Recreational landuse at Ta Kwu Ling Village & east of Fung Wong Wu
 - There should be restriction on land filling and excavation in "REC" use.
 - We are of concern that unrestricted land fillings for recreational activities will lead to serious fly-tipping in the area.
 - Also, there will be impacts on existing drainage, ecology and landscape due to fly-tipping.

"Roy Ng"
<roy@cahk.org.hk> To <okcchan@pland.gov.hk>
23/05/2013 下午 12:39 cc "'Tony Nip'" <tonynip@kfbg.org>
<dcctsang@pland.gov.hk>
'Ming Chuan Woo' <mcwoo@kfbg.org>
'Debby Chan' <debby@designinghongkong.com>
'Karen' <karen@greenpower.org.hk>
'Henry' <henry@greenpower.org.hk>
'Alan Leung' <ALeung@wwf.org.hk>
'Tobi Lau' <tlau@wwf.org.hk>
Sub Comments on 5 Frontier Closed Area OZPs
jec
t

Dear Otto,

Thanks for arranging the meeting on 2 May 2013. While The Conservancy Association (CA) appreciates the effort by Planning Department in working on the final draft of the OZPs in Frontier Closed Area (FCA), we would reiterate some of our comments on the following items.

Draft Lin Ma Hang OZP

We support the initiative to rezone the upstream riparian zone of Lin Ma Hang SSSI into "CA" to safeguard its ecological importance. To further ensure its ecological integrity, the remaining GB along the riparian zone should also be rezone as "CA".

Draft Ma Tso Lung & Hoo Hok Wai OZP

We support that the extensive fish ponds and adjacent freshwater marshes in Hoo Hok Wai would be zoned as "CA (1)". This arrangement is appropriate to reflect the ecological value of Hoo Hok Wai wetland system and ecological linkage with adjacent wetland in Ho Sheung Heung, Lok Ma Chau Loop, San Tin, Mai Po and even other Deep Bay Area.

Draft Sha Tau Kok OZP

We are concerned that the 0.16ha and 0.39ha of Ha Tam Shui Hang Stream, originally zoned as AGR, would be rezoned as V. In the final report of Strategic Environmental Impact Assessment of FCA, this stream was once classified as "Moderate to High" so that rezoning this as V zone does not reflect the ecological importance of the stream. We especially worry that stream diversion which requires permission from TPB under AGR zone would be legitimate under the proposed V zone. We thus would not support that this stream and riparian area should be zoned as V zone in future.

Best regards,
Ng Hei Man (Roy)
Assistant Campaign Manager
The Conservancy Association

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23/05/2013 下午 02:43 cc "'Tony Nip'" <tonynip@kfbg.org>
"'Ming Chuan Woo'" <mcwoo@kfbg.org>
"'Debby Chan'" <debby@designinghongkong.com>
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Sub Green Power's comments on Frontier Closed Area OZPs
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Dear Mr. Otto Chan,

Thank you for meeting with the green groups on 2 May 2013 relating to the drafting of OZPs covering the FCA areas. Green Power would like to submit our comments as follows:

1. Draft Lin Ma Hang OZP

- Lin Ma Hang Stream SSSI has very high ecological value and is one of few good quality stream for freshwater fish in Hong Kong. We consider that the Administration should take an ecosystem approach and rezone the whole existing stream buffer areas from "Green Belt" (GB) zone to "Conservation Area" (CA) zone which can offer more effective protection to the Lin Ma Hang SSSI stream.

- In view of the above rezoning of the stream buffers of Lin Ma Hang Stream SSSI, the Administration may consider whether it is necessary to increase the "GB" areas within the Lin Ma Hang OZP. And if yes, the identification of areas suitable for "GB" designation should be first subject to an ecological impact assessment to confirm that the areas are not ecologically sensitive.

2. Draft Ta Kwu Ling North OZP

-As discussed in the green groups meeting on 2 May, we note that the Heung Yuen Wai Stream is of high conservation concern. KFBG has already recommended AFCD to designate this stream to be an Ecologically Important Stream (EIS).

-We therefore urge the Administration to protect the stream and its riparian zone (at least 10 m) by rezoning it from the proposed "Village Type Development" (V) zone and/or "Recreation" (REC) zone to "Conservation Area" (CA) zone to better reflect its high ecological value.

3. Draft Sha Tau Kok OZP

-As discussed in the meeting, we support the protection and conservation of the stream course near Ha Tam Shui Hang which is considered of ecological interest in local context. However, the stream and its riparian areas are currently proposed to be zoned as "Village Type Development" (V) zone, which will make the stream course vulnerable to small house development or other developments listed in Columns 1 and 2 under the "V" zone. As such, we suggest that the stream should be rezoned as "Conservation Area" (CA) zone for better protection and conservation of the stream.

-Moreover, we note that the "Agriculture" (AGR) zone on the southern-eastern side of Sha Tau Kok has been used for car parks at present. The Administration should assess whether the car parks in the "V" zone is a compatible land use with the surrounding land uses in the Sha Tau Kok area.

Thank you for your attention and consideration.

Sincerely,

Karen Woo

Conservation and Education Manager

Green Power

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Attachment VIe

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ng.com> cc
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04/06/2013 12:53 t

Dear Mr Otto Chan,

We appreciate the fruitful meeting on 2 May 2013. We support the suggestions that the NGOs mentioned during the meeting, here we would like to readdress our views on the draft of the OZPs in Frontier Closed Area (FCA):

1. To fully protect the villages from the threat of flooding and the ecological important streams, including Lin Ma Hang Stream in the Lin Ma Hang OZP, Heung Yuen Wai Stream in the Ta Kwu Ling North OZP and stream passes Ha Tam Shui Hang in the Sha Tau Kok OZP, we agree the area along those streams and the riparian zones on the both side should either be zoned as SSSI or CA.

2. One additional point, all monuments in the FCA, including the Residence of Ip-Ting-Zi, should be zoned as OU annotated as Heritage Site with relevant amendment added to the Notes.

Yours sincerely,

Debby Chan

Designing Hong Kong